

October 1, 2024

Via email: consultations@cpso.on.ca

Dr. Nancy Whitmore, Registrar/CEO
College of Physicians & Surgeons of Ontario
80 College St.
Toronto, ON M5G 2E2

Dear Nancy:

Re: Consent to Treatment Policy, Advice and Guide

The Canadian Medical Protective Association (CMPA) appreciates the opportunity to provide feedback to the College regarding its consultations on the draft *Consent to Treatment Policy, Advice* document and Guide to the *Health Care Consent Act* (“HCCA”).

As you know, the CMPA delivers efficient, high-quality physician-to-physician advice and assistance in medico-legal matters, including the provision of appropriate compensation to patients injured by negligent medical care. Our evidence-based products and services enhance the safety of medical care, reducing unnecessary harm and costs. As Canada’s largest physician organization and with the support of our over 111,000 physician members, the CMPA collaborates, advocates and effects positive change on important healthcare and medico-legal issues.

The CMPA welcomes the College’s efforts to provide a clearer articulation of its expectations by moving the legal requirements of consent into the standalone *HCCA* Guide, with only professional expectations being included in the Policy. Revisions to the Advice document to provide additional guidance on issues such as navigating difficult situations with substitute decision-makers and family members will also be helpful to physicians. The documents as written are clear and well-organized, and as such our feedback is minor.

Given the CMPA’s extensive experience with issues concerning consent, consideration could be given to including a statement in the Policy and/or Advice document encouraging physicians to contact the CMPA for advice on this topic, especially when dealing with complex or contentious situations. It would also be helpful to make reference to CMPA publications on consent, such as the Consent [Handbook](#) and [Good Practices](#) on Informed Consent.

We trust these comments will be of assistance to the CPSO in finalizing the draft *Consent to Treatment Policy, Advice* document and Guide to the *HCCA*.

Yours sincerely,



Lisa Calder, MD, MSc, FRCPC
Chief Executive Officer

