



Appendix E

MEMORANDUM

To: Louise Verity
Director, Policy and Communications
College of Physicians and Surgeons of Ontario

From: Tony Coulson
Vice President, Environics Research Group

Date: September 11, 2008

RE: Proposed Human Rights Policy – Public Opinion Survey

Environics Research group is pleased to present this memorandum summarizing the results of a recent survey commissioned by the College of Physicians and Surgeons of Ontario (CPSO or the College) relating to key aspects of its proposed Human Rights policy.

Background and Objectives

While the protection of human rights has always been of fundamental importance in Ontario, recent developments both in Ontario and abroad suggest that it is more important than ever for physicians to understand and comply with their legal obligations under the Human Rights Code (the Code).

In this climate of increased awareness of human rights, the College has developed and is consulting on a proposed new policy, Physicians and the Ontario Human Rights Code. The policy will assist the profession in understanding its legal obligations under the Code, and provide physicians with guidance about how to comply with these obligations in everyday practice.

The College recognizes that religious and moral beliefs are central to the lives of physicians and their patients. There are times when physicians may make decisions in their professional capacity that are based on their own religious or moral beliefs. Difficulty arises when a physician's beliefs or resulting decisions conflict with the beliefs, or the health care needs or decisions of their patients. These situations are complex, and no clear guidance on how to manage them is contained in either the Code or in publications of the Human Rights Commission. As such, the policy indicates how decisions based on

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religious or moral belief may be regarded in law, and describes the College's expectations of physician conduct.

As the overriding function of the College is to regulate the medical profession in the public interest, public opinion research was commissioned in order to obtain a clear sense of public expectations around these issues in order to assist the Council of the College in its deliberations. The research was designed to gauge public attitudes and expectations regarding key aspects of the proposed human rights policy.

The survey was conducted by telephone with a random sample of adult Ontarians (18 years of age and older) between September 5th and 9th, 2008. The margin of sampling error for a sample of this size is plus or minus 4.4 percent at the standard 95 percent confidence level. The margins of error for subgroups are larger, depending on the precise sample sizes.

The following summarizes the key findings and conclusions for the research.

Key Findings from the Research

A strong majority of Ontarians do not think physicians should be allowed to refuse to provide a medical service because of a conflict with the physician's religious or moral beliefs. More than eight in ten Ontarians (85%) say that physicians should not be allowed to refuse to provide a medical service, while only one in ten (11%) agree that a physician should be allowed to do this (Q3).

Strong majorities of Ontarians agree with the main aspects of the proposed CPSO Human Rights policy, including requiring doctors to communicate clearly about services they feel they cannot provide for moral or religious reasons and providing a referral for the patient to see another doctor (Q5).

Ontarians were asked if they believe a physician should be required to carry out specific tasks in an instance where they are refusing to provide a medical service because of a conflict with their own religious or moral beliefs, including:

- a) Communicating clearly to the patient about any service or treatment the physician feels they cannot provide;
- b) Giving the patient information about all clinical options that are available, even those that the physician feels they cannot provide;
- c) Telling the patient that they can see another physician; and
- d) Helping the patient make arrangements to see another doctor by providing a referral.

In each case, more than nine in ten Ontarians agree that the physician should be required to carry out the task described, and in each case more than eight in ten say they feel strongly that this should be the case.

These results are summarized in the table on the next page.

	Physician should be required to...	Feel <u>strongly</u> that Physician should be required to...	Physician should not be required to...
a) Communicate clearly	92%	85%	4%
b) Give information about all options	91%	84%	5%
c) Tell patient they can see another doctor	94%	88%	3%
d) Provide a referral	91%	84%	7%

Ontarians are somewhat more divided about the acceptability of a physician explaining his or her views to a patient or trying to influence the patient's decision. (Q6).

When asked whether it would be acceptable for a physician who refuses to provide a medical service (because of a conflict with their own religious or moral beliefs) to explain his or her religious or moral beliefs and why they feel they cannot provide the medical service, more than four in ten Ontarians (45%) consider this acceptable and a similar proportion (42%) say this is unacceptable.

When asked if it would be acceptable for a physician to attempt to influence the patient's decision about what medical service would be best, three in ten (29%) find this acceptable while nearly twice as many (57%) consider this unacceptable.

Recent media coverage on this topic does not appear to have influenced the survey results. While about one in five Ontarians (18%) report having read or seen something about CPSO recently, the specific topics recalled do not relate to the proposed Human Rights policy generally, or the specific issues addressed in this survey.