



The College of
Physicians and Surgeons
of Newfoundland and Labrador

Standard of Practice: Withdrawal of Physician Services During Job Action

A **Standard of Practice** is the minimum standard of professional behavior and ethical conduct on a specific issue expected by the College.

Withdrawal of Physician Services During Job Action

Preamble

Physicians have the right to withdraw their services under specific circumstances and with reasonable notice. Physicians must be aware that the Withdrawal of Services may expose patients to risk of harm and may compromise physicians' abilities to fulfil their professional responsibilities. When the Withdrawal of Services places patients at risk of harm, public trust in the profession is negatively impacted. As such, physicians must give serious consideration to any contemplated Withdrawal of Services in the context of Job Action and act in accordance with this standard of practice.

Definitions

“Job Action” – occurs when physicians, individually or collectively, take some sort of action in order to protest or to raise awareness about concerns they have, with the ultimate goal of resolving those concerns. Job Action can occur for various reasons, including, but not limited to, concerns related to: patient safety, practice environments, and/or compensation.

“Withdrawal of Services” – occurs when physicians limit the services they provide in the context of a Job Action. Withdrawal of services can vary in degree from localized activities to broad, more significant actions. Examples include, but are not limited to: declining on-call shifts in circumstances where coverage would otherwise be lacking, complete withdrawal of medicine services.

Standard of Practice

The ultimate responsibility for any Withdrawal of Services rests with the individual physician to act in the public interest and to ensure that his/her actions are consistent with the ethical and professional standards expected by the College. This standard applies to Withdrawal of Services in relation to a dispute which is undertaken by an individual physician or a group of physicians.

Explore Alternative Options

When contemplating a Withdrawal of Services, the College expects physicians to first explore all alternative options that may be available to resolve the concern giving rise to the contemplated Withdrawal of Services.

Factors to Consider

If a physician's concern giving rise to a contemplated Withdrawal of Services cannot be resolved, he/she must consider the following factors before making the decision to engage in a Withdrawal of Services:

- The nature of the physician's practice and the patient population served;
- The location of the physician's practice and the availability of other physician services in the area;
- Availability of alternative arrangements for care and ongoing monitoring;
- Management plan for unforeseen emergency situations; and
- Assessment of the potential risk of harm to patients and/or the public.

If, after carefully considering the above factors, a physician decides that proceeding with a Withdrawal of Services is not contrary to professional responsibilities, he/she must take steps to mitigate the adverse impact of the withdrawal on patients and the public. A physician must not participate in a Withdrawal of Services with the direct or indirect purpose of supporting a job action if such action could put the immediate health of patients at significant risk.

Mitigate Adverse Impact

During a Withdrawal of Services, physicians must provide medical care that is urgent or otherwise necessary to prevent harm and suffering to patients. This will include ensuring health-care concerns are assessed and appropriately triaged so that urgent and/or necessary medical care can be obtained. What constitutes urgent and/or necessary medical care to prevent harm, suffering and/or deterioration is a matter for determination by a physician in the reasonable exercise of his/her clinical judgment, and will be informed by the existing health status and specific needs of individuals, and physicians' individual and collective responsibilities to provide care.

Physicians must recognize the need for ongoing monitoring of their patients with critical conditions which could deteriorate during a delay in treatment, and will ensure that arrangements are in place to facilitate this monitoring throughout the Withdrawal of Services.

Physicians must make appropriate arrangements for the treatment of patients under their care who remain hospitalized or who are completing a course of treatment and who may suffer if the course of treatment is not continued or completed.

Physicians must inform their patients of their decision to participate in a **Withdrawal of Services** and of their commitment to make provision for access to emergency services and for the ongoing monitoring of patients where appropriate.

Acknowledgements

CPSO (2014) Policy on Providing Physician Services During Job Action
CPSS (2010) Policy on the Withdrawal of Physician Services During Job Action
CPSNS (2012) Professional Standard on the Withdrawal of Physician Service During Job Actions.

Document History

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