

The Hon. Ruth Grier

September 24, 1993

Physicians in Ontario will need a regulation that is as clear as possible on when to nominally report a patient who is putting their partner unknowingly at risk of HIV infection. As this decision will always be a judgment call, and in hindsight may be seen to have erred on one side or the other, we hope legislation providing greater privacy for HIV positive patients can also provide physicians appropriate protection from liability when they make a good faith reporting or non-reporting decision. Medical officers of health appear to be so protected. We feel private practice physicians who will be delivering this privacy to individual patients are vulnerable to disciplinary complaints or court actions in spite of their best effort to make responsible decisions according to whatever threshold defining guideline accompanies the change in regulation. The current situation, which lacks any regulatory recognition of non-nominal reporting, is equally problematic and we hope that we can move forward soon.

We have a sincere desire to continue to work with Ministry efforts to achieve this change in the HIV reporting requirements. We believe liability protection for physicians to be critical if the twin goals of increased patient privacy and broadening the pool of physicians available for HIV positive patients are to be advanced at the same time.

Thank you very much for whatever consideration you can give to this request.

Sincerely,

Tom Dickson, MD
President

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