

STANDARD OF PRACTICE

Closing or Leaving a Medical Practice

YMCS-4.1 Revision 1

Physician Patient Relationship

Standards of Practice of the Yukon Medical Council (“the Council”) are the minimum standards of professional behavior and ethical conduct expected of all physicians registered in the Yukon. Standards of Practice will be referenced in the management of complaints and in discipline.

1. Definition

1.1 For the purpose of this standard, closing or leaving a practice is defined as:

- a. discontinuing the practice of medicine completely with no intention of returning;
- b. a leave of absence of 6 months or longer with no expectation of coverage;
- c. a scope of practice change that significantly impacts their patients’ current expectations of care;
- d. moving to a location a significant distance from an existing practice such that existing patients could not reasonably be expected to travel to the new practice location; or
- e. a significant decrease in the volume of medical practice that will require the involuntary diminution of the number of patients in a practice.

2. Notification to the Council

2.1 A physician who closes or leaves a medical practice must notify the Council a minimum of 90 days in advance of closing or leaving the practice.

2.2 A physician who closes or leaves a medical practice must provide the Council with:

- a. information describing how the transfer of patient care will be managed;
- b. information on the location and disposition of patient records and how the patient records may be accessed;
- c. a forwarding mailing address and contact information for the physician; and
- d. documentation on how they have notified patients (refer to section 3).

2.3 Notwithstanding section 2.1 above, the 90 days’ notice does not apply to a physician if the reason for closing or leaving a medical practice is due to circumstances beyond the physician’s control. In these cases, patients must be notified as soon as is reasonably possible given the circumstances.

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3. Notification to patients

3.1 A physician who closes or leaves a medical practice must document notification to patients a minimum of ninety (90) days in advance of closing or leaving the practice.

3.2 Notwithstanding section 3.1 above, the 90 days’ notice does not apply to a physician if the reason for closing or leaving a medical practice is due to circumstances beyond the physician’s control. In these cases, patients must be notified as soon as is reasonably possible given the circumstances.

3.3 The notification should include relevant information such as:

- the date of the closure;
- the name of the person taking over the practice, if applicable;
- whether partners or associates in the practice are accepting new patients;
- the location of the patient’s medical records; and
- how patients can obtain their medical records in the future.

3.4 The physician must provide and document direct notification to all patients with whom there is a reasonable expectation of ongoing care with that physician. Family physicians are expected to notify all patients rostered to them. Specialists are expected to notify patients they’ve seen in the last 12 months. Acceptable methods of notification include:

- a detailed letter;
- email;
- a telephone call; and
- a scheduled appointment.

3.5 In situations where there is no expectation of an ongoing physician-patient relationship (e.g., emergency room physicians and/or some specialists), physicians are expected to notify only those patients to whom they are actively providing care.

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4. Notification to other parties

- 4.1 A physician must notify colleagues in advance when the physician plans to close or leave a medical practice in the Yukon.
- 4.2 A physician must provide notification of extended or permanent leave to individuals and agencies involved in the management of patients. This list includes but is not limited to the following:
- a. Their partners, associates and office staff.
 - b. Their employer(s).
 - c. All healthcare providers to whom they refer patients or from whom they receive referrals.
 - d. Hospitals where they hold privileges.
 - e. Diagnostic facilities.
 - f. The Canadian Medical Protective Association (CMPA).
 - g. The Yukon Medical Association.

5. Continuity of care

- 5.1 A physician who closes or leaves a medical practice must arrange follow-up on any outstanding investigations, test results or reports to ensure continuity of care.
- 5.2 A physician who closes or leaves a medical practice must make reasonable efforts to arrange suitable alternative care of patients under acute and/or active care. The physician must document those efforts. Even when the physician is unable to make suitable alternative arrangements for the care of patients, the physician must ensure patients or their caregivers have access to the information contained in the patient’s record.

6. Disposition of medical records and supplies

- 6.1 Securely retaining medical records and making copies available as appropriate is a professional obligation that continues after a physician ceases to practice.

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6.2 Physicians must ensure that patients have continued access to their medical records following a closure.

6.3 A physician who closes or leaves a medical practice is responsible for the secure storage and/or disposition of the patient records from that medical practice.

6.4 Physicians must retain their medical records for at least 10 years from the date of last entry or, in the case of minors, 10 years from the time the patient would have reached the age of majority (19 years in the Yukon).”

6.5 A physician who closes or leaves a medical practice and does not maintain custody of the records must ensure there are information sharing agreements relating to management of patient charts.

The information sharing agreement must, at a minimum:

- a. identify which physician(s) will maintain custody of the patient records;
- b. describe who is responsible for costs if copies of the record are provided to a physician who is a party to the agreement; and
- c. reflect costs that are reasonable and consistent with applicable legislation and community standards.

7. Disposal of supplies

7.1 A physician who closes or leaves a medical practice must dispose of medications, equipment and supplies in a safe manner.

8. Asking a colleague to leave a medical practice

8.1 A physician owner who asks a physician colleague to leave a medical practice must give adequate notice that the physician’s services are no longer required, thereby allowing the departing physician to meet his or her obligations as per sections 2 through 7 above.

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9. Relevant standards of practice, policies and guidelines

YMCS-1.7 Records Management

YMCS-4.2 Continuity of Access to Care

YMCS-4.7 Relocating a Medical Practice

YMCS-4.9 Terminating the Physician Patient Relationship

10. Standard of practice history

Version	Description	YMC Meeting Minute Approval	In Force Date
Original	Creation of policy	n/a	September 2015
Revision 1	Provide additional guidance re: notification processes and record management	February 18, 2022	April 1 st , 2022