



College's position

Obligation to disclose

In keeping with fundamental commitments of the medical profession outlined in the *CMA Code of Ethics and Professionalism* (registrants must take all reasonable steps to prevent or minimize harm to the patient; disclose to the patient if there is a risk of harm or if harm has occurred), registrants have an ethical and professional obligation to disclose information about adverse or harmful event

etc.). However, the involvement of multiple registrants, medical trainees or other health-care providers may require that a decision be made as to who is the most appropriate individual to speak to the patient.

The CMPA encourages registrants to discuss adverse events with patients; however, if there is concern about a legal action, the College advises registrants to first consult the CMPA.

Documentation of disclosure

Disclosure must always be carefully documented in the patient's medical record.

Health authorities and public hospitals have protocols for dealing with disclosure. Registrants are generally expected to comply with such protocols at institutions where they work. When the situation is ethically unclear, they may seek guidance from the College.

Additional advice about the actual process of disclosure is provided by both the CPSI and CMPA.

References

Apology Act of British Columbia [SBC 2006] CHAPTER 19 [cited January 17, 2022]. Retrieved from: https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00_06019_01

Canadian Medical Association (2019) *Code of Ethics and Professionalism* [cited January 17, 2022]. Retrieved from: <https://policybase.cma.ca/link/policy13937>

Canadian Medical Protective Association (2015) *Disclosing harm from healthcare delivery: Open and honest communication with patients* [cited March 17, 2022]. Retrieved from: <https://www.cmpa-acpm.ca/en/advice-publications/browse-articles/2015/disclosing-harm-from-healthcare-delivery-open-and-honest-communication-with-patients>

Canadian Medical Protective Association (2021) *Disclosure of patient safety incidents* [cited March 17, 2022]. Retrieved from: <https://www.cmpa-acpm.ca/en/education-events/good-practices/physician-patient/disclosure-of-patient-safety-incidents>

Canadian Medical Protective Association (March 2021) *Disclosing harm from healthcare delivery, e-learning module* [cited March 17, 2022]. Retrieved from: <https://www.cmpa-acpm.ca/en/education-events/elearning#elearning>

Canadian Patient Safety Institute (2011) *Canadian Disclosure Guidelines: Being Open with Patients and Families* [cited January 17, 2022]. Retrieved from: <https://www.patientsafetyinstitute.ca/en/toolsResources/disclosure/Documents/CPSI%20Canadian%20Disclosure%20Guidelines.pdf>

College of Physicians and Surgeons on Ontario (CPSO) *Disclosure of Harm* (2019) [cited January 17, 2022]. Retrieved from: <https://www.cpso.on.ca/Physicians/Policies-Guidance/Policies/Disclosure-of-Harm>