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No complaints: 6 tips for preventing disciplinary actions

You can't control patients' expectations, but you can take steps to minimize complaints and prevent college sanctions, say lawyers Claire Immega and Harpreet Dosanjh, whose areas of practice include professional liability.

By Claire Immega and Harpreet Dosanjh



Claire Immega, partner, Singleton Reynolds

Most doctors will face a complaint from a disgruntled patient or from a governing body on behalf of a patient at some point in their career.

Whether they're delivered straight from the source or through a provincial college, complaints can be upsetting, time-consuming and can threaten your reputation and livelihood.

While you can't always control the expectations of a patient, there are simple and effective guidelines you can follow to curb the possibility of disciplinary actions and sanctions.

Stay up-to-date

Staying informed about new and recent developments in your field will help you adapt protocols and treatments to changes in your discipline and industry and ensure you're applying best practices. It's also important to maintain good records of your

continuing professional development.

Discuss the treatment

Ensure you thoroughly discuss risks and possible complications with each patient prior to initial treatment. Always start with the assumption that your patients know little or nothing about the treatment and take the time to explain the procedure and treatment protocol comprehensively and in a way they're likely to understand.

Record, record, record

Well recorded clinical notes can be invaluable in helping college investigators determine what transpired and whether proper protocols were followed. Make it a common practice to log your clinical notes contemporaneously or immediately after each appointment. In particular, note any risks or complications discussed, your recommendations and the patient's response to them.

Read: [Can five new adjudicators and one new name add up to a better tribunal at the CPSO?](#)



Harpreet Dosanjh, associate, Singleton Reynolds

Obtain express consent

Make it a policy to obtain express written consent from a patient prior to performing any treatment. Often done at the booking or intake stage and generally covering all possible treatments and risks, written consents ensure your patients have an initial opportunity to review the potential list of treatments and their risks. Make it a point to draw their attention to particular or significant risks by having them initial these points. Also, make sure you get your patients to sign their written consent.

Get informed consent

Express written consents do not in themselves constitute the necessary consent prior to administering a treatment. It's essential that you obtain *informed* consent for any treatments you provide. This means asking your patients permission to treat prior to each treatment, even if you have seen the patient multiple times. Also, record this in your clinical notes. If you perform similar procedures or

techniques often, providing patients written information about the procedure can be an effective way to provide information consistently and clearly (and be able to prove that you did so). Ensure you go over the information and that your patient has the opportunity to ask questions.

Check in during and after treatment

Patients may hesitate to voice concerns during a treatment. Don't assume their silence means everything is okay. Ask them during treatment, assuming they're conscious, how they're feeling and if they're experiencing any issues. If you have to leave the room during the duration of treatment, make a point of checking in with your patient before the procedure is over. It's also important to check in after treatment to see how your patient is feeling and to provide or reiterate any post-treatment recommendations. Make sure you record your patient's feedback during and after treatment.

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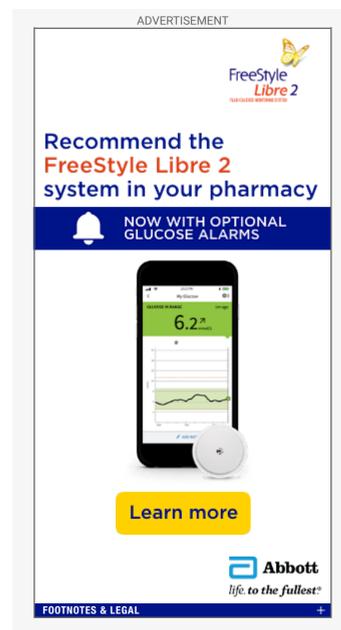
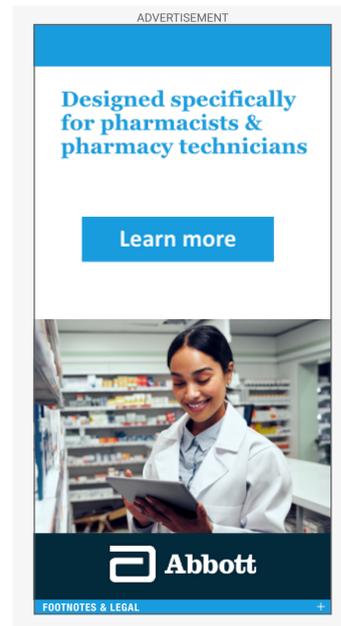
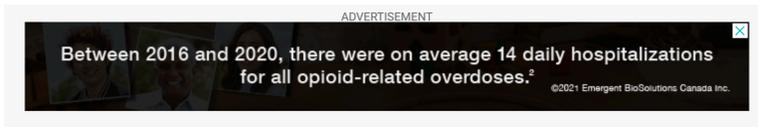
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