



The College of Physicians and Surgeons of Prince Edward Island

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POLICY NAME

SHADOWING: - International Medical Graduates (IMG's) and Medical Students Observing Physicians in a Clinical Setting

DESCRIPTION

Purpose

This Policy provides guidance about the appropriate manner in which an internationally trained medical graduate (IMG) or any medical student who is not registered on a Register of the College of Physicians and Surgeons, can observe patient care in clinical settings. This type of observation will be referred to as 'shadowing'.

Principles

By shadowing a physician, such individuals have an opportunity to become familiar with the context in which medicine is practiced in Canada, knowledge which may assist in their pursuit of a medical career. Shadowing is an informal arrangement made between a physician and the shadowing individual. It is not a training appointment and will not be considered to be a credential on an application for certification. The College supports and encourages shadowing that is conducted in accordance with the following guidelines. The physician is responsible for all conduct and actions carried out by the shadowing individual.

Guidelines

Parameters of Practice

The College expects that when such individuals shadow physicians, they will primarily observe clinical practice.

Shadowing is not intended to provide shadowing individuals with an opportunity to contribute to the delivery of care, or to perform any service for which the physician will, or could be remunerated. In cases which, in the judgment of the physician, the shadowing individual would benefit from some actual involvement with patients (e.g., taking a history or performing a physical examination), this activity should always be conducted with the **express consent** of the patient, and should serve an educational purpose only. Conduct of the shadowing individual should not in any way substitute for the direct care of the physician.

Consent

Physicians must obtain express consent from their patients before permitting a third party to observe doctor-patient encounters, or to have access to patient records.¹ Consent can be oral, but must be recorded in the patient's medical record. Each patient is entitled to withhold or withdraw consent. A patient's decision to provide, withhold, or withdraw consent should not alter the patient's access to health care in any manner.

Confidentiality

The College recognizes that maintaining confidentiality of patient information is an essential component in a positive relationship between physician and patient. In order to ensure that shadowing does not alter the physician-patient relationship, the College expects that any shadowing individual will: (1) comply with all provincial legislation, (2) comply with all Health PEI policies, (3) comply with the CMA Code of Ethics² and (4) sign a confidentiality agreement. The physician and the shadowing individual are advised to retain a copy of the signed confidentiality agreement for their records. An example of such an agreement is included below³.

Endnotes

(1) Freedom of Information and Protection of Privacy Act

"personal information" means recorded information about an identifiable individual, including (vi) information about the individual's health and health care history, including information about a physical or mental disability.

(2) CMA Code of Ethics 2004

Privacy and Confidentiality

31. Protect the personal health information of your patients.
32. Provide information reasonable in the circumstances to patients about the reasons for the collection, use and disclosure of their personal health information.
33. Be aware of your patient's rights with respect to the collection, use, disclosure and access to their personal health information; ensure that such information is recorded accurately.
34. Avoid public discussions or comments about patients that could reasonably be seen as revealing confidential or identifying information.
35. Disclose your patients' personal health information to third parties only with their consent, or as provided for by law, such as when the maintenance of confidentiality would result in a significant risk of substantial harm to others or, in the case of incompetent patients, to the patients themselves. In such cases take all reasonable steps to inform the patients that the usual requirements for confidentiality will be breached.
36. When acting on behalf of a third party, take reasonable steps to ensure that the patient understands the nature and extent of your responsibility to the third party.
37. Upon a patient's request, provide the patient or a third party with a copy of his or her medical record, unless there is a compelling reason to believe that information contained in the record will result in substantial harm to the patient or others.

Bibliography:

1. CMA Code of Ethics, Canadian Medical Association, 2004
2. College of Physicians and Surgeons of Ontario, Policies & Publications, Nov./Dec. 2004
3. FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT, PEI Government January 2009

Confidentiality Agreement

I, _____ (candidate's name), understand that all information that I become aware of while shadowing Dr. _____ (name of physician) is confidential information, and that I must not share this information under any circumstances, unless I am required by law to do so.

I understand that if I do not abide by the terms of this agreement, I may be required to pay a fine, damages, or be subject to some other sanction under the law.

Date

Candidate's Name

Witness Name

Candidate's Signature

Witness Signature

APPROVED BY:

**Council of the College of Physicians & Surgeons of PEI
January 16, 2017**

REVIEWED: