



## GUIDELINES FOR COLLEGE-DIRECTED HEALTH MONITORING

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### INTRODUCTION

#### Reasons/Goals of Health Monitoring

The College, through its committees may require a physician's health to be monitored. For example, the Fitness to Practice Committee may order Health Monitoring when a physician has a health issue that may potentially impact the physician's practice.

### PURPOSE OF GUIDELINES

These Guidelines set out the College's *general* expectations and processes for physicians engaged in a College-directed Health Monitoring arrangement with regard to:

- principles of Health Monitoring;
- qualities of an acceptable Health Monitor;
- terms of Health Monitoring;
- approaches to supervision;
- content of Health Monitoring reports;
- basis for immediate reports to the College; and
- roles of Health Monitors and health monitored physicians, as well as general responsibilities of Health Monitors and health monitored physicians to each other and to the College.

These are *general* guidelines only. All health monitored physicians and Health Monitors are asked to sign detailed undertakings which set out the College's *specific* expectations.

### TERMINOLOGY

*Health monitoring* is a form of supervision that focuses on treating the physician for particular health issue(s) which may potentially affect their practice.

*Health Monitor* is typically a physician who treats the physician for particular health issue(s) which may potentially affect their ability to practice safely. In some instances, the Ontario Medical Association Physician Health Program is considered a *Health Monitor* and reports to the College in its oversight and advocacy capacity for the member.

## **PRINCIPLES OF HEALTH MONITORING**

When principles of Health Monitoring are applied in a consistent and responsible manner, Health Monitoring will promote quality physicians and public trust. The principles of Health Monitoring are:

1. Safe, quality patient care must always take priority in all Health Monitoring situations.
2. The Health Monitor's ultimate responsibility is to the College, and both the Health Monitor and health monitored physician must adhere to orders, and undertakings with the College.
3. Health Monitors and health monitored physicians must, within the monitoring relationship, respect the principles underlying the Ontario's *Human Rights Code*.

## **QUALITIES OF AN ACCEPTABLE HEALTH MONITOR**

While the College ultimately approves the Health Monitor, health monitored physicians are generally required to locate potential Health Monitors.

### College's Criteria for Approval of Health Monitors

The Health Monitor must not currently be the subject of any disciplinary or incapacity proceeding.

The College, as part of its consideration/approval process, generally seeks the following qualities in a Health Monitor:

- an Ontario certificate of registration for independent practice (or a member of another regulated health profession may be acceptable to the College for Health Monitoring roles);
- currently practises in Ontario;
- member's past and current investigative and assessment history with the College is acceptable;
- not involved in activities that would compromise their ability to be a Health Monitor, e.g. doing work for the Canadian Medical Protective Association, or another organization that conflicts with the Health Monitoring to be provided to the physician to meet the College's requirements; and,
- sufficient time and resources necessary to take on the responsibility of monitoring a physician's health and to fulfill all terms of the College undertaking;

In addition to the above, the College also considers relationships that could exist between the Health Monitor and health monitored physician.

## Disclosure of Pre-Existing Relationship between Health Monitor and Supervised Physician

The Health Monitor and monitored physician **must** disclose to the College *any* pre-existing relationship, and the College will determine whether the nature of the relationship disqualifies the proposed Health Monitor, i.e. whether the relationship might interfere with the Health Monitor's ability to objectively monitor the physician.

Examples of relationships that may disqualify a proposed Health Monitor include (but are not limited to): employment, family, social/personal, and business. As noted, the College will determine whether alternative monitoring arrangements are warranted.

## THE TERMS OF HEALTH MONITORING

- The terms of the Health Monitoring (i.e., nature, duration, level, and frequency of visits and reports) are set out in undertakings, decisions, or orders.
- The terms of the Health Monitoring may only be changed on the approval of the College.

The College determines when the Health Monitoring is complete. Completion may be determined by whether the goals of the Health Monitoring have been met.

