



Canadian Society of Medical Examiners (CSME)
GUIDE TO THIRD PARTY MEDICAL EXAMINATIONS (IMEs)

As adapted in part from '*Guide de l'Expertise Médicale de la Société des Médecins Experts du Québec*'

Preamble

This Guide to Third Party Medical Examinations provides a code of ethical conduct to be recognized by all CSME members in the course of performing third party medical examinations.

SECTION I

General Duties

- 1.1 Medical examiners shall conform to the codes of ethics, scopes of practice and regulations of their professional colleges.
- 1.2 Medical examiners have the responsibility to provide high quality services. They shall take into account their knowledge, skills, qualifications, training and experience, and shall recognize their limitations. Medical examiners shall perform evaluations and provide opinions within their areas of expertise in relation to the mandates provided by the referring service.
- 1.3 Medical examiners shall abstain from participating in inappropriate publicity or promotion.
- 1.4 Medical examiners must retain absolute professional independence from the referring sources requesting examinations. Medical examiners have an obligation to remain impartial and must have no stake in the outcome of their examinations.
- 1.5 Medical examiners shall not issue any report or document containing information that they know to be false or inaccurate.
- 1.6 Medical examiners shall request remuneration for their services commensurate with the extent and complexity of the examination, their expertise, and any other special factors that shall be stipulated on request.

Medical Examination Standards

- 1.7 Before agreeing to perform a third party medical examination, it is highly advisable that medical examiners obtain a referral letter outlining the scope and purpose of the examination along with the relevant documentation.
- 1.8 Medical examiners shall refrain from providing opinions on the degree of permanent impairment resulting from bodily injury or illness that has yet to have reached maximal medical recovery.
- 1.9 Medical examiners who render opinions before the residual effects (sequelae) of an injury or

- illness become stabilized and permanent shall indicate that such opinions are preliminary.
- 1.10 Medical examiners shall indicate it in their report, if no impairment is found in the course of the medical examination.
 - 1.11 Medical examiners shall establish their conclusions and opinions based on the objective findings of the examination with reference to recognized medical standards. If the medical examiner judges that it is appropriate to depart from these standards, explanation for such action should usually be made in the report.
 - 1.12 Medical examination reports shall be written within a reasonable time after the examination and in accordance with any legislated time frame.
 - 1.13 Medical examiners accept the responsibility to act as expert witnesses in court or in administrative tribunals upon the request of one of the parties or the court when called upon to do so.
 - 1.14 Medical examiners must demonstrate objectivity by considering the factors noted at the time of the examination and contained in the documentation. If medical examiners determine that they were not provided with all relevant documents, they should note that fact in their report and comment on the need for additional documentation.
 - 1.15 Medical examiners must declare any conflict of interest as soon as they become aware of it and stop the examination. They can proceed with the evaluation only after written consent has been obtained from both the referring source and the examinee.
 - 1.16 Medical examination reports can only be provided to the referral source unless legislation requires otherwise or the referral source requests otherwise and written consent has been obtained from the examinee.

SECTION II

Duties Toward Examinee

- 2.1 Medical examiners shall identify themselves and their examination staff to the examinee.
- 2.2 Medical examiners shall advise the examinee of who requested the examination (i.e. the identity of the third party) and provide details as to the scope and purpose of the medical examination.
- 2.3 The difference between the role of medical examiner and treating physician must be highlighted; the medical examiner does not provide treatment to the examinee or give advice (except as detailed in 2.5 below).
- 2.4 Medical examiners are not obliged to disclose or discuss their findings or opinions with the examinee and should be discouraged from doing so (with the exception of 2.5 below).
- 2.5 If a medical examiner identifies an unexpected significant clinical finding that is likely to jeopardize the life or health of the examinee, then the medical examiner will advise the examinee, the referral source and/or the treating physician.
- 2.6 Medical examiners must demonstrate and maintain a professional attitude and behaviour.