

Q: WHO AND WHAT DEFINES EMERGENCY CARE?

A: Defining emergency care is a challenge being faced not only by our members but by other Health Regulatory Colleges and health professionals at this time. As with other Regulators, the College trusts that its members will use their own individual professional clinical judgement to determine what is emergency care reflecting carefully on reasons for the closure mandate of the Government of Ontario and the needs of their patients. Determining when an emergency exists should be made in a fair, principled, and transparent manner. We cannot provide an exhaustive list because it would risk being too restrictive or not able to deal with all exceptions. Having said this, emergency care could include: Care for wounds, infections, and post-operative appointments, trauma, and sudden onset of symptoms such as unexplained pain or swelling and redness in known neuropathic patients.

Q: WE HAVE LOTS OF WOUND PATIENTS. THEY ARE, IN MY OPINION, EMERGENCY PATIENTS AS WELL AND NOT JUST POST-OP PATIENTS!

A: Members must use professional clinical judgement to determine what THEY conclude as emergency care. They must consider if they have the correct PPE, as defined by the most current PHO guidelines, to deal with anyone who may present with possible COVID 19. If you do not have the necessary PPE, you should have a plan on where to direct those patients.

Q: ARE THERE ANY CONSEQUENCES FOR NOT FOLLOWING THE DIRECTIVE of CMOH and GOVERNMENT OF ONTARIO?

- **I WORK FOR A MEMBER AND I AM IN DIRECT CONTACT WITH PATIENTS THAT DO NOT REQUIRE IMMEDIATE ATTENTION.**
- **I AM BEING FORCED BY MY EMPLOYER WHO IS NOT A MEMBER OF OUR COLLEGE TO CONTINUE TO WORK. I AM VERY CONCERNED FOR MY HEALTH AND ANY POTENTIAL CONSEQUENCES.**

A: We cannot assist you regarding the potential consequences of your failure to comply with a directive from your employer other than to suggest you obtain legal advice from a lawyer who is knowledgeable in employment law.

What we do know is that If you continue to work in a business/practice which has been ordered to be closed for all but emergency care, you may be in violation of that law which may subject you to penalties **and you will be committing professional misconduct and are subject to being disciplined by the College.** It does not assist you to say that you are only an employee but this information, if not known to your employer, may assist in ensuring that the Ontario closure law is obeyed. We have to assume that every member is aware of the law and therefore at this point in time if a member's practice is still open for non-emergency care we would consider the action a deliberate violation of the law which could result in serious consequences, including an investigation, an interim suspension of the member's certificate of registration and an enhanced penalty at discipline.

Q: WHAT IF THE EMPLOYER IS A MEMBER OF THE COLLEGE

A: If that is the case that employer member is also subject to the same consequences that you are. Furthermore, the College would see this conduct on the part of a member to be an aggravating factor in respect to any penalty imposed at discipline.