

# CSME NEWS

THE ANNUAL PERIODICAL OF THE CANADIAN SOCIETY OF MEDICAL EXAMINERS

## CONFERENCE UPDATE

Since the New Year, CSME has hosted one breakfast seminar on March 2, 2004. This dealt with the IME and new legislation and judicial implications. **Dr. Margot Morrisette**, Medical Officer, CMPA and **Ms. Chantal Leonard**, Legal Council, Gowling Lafleur Henderson LLP covered a variety of issues, such as causative action in civil liability cases between examinees and expert assessors. Of particular relevance were issues related to battery, negligence/malpractice, negligent misrepresentation, breach of statutory obligation, breach of fiduciary duty and defamation. These speakers highlighted the significance of recent CMPA cases.

The speakers also discussed the importance of “duty to warn”, highlighting the obligation to notify police of any threats felt to more than likely be carried out.

On April 16, 2004, CSME hosted a conference on **Upper Extremity Impairments**. This was extremely well-attended and the feedback from participants was excellent. We wish to thank, especially Dr. Goldstein for his time in organizing this conference, and the speakers for a highly-informative, educational day.

## UPCOMING CONFERENCE

CSME is currently looking at organizing a conference on how to conduct an IME for the fall, as we have had many requests from both members and non-members for this type of presentation.

## UPDATE ON GST

Earlier this year, the CCRA put out a discussion paper on the applicability of GST to Independent Medical Examinations. CSME responded with a submission and this was followed by a formal request for a ruling. Based on preliminary discussions, representatives from the CCRA were grateful for input from the expert assessment community and will be issuing a formal ruling to CSME, which we hope to receive by the early fall.

## UPDATE ON THE EAN

As most members are aware, the government has continued to consider ways to amend the current DAC system. When it requested submissions for the EAN, CSME provided a formal position, which was presented by Doctors Seiden and Goldstein. By now, most of you are aware that the EAN has been shelved, as the government appears to be focusing its efforts on other issues such as customized auto insurance policies.

## UPDATE ON FEES

Through the fall of 2003, CSME attempted to work with the OMA to come up with a stronger position on fees for third-party medical evaluations. In April 2004, CSME developed a set of billing guidelines, which were passed by the board. These can be accessed through the members area of the CSME website ([www.csme.org](http://www.csme.org)).

## THIRD-PARTY GUIDELINES

As of May 2004, CSME has revised a number of guides. These are available for review through the members-only section of the website (password: anticipation).

The following have been updated: Guide to Third Party Medical Examinations (IMEs); Video Surveillance; Non-Consensual Record Making during Clinical Assessment; The Presence of Additional Parties during a Clinical Physical Assessment; Fees Guideline. In addition, CSME updated An Information/Instruction Guide for Individuals Undergoing A Third Party/Independent Medical Examination (IME). (Members are encouraged to download this document and begin using it as a replacement to our former brochure).

CSME executive also developed guidelines for report writing for physical and psychiatric impairment. Drafts of these documents are available through the members-only section of the website. We request that members critically review these documents and submit constructive feedback to [csme@csme.org](mailto:csme@csme.org) so the final version can be passed at the upcoming Annual General Meeting.

