

RECEIPT OF INFORMATION FROM A THIRD PARTY

BACKGROUND

Two ethical principles are:

- physicians must be honest and open with their patients, and
- where a patient is claiming benefits from a third party (such as worker's compensation or insurance benefits) a treating physician must address the issue of informed consent to release of information to that third party.

Third parties such as the Worker's Compensation Board or insurance companies may have medical information respecting claimants that is not available to the treating physician. Examples include medical records from other physicians, records pertaining to other claims advanced by the same individual, or medical summaries prepared by the third party.

Whether pursuant to statute or pursuant to written consent, the third party may seek a written opinion from the treating physician respecting the claimant. If the third party believes that the treating physician's opinion might be different if the physician were aware of medical information in the third party's possession, the third party may supply medical information to the treating physician and seek an opinion taking into account that additional material.

SCOPE

This guideline applies to circumstances where a third party provides to a treating physician medical information about that physician's patient.

GUIDELINE

- Where a treating physician receives medical information about a patient from a third party, the physician must inform the patient and provide the patient with an opportunity to comment upon the material received.
- The treating physician should be mindful of the different role that a treating physician (whether primary care or consultant) has from a third party physician¹.
- Good physician/patient communication will avoid misunderstandings. The treating physician should:
 - explain to the patient what information has been received and any request for a report that has been made.

¹ See Statement 129 "Third Party Physicians"

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- review with the patient the scope of the consent provided by the patient to the release of information to the third party and any statutory obligation upon the physician to provide information, to ensure that the patient understands the foundation for release of information by the physician to the third party.

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A guideline is practice generally recommended.