



FAIR Association of Victims for Accident Insurance Reform
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By email to CPSO feedback comment box

FAIR Submission to: CPSO draft *Professional Behaviour* policy

Thank you for inviting us to provide input to the draft of CPSO Professional Behaviour policy. FAIR is a grassroots not-for-profit organization of MVA (Motor Vehicle Accident) victims who struggle to access the rehabilitation benefits they've paid for. The recovery journey and access to needed rehabilitation resources for injured car crash survivors depends on the quality of the work-product of Ontario's Third Party Physician assessments, reports and testimony.

We note that the title of this consultation has changed from **Physician Behaviour in the Professional Environment Policy** to **Professional Behaviour policy**. That change in direction and the expansion into the personal and private lives of Ontario's physicians has taken over the discussion on this policy. The CPSO draft policy appears to be in anticipation of possibilities "outside the professional context" and our concern is and was directly related to the work-product of Third Party assessors within the confines of their professional actions.

We continue to hear complaints about physicians hired by insurers for the purpose of IME/IEs or Third-Party reports and their action to bully and intimidate patients. Often their reports and testimony and contain elements of abuse as described in the Policy at consideration here. We do routinely hear about "Rude, profane, disrespectful, insulting, demeaning, threatening, bullying, or abusive language, innuendos, and actions" on the part of these assessors and "Mocking, shaming, disparaging or censuring others" and too often the repeated failure to listen to patients and to promptly respond to requests for information.

All of this takes place in professional settings and not in personal and private situations. It is also the actions of a small subset of Ontario physicians who perform these medical assessments.

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.

We feel the need to comment again that the wording in this document does not reflect the wording in the **THIRD PARTY MEDICAL REPORTS POLICY** <https://www.cpso.on.ca/Physicians/Policies-Guidance/Policies/Third-Party-Medical-Reports> where vulnerable patients are referred to as '**subjects of examinations**' or '**clients**'. We feel any protections offered in this new policy should also apply to these patients as well and that should be reflected in the wording of this document regarding unprofessional behavior.

Thank you for your consideration of our concerns.

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