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May 5, 2023

By email to CPSO feedback comment box

**FAIR Submission to: Physician Behaviour in the Professional Environment Policy - Preliminary Consultation**

Thank you for the opportunity to provide input to this preliminary consultation. FAIR is a grassroots not-for-profit organization of MVA (Motor Vehicle Accident) victims who have been injured in motor vehicle collisions and who have struggled with the current auto insurance system in Ontario.

The CPSO policy appears to be clear and easily understandable from a public perspective and the intent to minimize and address disruptive behavior is evident. It also appears to protect just some of Ontario's patients.

What is missing is the mention of the word '**clients**' or '**subjects of examinations**' under **Responsibilities to Patients**, sections 4 and 5.

It is noteworthy that in the **THIRD PARTY MEDICAL REPORTS POLICY**

<https://www.cpso.on.ca/Physicians/Policies-Guidance/Policies/Third-Party-Medical-Reports> the patients being examined are designated as 'subjects' and examinations are referred to as a professional encounter or service.

We see that the physicians who perform these Third-Party examinations have all the perks from the CPSO as do treating physicians such as access to CMPA if a complaint arises but car crash survivors in the claims process, a vulnerable group of traumatically injured patients, appear to be closed out of this behavior policy in regards to the Regulator's expectations of their members' behavior in Third Party medical settings.

We have seen many complaints about insurer IME/IEs or Third-Party reports and testimony in the past and many contain elements of abuse as described in the Policy at consideration here. Rude, profane, disrespectful, insulting, demeaning, threatening, bullying, or abusive language, tone, innuendos, and behavior, outbursts of anger, mocking, shaming, disparaging or censuring patients, colleagues, and others involved in the provision of health care and too often the repeated failure to listen to patients and to promptly respond to requests for information.

As a Regulator who is charged with protecting the public interest CPSO shouldn't create a safe space for a small segment of their members who abuse Ontario patients just because they are in a situation where no 'duty of care' is owed to these patients. The absence of a 'duty of care' should not be seen as an absence of accountability or free pass to behave badly or abuse others.

Under section 4, the wording should include '**subjects of examinations**' or '**clients**' in the sentence "acting respectfully toward patients, **subjects of examinations**, their families, friends or visitors, and prospective patients...".

Under section 5, the wording should include '**subjects of examinations**' or '**clients**' in the sentence "Advocacy for patients and **clients** both individually and collectively...".

Thank you for your consideration of our concerns.

***FAIR Association of Victims for Accident Insurance Reform***