



**Society of Rural Physicians of Canada  
Soci t  de la m decine rurale du Canada**

## **Media Release**

### **Dr Magee Physician Advocate for License Portability**

SHAWVILLE /May 14th, 2001/- A number of prominent doctors have set up a legal defence fund to protect the rights of doctors to practice medicine freely throughout Canada. Dr Peter Hutten-Czapski says "The agreement on internal trade has given the professions free mobility throughout Canadian provinces, it is high time to apply this to medicine. We are establishing a physician advocate and a legal defence fund so that we can help doctors and licensing authorities go through the channels necessary to open provincial borders to the extent guaranteed by law."

The 1995 agreement on internal trade enables all labour sectors to be recognised across provincial borders without bureaucratic delay or need for reexamination. Simply, if one is determined by a regulatory body to be competent in one provincial jurisdiction, one is able to ply one's trade in all of the other provinces.

Dr George Magee has been appointed as Physician Advocate as a resource to physicians who need help to get interprovincial licensing while older regulations are being cleared away from the books by the licensing authorities.

Dr Magee says "Provincial licensing authorities do not apply uniform licensing requirements so that a physician who is competent to practice in one province may be deemed not to be so in another. Licencing fees, required documentation, residency requirements and interviewing requirements vary dramatically from one province to another and can change from year to year. This has made it very difficult for physicians to move about in Canada."

Some doctors actually maintain several licenses simultaneously to make it easier for them to make a living if there career path changes. Dr Hutten-Czapski says "This duplication of effort is really unnecessary."

Contributions for the legal defence fund are being accepted by the society at  
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Box 893  
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The physician advocate can be reached at his office at 250-692-3111

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### **Backgrounder**

#### **The Agreement on Interprovincial Trade**

Amongst other things the agreement on interprovincial trade handles labour mobility for trades and professionals. On July 1st, 1995 the Agreement on Internal Trade (AIT) came into force. The intent of the agreement is to "to enable any worker [including physicians] qualified for an occupation in one part of Canada to have access to employment opportunities within that occupation in any other province or territory." What this agreement says is probably best taken directly from the text of the summary: "Licensing, certification or registration of workers will be based on the competence of workers and will not result in unnecessary delays in obtaining necessary certification." "Qualifications of workers from other parts of the country will be recognized." The agreement is available in summary and full text at [http://strategis.ic.gc.ca/sc\\_mrkti/iptrade/engdoc/iptrd\\_hpg.html](http://strategis.ic.gc.ca/sc_mrkti/iptrade/engdoc/iptrd_hpg.html)

#### **International Examples**

Australia licenses physicians on a state basis. Australian doctors have had liberalized licence mobility between each of the Australian states since 1992. This also arose out of inter state trade law that required mobility for all trades and professions, including medicine. The license is not fully portable as you need to register with the other state before legally being able to practice there. However, once registered in one state, licensing in another is automatic, fast (usually within 1 to 2 weeks), and inexpensive based on confirmation of your license in your home state. If your license is restricted, you will have similar restrictions applied in the other state. There is no longer any need for Australians to maintain licenses in more than one state. Further details of the mutual recognition process are online at the New South Wales Medical Board <http://www.nswmb.org.au/mutual.htm> and [www.nswmb.org.au/mp\\_reg.htm](http://www.nswmb.org.au/mp_reg.htm)

#### **Supporters of Portable Licensure**

Numerous bodies have advocated for portable licensure. The Society of Rural Physicians of Canada has had portable licensure as part of its official policy agenda since 1995.

Portable licensure is a policy level recommendation from the Canadian Medical Association. Recommendation 19 of the CMA's 2000 rural policy, states that the CMA recommends that

"Provincial/territorial licensing bodies establish portability of licensure for locum tenens and ensure that any fees or processes associated with licensure do not serve as barriers to inter provincial mobility."

The Canadian Association of Internes and Residents (CAIR) has always been supportive of the goal of free flow of physicians between provinces in Canada. Their position is that as skilled professionals, qualified Canadian physicians should be able to contribute their talents to communities needing their services across Canada.

The Ontario Hospital Association has come out in December 2000 in support of harmonization of registration criteria to improve inter provincial physician mobility. They made a recommendation that "The MOHLTC [Ontario Ministry of Health] in conjunction with Health Canada at the federal level, should work with other provincial ministries of health and demand a public accounting from provincial regulatory bodies regarding the inconsistencies in registration criteria." in their Position Paper on Physician Human Resource Policy and Planning in Ontario.

The Association of Canadian Medical Colleges (ACMC) has recently published a newsletter that called for portable licensure. Authors Lynda Buske and Dianne Thurber argued that "Mobility is a fact of life and should be reinforced so all provinces can benefit."