



Business of Medicine: Discharging Patients from a Medical Practice

A GUIDE FOR FAMILY PHYSICIANS | PREPARED BY DOCTORS NOVA SCOTIA | DECEMBER 2022



Need a helping hand?

Doctors Nova Scotia's physician advisors are ready to help physicians navigate these difficult situations.

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Meeting your obligations

Maintaining an office practice roster is important, particularly as physicians near retirement, plan to take on unattached patients, or convert to a new payment model.

If, for whatever reason, a physician is considering discharging a patient from their roster, they must ensure they meet their professional obligations. These obligations are outlined by the College of Physicians and Surgeons of Nova Scotia (CPSNS) standards, "[Ending the Physician-Patient Relationship](#)" and "[Reducing the Size of a Medical Practice](#)."

Note: This guide is not intended as legal or professional advice or opinion. It is recommended that physicians and staff members seek legal or professional advice should concerns arise.

DOCUMENT YOUR ACTIONS

Remember to document in the patient's record the reasons for termination and the steps taken to notify them.



Grounds for ending the physician-patient relationship

When making the decision to terminate a physician-patient relationship, physicians are expected to apply good clinical judgement and to act with compassion.

Physicians may not discharge a patient because of:

- a discriminatory ground as identified in the [Nova Scotia Human Rights Act, 2012](#) such as: age, race, religion, creed, sex, sexual orientation, gender identify, gender expression, physical or mental disability, an irrational fear of contraction of an illness or disease, ethnic, national or aboriginal origin, etc.
- poor lifestyle choices
- past missed appointments (*unless appropriate warnings were ignored*) or outstanding fees
- refusing to follow medical advice (*unless patient repeatedly does not adhere despite reasonable attempts to address*)
- relocation of the practice to a new location to which the patient could reasonably be expected to follow

Physicians may end a patient relationship if:

- they are changing their scope of practice and the patient no longer fits the new scope
- a relocation occurs more than one year after closing an earlier practice
- they are planning to retire and have not found a physician to take over their practice

In addition to abiding by all relevant Human Rights legislation (as noted above), physicians must:

- act in the best interests of their patients
- treat patients with respect and without discrimination
- give patients advance written notice of the decision and make reasonable efforts to arrange appropriate continuity of care

Actions when terminating patient relationships

When a physician decides to terminate a patient relationship, they must ensure the patient receives:

- a minimum of three months advance notice of the intention to terminate and a timeline for their continuing care needs. Physicians should use at least one of the following notification methods:
 - scheduled appointment and/or
 - written letter and/or
 - telephone call and/or
 - email notification and/or
 - electronic messaging
- rationale for the termination (unless disclosure could be expected to result in immediate and grave harm to the patient’s mental or physical health or safety; threaten the mental and physical health or safety of provider, staff or public, or pose a threat to public safety)
- reasonable efforts to arrange transfer and follow-up care
- continuity of follow-up care for outstanding investigations and serious medical conditions prior to termination date or transfer of care to another physician
- care until termination – ensure all outstanding reports and work in progress are reviewed and acted upon
- access to prescription medication for long-term or chronic conditions

The physician must establish a process to ensure the patient, their new doctor and/or an authorized third party can receive a copy of their medical information.

Reasonable effort

The CPSNS professional standards state that reasonable effort should be made to notify a patient of a decision to terminate the relationship, but what does that mean?

Both the CPSNS and the Canadian Medical Protective Association (CMPA) indicate physicians should, at minimum, attempt to notify patients they plan to discharge from their practices using their last known contact information on file. This requirement applies to both actively managed and inactive patients who haven’t been seen in months or years.

Exceptions to notification

Additionally, the standard recognizes that an effective doctor-patient relationship is necessary for providing quality health care. A physician may immediately terminate a patient relationship if:

- the patient poses a safety threat to the physician, their staff or other patients
- the patient commits fraud to obtain narcotics or other drugs
- the patient is abusive toward the physician, their staff or other patients
- the patient does not respect professional boundaries, or
- the physician is leaving medical practice due to personal illness or urgent circumstances

When the patient is being discharged due to their behaviour, advance notice is not mandatory.

Dealing with difficult patients

Conflict can happen between patients and physicians. Patients expressing discriminatory or bigoted opinions may make the physician’s workplace feel unsafe. Knowing how to effectively manage these situations is key and working to maintain the physician-patient relationship whenever possible is the ideal. Doctors Nova Scotia has produced a guide to help physicians called “Managing and De-escalating Discrimination and Bigotry from Patients.”

Still not sure?

The CPSNS recognizes the reasons for termination of a physician-patient relationship listed in the standard is not exhaustive. When in doubt, reach out to the CPSNS or the CMPA for advice.

Additional resources

CMPA - Ending the doctor-patient relationship (cmpa-acpm.ca)

CMPA - Closing or leaving a practice: Tips for primary care physicians (cmpa-acpm.ca)