



Has Your Physician Refused to Provide a Referral for Abortion Care? A Patient's Guide to Action

Situation:

A woman visits her family doctor or a walk-in clinic and either knows she is pregnant or discovers during her consultation with the physician that she is pregnant. She decides to terminate the pregnancy and inquires about her options. The physician states that s/he does not perform abortions and does not support women terminating their pregnancies and refuses to provide her with information about local services or a referral for abortion care.

What is the current policy?

Abortion is a safe, legal, and insured service under the Canada Health Act and all provinces and territories have recognized it as a medically necessary procedure. However, the Canadian Medical Association's (CMA) current policy permits physicians to refuse to refer patients for abortion care. This policy is in direct conflict with the CMA's own Code of Ethics¹ and impedes women's access to critical health care guaranteed under the Canada Health Act. A physician's religious and moral beliefs should not jeopardize a patient's access to necessary care.

If doctors do not wish to refer women for and inform women about their comprehensive medical options, including abortion care, then they should not participate in the public system. Refusing to refer women for abortion care could result in delays that could force women to have later abortions at an increased risk to their health. Instead, the Canadian Medical Association and Colleges of Physicians and Surgeons should adopt policies that recognize physicians' right to refuse to perform procedures contrary to their moral or religious beliefs while still ensuring that women have access to important information and medically necessary care.

¹ The Canadian Medical Association's Code of Ethics is an ethical guide for Canadian physicians and includes the following responsibilities: consider first the well-being of the patient; practice the profession of medicine in a manner that treats the patient with dignity and as a person worthy of respect; recognize and disclose conflicts of interests that arise in the course of professional duties and resolve them in the best interest of patients; inform your patient when your personal values would influence the recommendation or practice of any medical procedure that the patient needs or wants; do not discriminate against any patient on such grounds as gender or medical conditions; and provide patients with the information they need to make informed decisions about their medical care. Canadian Medical Association. CMA Code of Ethics (Update 2004), available at www.cma.ca.

How can the policy be improved?

Recognizing the need to balance physicians' rights with women's needs, the College of Physicians and Surgeons of Ontario (CPSO) recently approved a policy that helps physicians understand the scope of their obligations under the Human Rights Code. Physicians who refuse to provide or refer for abortion care on the basis of moral or religious belief are expected to:

- Communicate clearly and promptly about any treatments or procedures the physician chooses not to provide because of his or her moral or religious beliefs.
- Provide information about all clinical options that may be available or appropriate based on the patient's clinical needs or concerns. Physicians must not withhold information about the existence of a procedure or treatment when providing that procedure or giving advice about it conflicts with their religious or moral beliefs.
- Treat patients or individuals who wish to become patients with respect when they are seeking or requiring the treatment or procedure.
- Advise patients or individuals who wish to become patients that they can see another physician with whom they can discuss their situation and in some circumstances, help the patient or individual make arrangements to do so.²

Other colleges are also starting to have consultations regarding their human rights policies and must hear from the public on this important issue. Women in Canada should have access to the full range of safe reproductive health care options. Physicians should not be permitted to treat abortion referrals differently than referrals for other health care services. Patients' needs must remain paramount and their voices must be included in these ongoing conversations.

Take Action!

The Colleges of Physicians and Surgeons in each province license physicians and regulate the practice of medicine to ensure the highest standards for physician conduct and performance in order to protect and serve the public interest. If you have been denied information about abortion care or birth control by your physician, you may file a complaint with the College in the province where you sought treatment.

College of Physicians and Surgeons of British Columbia www.cpsbc.ca/files/u6/Complaint-Form.pdf	1-604-733-7758
Alberta College of Physicians and Surgeons www.cpsa.ab.ca/complaints/lodge_complaint.asp	1-780-488-2395
College of Physicians and Surgeons of Saskatchewan	1-306-244-7355

²See Physicians and the Ontario *Human Rights Code*, Policy Statement #5-08. College of Physicians and Surgeons of Ontario (December 2008), available at http://www.cpso.on.ca/uploadedFiles/downloads/cpsodocuments/policies/policies/human_rights.pdf

www.quadrant.net/cpsc/complaints/form.html College of Physicians and Surgeons of Manitoba	1-204-774-4344
www.cpsm.mb.ca/2_3_3_1_2_how_to.php College of Physicians and Surgeons of Ontario	1-416-967-2603
www.cpsso.on.ca/uploadFiles/policies/complaints/ComplaintForm08(1).pdf College des medecins du Quebec	1-514-933-4441
www.cmq.org College of Physicians and Surgeons of New Brunswick	1-506-849-5050
www.cpsnb.org/english/complaint.html College of Physicians and Surgeons of Nova Scotia	1-902-422-5823
www.cpsns.ns.ca/publications/investigations-faq.html College of Physicians and Surgeons of Prince Edward Island	1-902-566-3861
www.cpspei.ca/publications?action=view_entries&tid=2 College of Physicians & Surgeons of Newfoundland & Labrador	1-709-726-8546
www.cpsnl.ca//lodgingComplaint.asp Government of the Northwest Territories & Nunavut see BC	1-867-920-8058
www.cpsbc.ca (does the licensure for both) Yukon medical Council	1-867-667-5257
www.yukonmedicalcouncil.ca	

The National Abortion Federation (NAF) is the professional association of abortion providers in Canada and the United States. Our mission is to ensure safe, legal, and accessible abortion care to promote health and justice for women. Our members include health care professionals at clinics, doctors' offices, and hospitals, who together care for more than half the women in both countries who choose abortion each year. For more information, visit our website at www.prochoice.org