

DATE: January 31, 2020

TO: College of Physicians and Surgeons Consultation

RE: Third Party Reports

The Ontario Rehab Alliance appreciates this opportunity to comment on the proposed policy, and thanks the College for reaching out to us with the invitation. Our comments are as follows:

Objectivity

RE # 29. Physicians must state any findings or opinions contained in a report in a way that is objective and free from personal bias; and # 30. Physicians must not include comments unrelated to the physician's professional opinion, or that are extraneous to the requesting party's stated objectives.

Comment: We commend the intention to ensure objectivity but believe that goal might be best accomplished by extending the policy to address the larger issue of physician objectivity and the conflicts of interest that arise when a physician routinely and frequently undertakes IME assignments from an insurer. Objectivity and/or the perception of objectivity may be compromised where such patterns exist and significant income from such assignments is involved. We suggest that the policy could address such circumstances by requiring disclosure and transparency regarding such relationships.

Scope of Expertise & Knowledge

RE # 37. In situations where a physician is asked to answer questions, or provide an opinion that is beyond their expertise or experience, or which requires access to information they do not have, physicians are advised to discuss the matter with the requesting party, and explain that they may not be able to answer every question asked, or provide the opinion sought.

- a. *If the party will not amend their request, or is otherwise unresponsive to the concerns expressed, physicians must:*
- i. *restrict their statements to matters that are within their area(s) of expertise and about which they have sufficient information, and*
 - ii. *indicate clearly the reasons for which they are unable to fulfill all the elements of the third party's request.*

Comment: We commend the intention of this policy. If the intention is to ensure that limitations of scope and expertise are respected and acknowledged, this policy would be most effective if it restricted physicians from taking on assignments beyond their expertise or experience, or which require access to information they do not have.

With thanks, again, for this opportunity to contribute.