

# Resolve with Consent

## After an investigation

After a complaint investigation, CPSA's Complaints Director (CD) receives an Investigation Report with preliminary findings. Depending on the findings, the CD might want to work with the physician to make practice improvements through education and/or remediation. This quality improvement approach results in better care for future patients.

Known as Resolve with Consent, this complaint resolution process requires the consent of both the complainant and the physician. As the complainant, you will be asked to provide consent twice, once verbally at the beginning of the process and again, in writing, at the end.

### WHY RESOLVE WITH CONSENT?

Physicians can make mistakes and/or poor decisions. When they acknowledge and take responsibility to improve their medical practices, you and other Albertans can benefit from improved care.

Helping ensure  
**better care for  
future patients.**

### YOUR PART IN THE PROCESS

The CD will write to advise you of the Investigation Report's preliminary findings and propose steps to address the issues (i.e., education and/or remedial activities the physician is to complete).

The CD will also ask you to contact a CPSA complaint navigator to give your consent (consent #1) to proceed with the Resolve with Consent process. You can give your initial consent verbally or in writing/email.

### IF YOU PROVIDE VERBAL CONSENT

The CD will share the preliminary findings with the physician, discuss the proposed education and/or remedial activities and obtain their agreement (consent). This can involve a number of steps, and may take several months before the physician signs off on the process.

Once the physician consents, the CD will write to advise you of the agreement, provide any further details and request your consent again, this time in writing with a signature (consent #2).

With signed consent, your part in the process is complete and the file is closed. If you do not consent at this point in the process, the CD will conclude the investigation and dismiss the complaint.

## IF YOU DO NOT PROVIDE VERBAL CONSENT

Ensure your complaint navigator understands your reasons. The CD considers all your reasons when making a decision on how to proceed, which can include concluding the investigation and:

- Addressing the findings with the physician then dismissing the complaint. If this occurs, you will receive a decision letter outlining the reasons for the dismissal.
- Sending the case to legal counsel to prepare for a formal hearing.

Both the complainant and physician must give consent.

## FREQUENTLY ASKED QUESTIONS

### **How long does Resolve with Consent take?**

Each case is different and may take several months to obtain agreement and consent from the physician.

### **Can I withdraw my consent?**

Yes. To do so, you must notify your complaint navigator. You will need to provide your reason(s) for withdrawing your consent.

### **Does this process affect any other legal actions I'm considering?**

No. Our processes are part of Administrative Law and do not influence any other legal proceedings. There is no reason to delay or change your plans regarding additional legal actions.

### **Is the Complaints Director available to answer my questions?**

Yes. Simply let your complaint navigator know, and they will facilitate a response or connect you with the CD directly.

### **Is there a time limit to provide my consent?**

Yes, in fairness to all concerned, you must provide your consent within 30 days.

### **What are possible education/remedial activities the physician may undergo?**

They may:

- Attend practice management courses or take such courses online
- Attend a professional boundaries course
- Participate in a formal Practice Review or competence assessment through CPSA's Continuing Competence department

### **Will I receive further information after the physician completes the education/remedial activity?**

Yes. The CD will notify you when the physician completes this activity, OR if they fail to do so.

**Questions?** Please contact your CPSA complaint navigator.