



Guidelines on Responsibilities when Permanently or Temporarily Closing a Medical Practice

This document is a physician **guideline** approved by the Council of the College of Physicians and Surgeons of Nova Scotia.

Guidelines contain recommendations endorsed by the College of Physicians and Surgeons of Nova Scotia. The College encourages its members to be familiar with and to follow its **guidelines** whenever possible and appropriate. Note that **guidelines** may contain references to College **standards**.

Introduction

These guidelines describes the College's expectations of physicians who permanently close their practice (for reasons such as retirement or relocation), or temporarily close their practice (for reasons such as parental leave or illness expected to last more than three months).

Principles

The College expects that its members will take measures to ensure that their practice closure or extended absence from practice will not impede their patients' ability to receive appropriate and continuing care. The College recognizes that physician shortages and recruitment challenges may make it difficult for some physicians to comply fully with following guidelines. This limitation also applies to physicians who work independently, as opposed to those who are attached to a district health authority. Physicians in these situations are nevertheless expected to take all feasible measures to follow these guidelines.

Notification Requirements

Patients

Physicians should provide their patients with notification as soon as possible after they decide to permanently or temporarily close their practice. Such notice should include information on where patients can obtain urgent care and how and patients can obtain information from their medical records.

Acceptable methods of notification are:

- At a scheduled appointment, and/or
- Through a letter to the patient, and/or
- Through a telephone call to the patient.

Supplementary methods of notification are strongly encouraged, and include:

- A printed notice in the office that is visible when the office is both open and closed; and/or
- A newspaper advertisement; and/or
- A recorded message on the office answering machine; and/or
- An online notice.

In situations where there is no expectation of an ongoing physician-patient relationship (e.g., walk-in clinic physicians, emergency room physicians, and/or some specialists), physicians are expected to notify only those patients to whom they are actively providing care. These physicians are nevertheless expected to retain patient records as described elsewhere in this guideline.

Employers, colleagues, the College, and others

Physicians should provide immediate notification of permanent or temporary practice closure to the following:

- All physicians to whom they refer patients or from whom they receive referrals
- Hospitals where they hold privileges.
- Their employer(s)
- The College's Registration Department (Providing the practice closure and its date, along with specifics about access to or transfer of patient records)
- The Nova Scotia Prescription Monitoring Program (PMP)
- Medical Services Insurance of Nova Scotia (MSI)
- The Canadian Medical Protective Association (CMPA)
- Doctors Nova Scotia
- The appropriate District Health Authority and/or the Nova Scotia Department of Health and Wellness in instances where this notice may assist in recruiting efforts

Retention and Access to Medical Records

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

Physicians are expected to make appropriate arrangements for either the retention or transfer of patient records (in paper or electronic form) if they permanently or temporarily close their practice. A number of companies will securely store confidential records and assist in releasing specific information to designated parties as directed.

The College of Physicians and Surgeons of Nova Scotia endorses [Canadian Medical Protective Association recommendations](#), which advise physicians to retain their medical records for at least ten years from the date of last entry or, in the case of minors, ten years from the time the patient would have reached the age of majority, which is 19 years in Nova Scotia.

Except under limited circumstances described in the [Nova Scotia Personal Health Information Act \(PHIA\)](#), patients and former patients are entitled to have access to the information contained in their medical records. However, as noted above, physicians are strongly encouraged to securely retain the original records. Specifics about record retention and acceptable charges for providing copies of information to patients or other authorized parties are available from the [Privacy and Access Office at the Nova Scotia Department of Health and Wellness](#).

Beyond their obvious obligations to current and former patients, physicians and/or their estates may be called upon to produce records in the event of a later legal action or regulatory complaint. Failure to provide records in these situations can have significant consequences.

Follow-up on Diagnostic Findings

Physicians must take reasonable steps to ensure that patients can access the results of diagnostic tests, that at all abnormal test results undergo required review and follow-up, and that patients know whom to contact to obtain their results.

When physicians are unable to interpret and follow up on tests personally, they should:

- Arrange to have another physician cover or assume their practice; or
- Arrange to have another physician review results for patients with outstanding laboratory tests, and to advise patients of the results and any requirements for follow-up; or
- Arrange for patients to obtain their test results from the physician's office or by some other means, and provide patients with instructions on obtaining follow-up as soon as possible.

Patient Access to Prescribed Medications

Physicians should attempt to facilitate patient access to prescription medication required for long-term or chronic conditions. To facilitate access, physicians may do one of the following:

- Where medically appropriate, provide patients with renewals or repeats of the required medication(s) in order to allow patients reasonable time to find alternative care; or
- Advise patients to see another physician as soon as possible to have their prescription(s) renewed.

Provisions for Patients Requiring Ongoing Care

Physicians should make every effort to ensure that patients requiring ongoing care or requiring post-operative follow-up will continue to receive the necessary care. Ideally, they should arrange to have another physician cover or assume care for these patients. At a minimum, they must ensure that the facility in question is notified that they are leaving practice permanently or temporarily.

Related Information

College of Physicians and Surgeons of Nova Scotia
[Policy on the Content and Maintenance of Medical Records](#)
[Guidelines on Advertising and Public Communications by Physicians](#)

Canadian Medical Protective Association
[Winding Down Your Practice](#)
[A matter of records: Retention and transfer of clinical records](#)

Government of Nova Scotia
[Nova Scotia Personal Health Information Act](#)

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