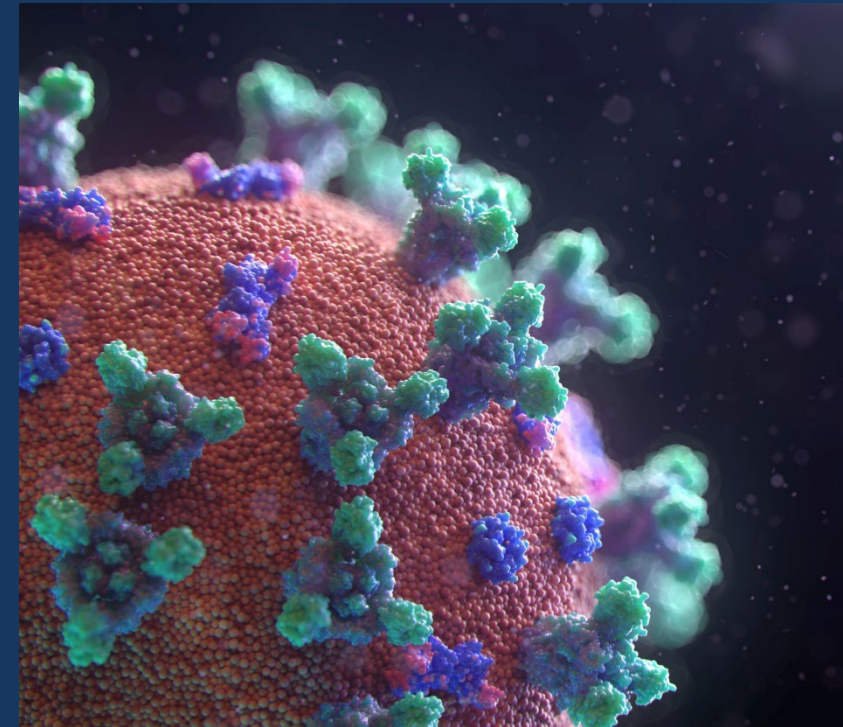


# Medical-Legal considerations for the provision of virtual care during the COVID-19 pandemic

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**UBC CPD May 7, 2020**



# Faculty / Presenter Disclosure

**Faculty:**

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**Employee of:**

CMPA

**Relationships with commercial interests:**

- Grants / Research Support: none
- Speakers Bureau / Honoraria: none
- Consulting Fees: none
- Other: none

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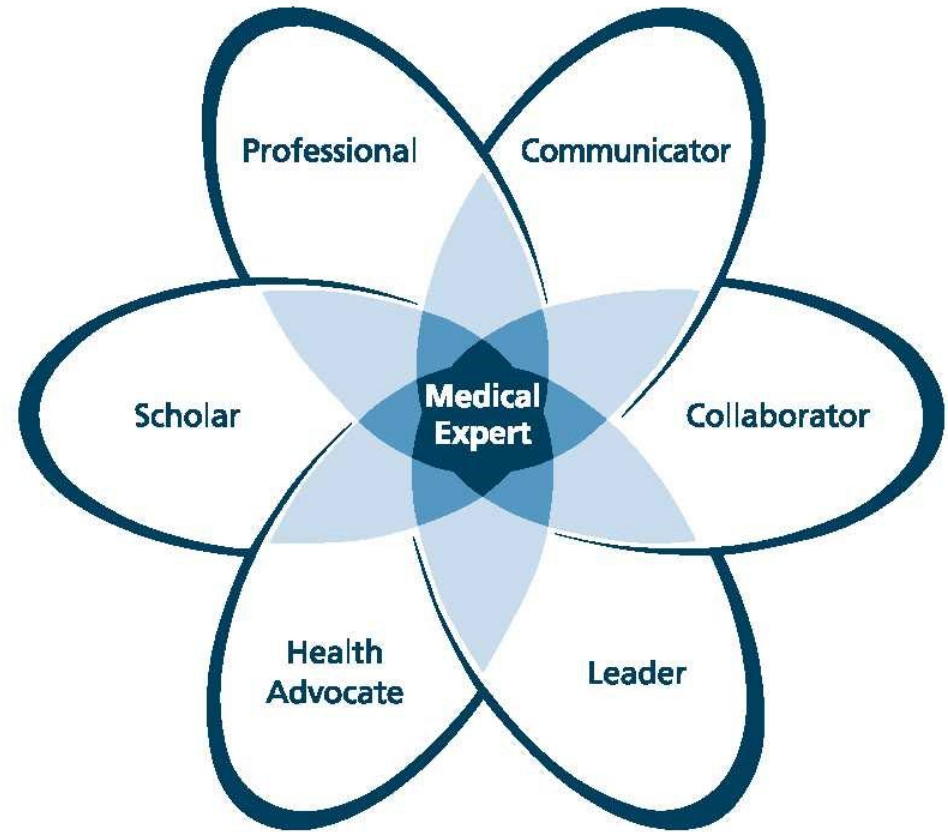
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# Learning objectives

1. Describe physicians' obligations during a virtual care patient encounter
2. Appreciate the meaning of "reasonable care"



**CANMEDS**

# Other objectives

- Answer your questions
- Allay your concerns
  - At least a little bit



# Role of CMPA

- We are here to support you
- When in doubt, go back to basics:
  - Duty of care, best interests of the patient
  - Reasonableness
  - Communicate
  - Document





# Virtual Care Considerations

Consent

Privacy

Limits to care

Documentation



# Published standards

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better healthcare

ASSOCIATION  
MÉDICALE  
CANADIENNE  CANADIAN  
MEDICAL  
ASSOCIATION

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OF CANADA  LE COLLÈGE DES  
MÉDECINS DE FAMILLE  
DU CANADA

 ROYAL COLLEGE  
OF PHYSICIANS AND SURGEONS OF CANADA  
COLLÈGE ROYAL  
DES MÉDECINS ET CHIRURGIENS DU CANADA

# VIRTUAL CARE PLAYBOOK

## SCOPE OF PRACTICE

— WHAT PROBLEMS CAN BE SAFELY ASSESSED AND TREATED

Physician regulators all adhere to the same concept when it comes to virtual visits: a physician must not compromise the standard of care. That means that if a patient seen virtually provides a history that dictates a physical examination manoeuvre that cannot be executed remotely, the physician must redirect the patient to an in-person assessment.

MARCH 2020

[https://www.cma.ca/sites/default/files/pdf/Virtual-Care-Playbook\\_mar2020\\_E.pdf](https://www.cma.ca/sites/default/files/pdf/Virtual-Care-Playbook_mar2020_E.pdf)



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Things are changing rapidly...



...but not everything.

- Duty of Care
  - To look after *sick* people
- Obligations
  - To institutions, society, & ourselves
- Standard of care
  - Reasonable, prudent physician
  - Similar circumstances (contextual)



We haven't been here before.





■ **CMPA Safe Medical Care**

[www.cmpa-acpm.ca /covid19](http://www.cmpa-acpm.ca/covid19)

■ **CMPA Good Practices Guide**

[www.cmpa-acpm.ca/gpg](http://www.cmpa-acpm.ca/gpg)

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