

SP 29.0 Disclosure of Harm

Approved by Council February 2007  
Effective March 1, 2007

**Purpose and Objective**

The purpose of this standard is to ensure that patients are entitled to be informed of all aspects of their health care. This includes the right of a patient to disclosure of harm that may have occurred to a patient in the course of receiving chiropractic care.

**Definition(s)**

**Harm** Harm is defined as an unexpected or normally avoidable outcome that negatively affects the patient's health and/or quality of life, which occurred in the course of chiropractic treatment.

**Disclosure** The acknowledgement and discussion of a negative outcome with the patient or his or her authorized substitute decision maker.

The following applies:

- 1) The patient is entitled to be kept informed about his or her treatment and care. This includes information about harm suffered in the course of receiving treatment and/or care.
- 2) The obligation to disclose is part of the patient/chiropractor relationship. It is part of the chiropractor's obligation to maintain the patient's best interests and the patient's entitlement to professional and ethical care. Disclosure of harm ensures that the patient can access timely and appropriate interventions for the harm suffered.
- 3) The patient is entitled to be informed about harm suffered even when such disclosure might prompt a complaint. Failure to keep the patient informed is failure to respect the well-being of a patient.
- 4) Professional judgment is required to determine when an unintended outcome of care does, or can be reasonably expected to negatively impact a patient's health and/or quality of life and therefore significant enough to require disclosure.
- 5) Not all harm is preventable. Harm can arise from a variety of causes and is not necessarily an indicator of substandard care.

When a chiropractor becomes aware, while treating a patient, that the patient has suffered harm in the course of receiving care, he or she should consider whether the harm does or can be reasonably expected to negatively affect the patient's health and/or quality of life. If it does, then it is the chiropractor's obligation to inform the patient.

The disclosure of harm may be made to the patient directly or through his or her authorized substitute decision maker. The disclosure should take place as soon as possible, taking into account the clinical and emotional condition of the patient.

Where the patient requires treatment for the harm that was sustained, the chiropractor's discussion with the patient should be accompanied by suggestions for referral to another health care provider if appropriate.



SP 29.0 Continued

**Enforceability**

Any member identified to the Complaints Director as non-compliant in the Standard of Practice related to disclosure of harm will be subject to the investigations and complaints process under Part 4 of the *Health Professions Act*. Identification of noncompliance may occur as a result of Practice Visit process, patient complaint or any other means by which this information may be brought to the attention of the Complaints Director.

