

# The other side of the story

The College operates under provincial legislation called the *Medical Profession Act*. Under this Act, we are not allowed to confirm if a complaint has been made against a particular physician. The only time we are allowed to discuss information related to a complaint is if the complaint goes to a disciplinary hearing and College Council agrees that the physician should be named and the results of the hearing published.

Because of this legislation, media stories regarding the College's complaints process are sometimes less than balanced. Reporters will speak with the physician and with his/her patients, but the College's point of view is limited to discussing process. Unfortunately, this type of information is rarely considered newsworthy and is often disregarded.

Recently, a local news story focused on this topic - and left the viewer with an inaccurate and unfavorable image of the College. In the hope of providing a more balanced account, we would like to respond to some of the most common criticisms we receive, particularly those that involve suspending a physician or putting restrictions on his/her practice.

## **MYTH #1:**

The College inappropriately measures physicians against outdated guidelines.

## **FACT:**

We do not in any way measure a physician's performance against College guidelines. These guidelines are meant to provide advice to Alberta's medical profession; they do not outline a standard of care and are not used to adjudicate concerns about clinical care. Where there is a disagreement between the College and a physician, we rely on independent expert review and opinion, and we solicit advice from experts who have a practice similar to the physician.



## **MYTH #2:**

The College unfairly imposes conditions or restrictions on a physician's practice.

## **FACT:**

Restrictions can only be placed either with the physician's agreement or, in the absence of agreement, after a hearing before an Investigating Committee and a penalty imposed by Council.

## **MYTH #3:**

The College does not take into account the needs of the physician's patients when conditions or restrictions are applied.

## **FACT:**

The College does not impose conditions or restrictions on a physician until he/she has had the opportunity to defend his/her actions before a jury of his/her peers. Once evidence has been gathered and an expert review completed, the physician will often voluntarily choose to restrict his/her practice. In these cases there is no need to go to a formal hearing. When physicians negotiate an agreement with the College, that agreement will include a period of transition to ensure that the needs of existing patients are met, either by transfer of care to another physician or some alternate provision of care. We rely on the physician to inform us that

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his/her patients have been properly managed as per the agreement.

We are confident our process ensures the safety of the public and fairness to physicians.

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