



YOUR GUIDE TO **Filing a Complaint**



COLLEGE OF
PHYSICIANS & SURGEONS
OF NOVA SCOTIA

We serve the public by effectively
regulating the medical profession.

Introduction

One of our most important responsibilities is to investigate complaints about physicians practising medicine in Nova Scotia.

If you have a concern about the care or treatment you received from your physician, you can contact our *public support advisor*. The public support advisor will help you understand our complaint process and how it applies to your situation.

If you have questions about filing a complaint, please call: 902- 421-2201.
You will be asked to leave a message and will receive a call back in 24-48 hours.

To report a complaint regarding sexual misconduct call: 902- 406-8401. This is a confidential line to discuss concerns regarding sexual misconduct by physicians.

Need more information before you file a complaint? Read our [Frequently Asked Questions on page 3](#).

How to Submit Your Complaint

Complaints about physicians can come from anyone, including:

- patients
- other physicians
- patients' families
- a third party

There is no cost to file a complaint, and while there is no time limit to file a complaint, we recommend that you tell us what happened as soon as possible after the event.

There are several ways you can submit your complaint:

- 1** You can file your complaint **online** on our website: <https://cpsns.ns.ca/online-complaint>
- 2** You can [print the complaint form](#), fill it out, and **fax** it to us at: 902-422-5271
- 3** You can **mail** your complaint to: *College of Physicians & Surgeons of Nova Scotia*
Suite 400 – 175 Western Parkway
Bedford, Nova Scotia, B4B 0V1

Please note:

- If you are filing a complaint about more than one physician, please provide a separate complaint form for each physician.
- The investigation may be impacted by our ability to locate the physician and access their medical records.
- Complaints can be filed against physicians who have retired or may no longer be licensed in Nova Scotia.

We will send you a letter acknowledging receipt of your complaint. The physician involved will be notified of your complaint and will have a chance to respond.

The College makes every effort to resolve complaints as quickly as possible. Depending on the complexity of your complaint, it may take six months or more for your complaint to be resolved.

Frequently Asked Questions



How do I know if my concerns about my physician justify a complaint?

If you feel you cannot talk to your physician or the issue is not resolved, you can call our public support advisor at: 902-421-2201. The public support advisor will explain the complaints process as it applies to your situation. By contacting the College, you are not automatically filing a complaint against your physician. The public support advisor may be able to help you resolve your concern without filing a complaint.



Who can file a complaint?

A person who files a written complaint with the College is known as a “complainant”. Complaints about physicians can come from anyone, including:

- patients
- patients’ families
- other physicians
- a third party - for example, an organization such as the Workers Compensation Board (WCB) or a government department such as the Department of Health & Wellness

If you wish to file a *third party complaint* about the care provided to someone else, the College may require consent from that person, or the executor of their estate if they are deceased. Without consent, the College would be unable to share most details of the investigation or outcome with you.



Is there a time limit to file a complaint?

There is no time limit to file a complaint. But we do recommend that you tell us what happened as soon as possible after the event. By doing so, it becomes more likely that:

- relevant documents can be found
- potential witnesses can be located
- memories have not faded
- evidence is not missing

To comply with the Personal Health Information Act (PHIA), many physicians do not retain medical records indefinitely. This may impact our ability to investigate your complaint.

Frequently Asked Questions

Who will know I have filed a complaint?

While complaints are kept confidential, they are NOT anonymous, and as such the following people will be made aware of your complaint:

- the physician about whom you have complained – a copy of your complaint is sent to the physician who has 30 days to respond in most cases
- the physician's lawyer, should the physician seek advice and assistance from a lawyer
- the registrar of the College, our professional conduct staff, and investigations and/or hearing committee members
- our public support advisor

What information is confidential?

Section 46 of the Medical Act creates a statutory obligation to maintain the confidentiality of all information gathered in the course of the investigation and resolution of complaints. This does not stop you from seeking appropriate support from friends, family, or others. This may involve telling them about the information that formed the subject of the complaint, telling them you have filed a complaint with the College, and informing them of the status of the complaint and the process involved.

Section 46 of the Medical Act requires that you maintain the confidentiality of the information provided to you by the College, such as the specific response of the physician. Once a matter is concluded by the College, decisions are made by the College regarding what information may become publicly available.

While the College has a legal obligation to publish its decisions that result in discipline against the physician, the names of patients/complainants are NOT published.

Will I need to find another physician?

Yes. While your complaint is being investigated, we advise you to avoid contact with the physician named in the complaint. You should plan to see another physician while we investigate your complaint. If you need to see the physician named in your complaint, please contact us before doing so.

Because the physician-patient relationship requires trust and confidence, filing a complaint may result in one or both parties feeling this relationship has broken down. Your physician can dismiss you as a patient following the resolution of your complaint, but must:

- notify you in writing, to allow you enough time to [arrange for your continuing care](#)
- ensure any outstanding medical investigations or serious medical conditions are followed up

Frequently Asked Questions



What happens when I make a complaint?

- 1** The physician is notified of your complaint. Your physician will be asked to provide a written response addressing concerns raised in the complaint. Any relevant medical records will be obtained by the College. This response will be shared with you for comment, except where the complaint is third party.
- 2** College staff facilitates a preliminary investigation of your complaint. Upon receipt of all necessary information to complete a preliminary investigation, a complaint can be dismissed by the registrar or referred to an investigation committee. You may also ask to have your complaint withdrawn at any time if you feel your concerns have been adequately addressed. This requires approval of the registrar.
- 3** The registrar may take the following action:
 - dismiss the complaint, sometimes with advice to the physician on how to improve their practice or conduct
 - come to an agreement with the physician, called an “undertaking.” Physicians agree to restrict their practice or cease practice while the investigation proceeds
 - refer the physician for assessment if there are concerns the physician’s health may be affecting their ability to practise
 - refer the concerns about the physician to an investigation committee
- 4** The Investigation Committee in the course of investigating a complaint may:
 - order the physician to restrict their practice, or cease practice while the investigation proceeds
 - ask for more information, including an independent opinion or practice assessment
 - order the physician to undergo a health assessment
 - interview the complainant, physician, and potential witnesses
 - review medical charts
- 5** The Investigation Committee may:
 - advise the physician on how to improve their practice or conduct, or require remedial self-study
 - come to an agreement with the physician, called an “undertaking”, where the physician agrees to restrict their practice
 - order the physician to take specific training to improve their skills or practice
 - issue a caution
 - issue a reprimand with the physician’s agreement, sometimes with ongoing restrictions or required remediation
 - refer the physician for assessment if there are concerns the physician’s health may be affecting their ability to practise
 - refer the concerns about the physician to a hearing committee - should this occur, you may be asked to give evidence at the hearing, similar to court testimony

Frequently Asked Questions



Will I get compensation?

The College cannot order a physician to compensate a patient. If you are seeking financial compensation you may want to seek legal advice.



Can I appeal a decision?

Complaints that are dismissed by the registrar after a preliminary investigation can be appealed within 30 days. The College's Independent Review Committee reviews these appeals. Pursuant to the Medical Act, these are the only circumstances under which your complaint outcome can be appealed at the College.