

Colorado Medical Board Policy

POLICY NUMBER: 40-03
Title: Policy statement concerning the physician/patient relationship
Date Issued: 11/13/97
Date(s) Revised: 07/01/10
Reference:
Purpose: To clarify the Colorado Medical Board's position concerning the physician/patient relationship.

POLICY: The following statement reflects the policy of the Colorado Medical Board regarding the physicians it licenses.

A Colorado physician has both medical-legal and ethical obligations to his or her patients. These are well established in both law and professional tradition. The prevailing model of medical practice, as it is implemented by some plans, may result in an inappropriate restriction of the physician's ability to practice quality medicine. This may create negative consequences for the public. It is incumbent that physicians take those actions they consider necessary to assure that the procedures in question do not adversely affect the care that they render to their patients

Without regard to whether an act or failure to act is entirely determined by a physician, or is the result of a contractual or other relationship with a health care entity, the relationship between a physician and a patient must be based on trust and must be considered inviolable. Included among the elements of such a relationship of trust are:

- Open and honest communication between the physician and patient, including disclosure of all information necessary for the patient to be an informed participant in his or her care.
- Commitment of the physician to be an advocate for the patient and for what is best for the patient, without regard to the physician's personal interests.
- Provision by the physician of that care which is necessary and appropriate for the condition of the patient and neither more or less.
- Avoidance of any conflict of interest or inappropriate relationships outside of the therapeutic relationship.

The relationship between a physician and a patient is fundamental, and is not to be constrained or adversely affected by any considerations other than what is best for the patient. The existence of other considerations, including financial or contractual concerns is and must be secondary to the fundamental relationship.

Any act or failure by a physician that violates the trust upon which the relationship is based may place the physician at risk of being found in violation of the Medical Practice Act.