



POLICY

Renewal Questions-Use of Information by the College

STATUS:	APPROVED
Approved by Council:	November 2006
Amended by Council	April 2007
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Pursuant to the Bylaws, all physicians seeking to renew their licences are required to answer the following questions:

1. *During the past two calendar years, has a medical regulatory authority suspended or revoked your medical licence, registration or certificate?*
Yes _____ No _____

2. *For this question, the College does not inquire about investigations that have resulted in a decision that an allegation is not proved. It also does not inquire about complaints that are dealt with through the Complaints Resolution Advisory Committee of the College of Physicians and Surgeons of Saskatchewan or the alternate dispute resolution processes used by regional health authorities. The College requires information about all other enquiries or investigations by medical licensing authorities or hospitals.*

During the past two calendar years, have you been notified that you are the subject of an enquiry or investigation by a medical licensing authority or hospital, not referenced above?
Yes _____ No _____

3. *The College does not inquire about criminal investigations that have resulted in a decision to withdraw a criminal charge, or a decision that the physician is not guilty. The College requires disclosure of information about all other arrests or criminal charges. Criminal offences do not include traffic violations or parking infractions but do include drinking and driving violations and possession of illegal drugs.*
During the past two calendar years, have you been arrested or charged with any criminal offence, in Canada or elsewhere, other than charges that have been withdrawn or which resulted in your acquittal?
Yes _____ No _____

If you answered yes to this question, provide a copy of the legal decision.

4. *During the past two calendar years, have you pleaded guilty to, or been convicted of, any criminal offence in Canada or elsewhere? (Criminal offences do not include traffic violations or parking infractions but do include drinking and driving violations and possession of illegal drugs).*
Yes _____ No _____

If you answered yes to this question, provide a copy of the legal decision.

5. *During the past two calendar years, have your privileges been restricted, suspended or removed by a hospital, health authority or other health care organization?*
Yes _____ No _____

6. *During the past two calendar years, have you agreed to a limitation, restriction, suspension or removal of your privileges after having been notified of an investigation by a hospital, health authority or other health care organization? All such limitations, restrictions, suspensions or removals must be reported, whether arising from alternate dispute resolution processes or any other process.*
Yes _____ No _____

7. *During the past two calendar years, have you been diagnosed or been treated for drug or alcohol addiction? Yes _____ No _____*

If you answered "yes" to this question - have you referred yourself or been referred to the Physician Support Program of the Saskatchewan Medical Association?

Yes _____ No _____

8. *Have you been diagnosed with a blood borne communicable disease (including but not limited to Hepatitis B, Hepatitis C, HIV and AIDS) which, by its nature, could place your patients at risk if there were an inadvertent exposure?*
Yes _____ No _____

If you answered "yes" to this question - have you referred yourself or been referred to the Expert Advisory Committee on blood borne diseases of the College of Physicians and Surgeons of Saskatchewan?

Yes _____ No _____

9. *During the past two calendar years, have you suffered from any mental health condition that may limit your ability to practise or pose a risk of harm to patients?*
Yes _____ No _____

If you answered "yes" to this question - have you referred yourself or been referred to the Physician Support Program of the Saskatchewan Medical Association?

Yes _____ No _____

10. *During the past two calendar years, have you suffered from any physical health condition that may limit your ability to practise or pose a risk of harm to patients?*
Yes _____ No _____

11. *During the past two calendar years, have you been sued in a civil suit related to your medical practice?*

Yes _____ No _____

If the answer is "YES" provide a copy of the statement of claim or legal decision as the case may be.

12. *During the past two calendar years, has there been a settlement or court judgment that awarded damages against you in a civil suit related to your medical practice?*

Yes _____ No _____

If the answer is "YES" provide a copy of the statement of claim or legal decision as the case may be.

13. *List all licensing authorities, (Canadian or otherwise) not including the College of Physicians and Surgeons of Saskatchewan, with whom you currently hold a licence to practise medicine.*

14. *During the past 2 years, have you made a significant change in your scope of practice?*

Yes _____ No _____

If you answered yes to this question, provide a statement with complete details of the change in the scope of practice.

15. *Do you intend to make a significant change in your scope of practice during the next year?*

Yes _____ No _____

If you answered yes to this question, provide a statement with complete details of the change in the scope of practice.

16. *Do you practise in a practice location where you have custody and control of patient health information?*

Yes _____ No _____

If you practise in a location where someone else - a physician, a Regional Health Authority or some other third party - controls all of the patient health information, then you are not a "trustee" as defined by Saskatchewan privacy legislation, The Health Information Protection Act.

17. *Does each of the practice locations where you regularly practise have a written privacy policy?*

Yes _____ No _____

If you have answered "No" to this question, identify the practice location and the individual primarily responsible for management of that practice location.

College bylaws require all facilities that are controlled by physicians to have a written privacy policy that is available to the individuals working in that location.

18. *For each practice locations where you regularly practise that has a written privacy policy – Have you read and are you familiar with that privacy policy?*

Yes _____ No _____ Not Applicable _____

College bylaws require if there is a privacy policy available at a practice location, the physicians who work at that practice location should read and be familiar with that privacy policy.

Further, pursuant to the Bylaws, the Registrar may ask for clarification of any information provided by an applicant for a licence and may withhold the grant of a licence until that information has been provided.

The principles of this policy

1. The information gathered, as described above, is personal information and, except in response to question number 1, and in response to questions 13 to 18, is confidential and shall be used only for the purpose for which it is collected;
2. The purpose of gathering the information described in questions 1 to 12 inclusive above is to assess whether public protection measures should be taken by the College and to use the information in taking such public protection measures;
3. The information should be gathered, retained and disclosed in a manner that is consistent with this purpose;
4. Personal information obtained about a physician shall be kept safe from loss and unauthorized access, use, disclosure or modification;
5. Only those members of College staff, College committees or Council who have a need to know the information shall review information provided by physicians.

The policy

1. No member of College Staff, or member of the Council, shall utilize information gathered in response to questions 2 through 12 above except for the purpose of assessing whether public protection measures should be taken by the College, or as may be required in order to take those public protection measures;
2. If information received in response to questions 2 through 12 above set out above will be discussed at a meeting of the Council or the Executive Committee, the discussion by the Council or the Executive Committee shall occur in camera, unless it is part of a formal action taken pursuant to **The Medical Profession Act, 1981** (imposition of penalty following a finding of unprofessional conduct, a suspension hearing, a hearing by a discipline committee or competency hearing committee, or imposition of a remedy following a finding of lack of skill and knowledge by the physician). If such formal action is taken, the Council or the Executive Committee shall consider whether the confidentiality rights of a physician outweigh the competing interests in conducting a public decision-making process;

3. The information that is obtained about a physician in response to questions 2 through 12 above shall be maintained as confidential information within the College. Such information shall not be released to anyone except as follows:
 - a) By the Registrar, or as directed by the Registrar, for the purpose of undertaking public protection measures and then only to the extent which the Registrar concludes is necessary to undertake such public protection measures;
 - b) At the request of the member;
 - c) To another regulatory authority, provided that the information is, in the opinion of the Registrar, material to a decision by that regulatory body respecting that physician's licensure;
 - d) To another agency with a legitimate interest in receiving that information, provided the disclosure must be consistent with the other policies of the Council;
 - e) In accordance with paragraph 2 above.

4. All College staff shall sign confidentiality agreements in which they agree that they will not access the information provided by physicians except as required to perform their duties and will not release that information to anyone other than College staff, except as specifically directed by the Registrar.