## APPROACHES TO HEALTH MONITORING

- Health Monitoring involves a regular review of a physician's health status. The extent and frequency of the Health Monitoring will be determined by the details outlined in the Health Monitoring Agreement.
- The Health Monitor monitors the physician's compliance with the treatment regime, and sees the health monitored physician at regular intervals as specified by the College; and, during vacation or other absence, makes arrangements for the necessary health care to continue to be provided by another health care provider.
- A team-based approach to Health Monitoring is sometimes acceptable<sup>1</sup> and desirable.
- Remote Health Monitoring *may* be acceptable to the College in appropriate circumstances.

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<sup>1</sup> Team-based health monitoring must be formally approved by the College. One physician is designated as the "lead health monitor" and serves as the **primary contact** for the College.

## HEALTH MONITORING REPORTS

- The Health Monitor will submit regular reports to the College in accordance with the requirements set out in the Health Monitor's undertaking.
- The Health Monitor's undertaking will set out the schedule for providing reports to the College. It is essential that the Health Monitor meets this schedule to enable the College to monitor the arrangement. In addition, the reports must be detailed and must contain a meaningful assessment of the physician being health monitored.
- Reports must be signed and dated by the Health Monitor.
- The College acknowledges that although there may be a financial arrangement between the Health Monitor and monitored physician, the Health Monitor's ultimate responsibility is to the College, i.e. the Health Monitoring reports must be completely objective, fair, and impartial.

## BASIS FOR IMMEDIATE REPORTS TO THE COLLEGE

There may be circumstances in which a Health Monitor must file an immediate report to the College, outside of the regular schedule of reports outlined in the Health Monitoring undertaking. These circumstances are in addition to the obligations set out in the College's ["Mandatory and Permissive Reporting"](#) policy that applies to all physicians.

The Health Monitor's specific obligations will be set out in an undertaking with the College, but generally include the requirement for Health Monitors to report **immediately** to the College in the following situations:

- the health monitored physician's health issue(s), or conduct may expose patients or others to risk of harm or injury;
- the health monitored physician is acting in a manner that suggests that s/he may be incapacitated;
- the health monitored physician fails to comply with the terms of his or her undertaking or Committee direction/order, which includes missing a meeting or an appointment with the Health Monitor without sound reason, or being uncooperative;
- the Health Monitor is unable to continue in the role, or unable to fulfill obligations on a timely or temporary basis, e.g., due to illness, vacation, personal emergency, etc.; or
- the Health Monitor becomes the subject of an investigation by the College (or by his or her regulator if he or she is a member of another regulated health profession).

**HEALTH MONITORING:** A form of supervision that focuses on treating the physician for particular health issues which may potentially affect their practice. In some instances, the Ontario Medical Association Physician Health Program is considered a Health Monitor and reports to the College in its oversight and advocacy capacity for the member.

**Examples:**

- Physical conditions;
- Substance use disorders; and
- Mental health conditions.

**Health Monitor Expectations and Responsibilities:**

- signs an undertaking directly with the College;
- reviews any pertinent background materials;
- maintains a professional relationship with the health monitored physician;
- monitors the physician’s compliance with the treatment regime;
- sees the health monitored physician at regular intervals as specified by the College; and, during vacation or other absence, makes arrangements for the necessary health care to continue to be provided by another health care provider;
- submits objective reports to the College, at intervals prescribed by the College, and noting:
  - the dates that the Health Monitor has professionally seen the physician;
  - major events in the course of the physician’s illness, including any periods of hospitalization, or any period in which s/he was not capable of properly practising medicine;
  - the treatment plan which is prescribed for the physician;
  - the physician’s compliance with the treatment plan; and
  - any other information that might assist the College in assessing the physician’s capacity to practise medicine; and
- reports immediately to the College any situations outlined in the [Basis for Immediate Reports to the College](#) section.

Quick Link: [Qualities of an Acceptable Health Monitor](#)

**Health Monitored Physician Expectations and Responsibilities:**

- agrees to information sharing amongst all relevant entities ( as per undertaking) to facilitate Health Monitoring;
- is motivated and participates in Health Monitoring with a health care provider approved by the College;
- is open, honest, and collegial with his or her Health Monitor;
- demonstrates meaningful signs of progress towards meeting College expectations;
- assists the Health Monitor in fulfilling obligations; and,
- acknowledges responsibility for payment of all fees, costs, charges, expenses, etc. arising from the Health Monitoring .