

International Medical Graduates

International medical graduates (IMGs) who are considering practising or completing their medical training in Canada should be aware of the requirements for medical liability protection in Canada.

Healthcare in Canada medical liability

Canada has a universal healthcare system that guarantees all Canadians access to medical care and physician services. While healthcare continues to become safer, medicine is not risk free. There are occasions when patients experience unexpected or unintended harm. An effective healthcare system responds appropriately to such unfortunate circumstances, first by ensuring care is provided to the harmed patient, and later by examining what led to the unintended outcome and making improvements to limit the likelihood of it happening again, if possible.

Your CMPA membership and mutuality

As a mutual defence organization, the CMPA enjoys a relationship with its members defined by the principles of mutuality. The CMPA provides liability protection for its members who, in turn, are expected to practise in a manner that aligns with the ethics and expectations of the profession and the values of the Association (the mutual) as described in its Bylaw.

Professional accountability in Canadian medicine

An effective medical liability system ensures healthcare institutions and professionals are held accountable for their actions in a fair way, provides appropriate compensation for patients proven to have been harmed by negligent clinical care, and supports improvements in patient safety. It also complements an accountability framework that requires healthcare professionals to provide care to a commonly accepted medical standard.

About the Canadian Medical Protective Association (CMPA)

The CMPA is funded and operated on a not-for-profit basis for physicians, by physicians. Its membership comprises the majority of practising physicians in Canada. For more than a century, the Canadian Medical Protective Association has been a trusted advisor and a reputable provider of medical liability protection in Canada. When members face a medico-legal action, they are eligible for assistance in the form of legal representation and payment of legal costs, judgments, or settlements that compensate patients when it has been proven that they have been harmed by negligent medical care. The CMPA's protection is occurrence-based, which means members are generally eligible for assistance for the medical care they give in Canada while they are a CMPA member, regardless of when a legal matter may arise. There is no monetary limit on the assistance a CMPA member is eligible to receive.

Acquiring adequate medical liability protection is the responsibility of the physician, not an employer or sponsor

In most Canadian provinces and territories, physicians (including medical trainees) must obtain medical liability protection before they can be licensed to practise. Even if not required as a condition of obtaining a licence, medical liability protection may be required by:

- hospitals
- postgraduate medical education (PGME) programs

- employers

As an IMG, once you have met the regulatory requirements to enter a Canadian training program or to begin practising, you have a professional obligation to verify what liability protection you require. The following tips are helpful.

- Before arriving in Canada to practise medicine or undergo medical training, you should gather all the necessary facts and apply early for your postgraduate medical training, fellowship, or medical assignment.
You can contact the following organizations about your training and its requirements, where applicable:
 - your appointed Postgraduate Medical Education (PGME) program
 - hospital administration
- Upon arriving in Canada, you should contact the medical regulatory authority (College) in the jurisdiction where you are going to work and ask what medical liability protection is required. Obtaining medical liability protection should be a top priority.
- You can begin the process of applying for CMPA membership before you arrive in Canada. This will ensure you have appropriate and adequate medical liability protection when you start practising or training.
- Do not hesitate to contact the CMPA with any questions about becoming a member of the Association. We will be pleased to assist you.

About Canadian medical regulatory authorities (Colleges)

Provincial and territorial medical regulatory authorities (Colleges) regulate the practice of medicine within their province or territory. They issue medical licences and registration certificates that allow a physician to practise medicine in Canada. The Colleges have the authority to take disciplinary actions against physicians including imposing penalties that may include suspending or revoking a licence. A licence can also be suspended or revoked when a physician fails to have adequate medical liability protection and the protection is a requirement of licensure.

For more information about Colleges, visit www.cmpa-acpm.ca > Contact us > Helpful links.

What information is needed to apply for membership with the CMPA?

To receive CMPA membership, you must be a graduate in medicine and be duly licensed or registered by a Canadian provincial or territorial medical regulatory authority (College).

To apply for CMPA membership, two options are available to you:

1. You can apply for membership online directly from the CMPA website.
2. You can print and complete the Membership application/reactivation form by hand. You can then fax or mail your completed application form. More details on www.cmpa-acpm.ca > Joining CMPA.

Payment of membership fees

Pre-authorized debit (PAD): You may pay by annual or monthly pre-authorized debit. This will require having a Canadian bank account and completing the CMPA pre-authorized debit (PAD) agreement. More details on www.cmpa-acpm.ca.

- For first-time applicants, the minimum payment in your first year of membership is two months.

IMPORTANT: Membership can only begin once the CMPA has received your completed application form, payment, your licence/registration number, and all requested documents. If you submit your membership application without your licence/registration number, you must notify the CMPA once it becomes available. Delays in applying for membership could leave you bare of medical liability protection and place your practice at risk.

Reimbursement of medical liability protection fees

Canada's approach to medical liability protection is unique. As a result of negotiated arrangements, many physicians are eligible for reimbursement for all or a portion of their medical liability protection costs. This approach, through which governments directly acknowledge the inherent value of, and need for, adequate liability protection, has benefited Canadians since being introduced more than 20 years ago.

The CMPA does not negotiate fee reimbursement for physicians. For more information on the reimbursement of your medical liability protection fees, please contact the reimbursement organization in your province or territory of work

International medical graduates who are CMPA members

Physicians changing their practice or moving within Canada

When you change your practice or move to a different province or territory, you should ensure you still have adequate medical liability protection by:

- notifying the CMPA before the change is effective
- providing a description of your new activities
- providing licensure information

CMPA will then advise you of any additional relevant medical liability protection requirements.

Physicians interrupting their practice

CMPA membership may be interrupted for various reasons, e.g. sabbaticals, parental leave, illness, etc. If you are interrupting your practice, read about interruption of CMPA membership on www.cmpa-acpm.ca > My Membership > Interrupt or end membership.

Physicians leaving Canada after completing training or ending a practice

When you end your practice in Canada or move abroad, you should ensure you still have adequate medical liability protection for care provided during your time as a CMPA member (occurrence-based protection) and:

- Contact the CMPA before leaving Canada.
- End your CMPA membership as described on www.cmpa-acpm.ca > My Membership > Interrupt or end membership.
- **Very important:** Update your contact information (address, phone numbers abroad, email, etc.).

Contact the CMPA

For more information, visit www.cmpa-acpm.ca > Contact us.