



## The College of Physicians and Surgeons of Prince Edward Island

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SECTION	
POLICY NAME	<b>Charging for Uninsured Services</b>
DESCRIPTION	<p>This policy is to attempt to clarify the ethical and legal principles surrounding the charging of patients for services not paid for by the Government Medical Plan or other agencies or insurance companies.</p> <p><i>Definition:</i></p> <p>Uninsured Services - Those services which are provided by a physician to a patient and are not paid for by the PEI Government Medical Plan or by other provincial plans or by other agencies.</p> <p><i>Principles – CMA Code of Ethics</i></p> <ul style="list-style-type: none"> <li>• Consider in determining professional fees the nature of the service provided and the ability of the patient to pay and be prepared to discuss the fee with that patient. (CMA Code of Ethics #16 – <i>In determining professional fees to patients for non-insured services, consider both the nature of the service provided and the ability of the patient to pay, and be prepared to discuss the fee with the patient</i>)</li> <li>• Avoid promoting as a member of the medical profession any service except your own or product for personal gain. (CMA Code of Ethics #50 – <i>Avoid promoting, as a member of the medical profession, any service (except your own) or product for personal gain</i>)</li> <li>• To consider first the well being of the patient (CMA Code of Ethics #1 – <i>Consider the well being of the patient</i>)</li> </ul> <p>- This guideline provides general comment and items for consideration, in its specific application; the physician remains accountable and must be able to justify his or her action in any direct billing</p> <p><i>Items not included in uninsured services:</i></p> <ul style="list-style-type: none"> <li>• The cost of maintaining an office</li> <li>• The cost of maintaining medical records</li> <li>• The cost of arranging appropriate medical referrals</li> </ul>

*Procedure:*

Physicians may charge a reasonable fee for the performance of an uninsured service but are not obligated to do so. The physician must inform the patient of his or her billing practices and patients must agree to any fee before receiving any uninsured service.

*Provision of Services:*

1. In all cases which are not purely elective or where no other physician is reasonably available, the physician must provide care as clinically required despite the fact that the collection of fees may never be possible.
2. In purely elective situations, the physician may refuse service in the absence of advance commitment of payment. This commitment could for example be in the form of a certified cheque to be cashed only after the service is provided. Legal remedies may be necessary where fees agreed to are not paid.
3. Physicians may request but they may not demand payments in advance.

*Missed appointments:*

As a general principle, physicians may only bill for services performed. However, patients who miss appointments without adequate reason or notice, run the risk of jeopardizing the therapeutic contract between physicians and patients. They also may have prevented another person in need from seeing his physician. Therefore billing for missed appointments may improve the therapeutic relationship between doctor and patient. However physicians must also realize that patient's time is also valuable and should make every effort to see patients on time. The following requirements should be in place to allow billing for missed appointments:

1. There needs to be evidence that the patient was informed about, understands with, and agrees to the policy.
2. The patient failed to cancel the appointment more than 24 hours in advance.
3. The physician must have a 24 hour messaging service by which the patient can advise the doctor's office of his or her inability to keep the appointment. Such a service must be accessible both during and after regular office hours.
4. A physician must be available to the patient at the intended appointment time.
5. The charges must reasonably reflect the actual cost incurred.

It is improper to refuse subsequent care in the presence of an outstanding invoice. However, recurrent failure to keep appointments may be grounds for termination of a doctor – patient relationship in the appropriate way.

	<p><i>Actions of concern:</i>  The following is a list of examples of physicians' actions which could give rise to allegations of Professional Misconduct:</p> <ol style="list-style-type: none"> <li>1. Refusal to transfer pertinent medical information to a new physician without prior payment.</li> <li>2. Unwillingness to perform a medically necessary service unless all the fee is paid before the service is performed.</li> <li>3. Charging a fee for services not performed except as noted above with regard to missed appointments.</li> <li>4. Charging a fee that is excessive in relation to the services performed.</li> <li>5. Charging a fee for an undertaking to be available to provide services to a patient or to give preferential service to a patient.</li> <li>6. Failing to itemize an account for professional services if requested to do so.</li> <li>7. Failing to issue a statement or receipt when requested to do so by a patient or his or her representative.</li> <li>8. Allowing a request for payment or an unpaid bill to become a barrier to appropriate medical care.</li> </ol> <p><i>Acknowledge Assistance of Policies of:</i></p> <ul style="list-style-type: none"> <li>• College of Physicians and Surgeons of British Columbia</li> <li>• College of Physicians and Surgeons of New Brunswick</li> <li>• College of Physicians and Surgeons of Ontario</li> </ul>
<p>APPLICABLE  LEGISLATION</p>	
<p>APPROVED BY:</p>	<p><b>Council of the College of Physicians &amp; Surgeons of PEI</b>  Approved: Sept 9, 2013.</p>
<p>REVIEWED:</p>	<p>DATE:</p>