



-DR. BILL HAVER, MEDICAL EDITOR -

Perception vs. Reality... If it looks like a duck...

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The medical profession is trained to diagnose and treat (among other things). The diagnosis part of this combination requires critical appraisal of multiple factors including medical knowledge bases, ongoing scientific research, as well as social, emotional, philosophical, environmental, financial and political influences. This is not an easy task but the “evidence” created by the cumulative efforts to do this analysis becomes part of the foundation for further advancements in both diagnosis and treatment. This process has created a profession that is analytical, critical, skeptical, and discerning. It has also created the necessity to delicately combine the often apposing forces of objective, intellectual analysis and compassionate accommodation of the non-scientific realities of life.

When dealing with the realities of the political and business world, physicians often have trouble avoiding the “gut” reaction of righteous indignation when things do not appear to adhere to the same set of standards that they have to live by. This is never more obvious than when the problem in question arises from within the profession or its organizational structure.

Recently the CMA board of directors approved the purchase of an Ontario software company that markets medical records software. They approved the establishment of a new company under the umbrella of CMA Holdings (their corporate arm) to become a vendor of PMA and EMR software. CMA Holdings also owns Practice Solutions, GlobalMedic, MD Management and various other ventures ... this is not a small-time operation. When considering assets under management, it is a multibillion-dollar operation. They market themselves as the provider of products and services solely to physicians (and their families) only and, therefore, have the best understanding of physicians needs.

Obviously, this is not necessarily true and may, in fact, on occasion, be absolutely false. Such is marketing.

Practice Solutions (one of the subsidiaries mentioned above) markets themselves as an objective provider of consulting services to physicians; everything from how to manage office staff to helping with negotiations on property leases. They offer phone services, on-site analysis of problems, expert opinion, and learning opportunities in certain subject areas. One of their seminar series is on electronic medical records and selecting an EMR vendor. One of their primary consulting roles is assessing the need for electronic medical records in their clients’ practice and then recommending a vendor to meet that need.

I suspect you are getting the picture. It is an easy problem to recognize. At least you would think so ...

I assume that CMA Holdings’ theory is that if they call it a separate

company there is no conflict of interest. They argue this while their own marketing proudly points out that the chain of reporting (corporate hierarchy) clearly shows responsibility and accountability all the way back up to the CMA Board. They adamantly proclaim that there is no conflict and yet, again proudly, observe that this is a great business model as they can promote their own products while consulting on that and other issues to their clients. They see this as a “value added” for their members.

I am a member of the CMA. I think it is a worthwhile organization and I would hope that all Canadian physicians would see the benefit of having a forum from which we can voice a unified opinion on the issues that matter to physicians and the health of their patients. There is nothing to be gained and everything to lose by having that voice fractionated by conflict across jurisdictions.

But there is also everything to lose if physicians appear to be self-serving, inconsistent and hypocritical. The scenario described above is clearly an example of conflict of interest and there is no way to dress it up to be anything else. If it looks like a duck, walks like a duck and quacks like a duck ... it’s a duck.

Perception is reality when discussing conflict of interest; I know this from personal experience as I own shares in an EMR vendor and that, by virtue of my own arguments above, undermines my credibility if I try to give an opinion on any specific product in that business realm. It doesn’t matter how objective I try to be. It doesn’t even really matter that I declare my conflict prior to the opinion: I am tainted and, therefore, biased in my opinion no matter what evidence I produce to support my arguments. This applies to this editorial as well.

Presumably, CMA Holdings would argue that their MD Management arm is very successful in marketing investment opportunities to physicians at the same time as it offers educational seminars on investment, retirement, estate planning, etc. These services are not offered under the guise of an independent consulting firm, they are offered by the selling firm and it is easily seen as the marketing ploy that it is. There is no question in my mind that any promotion of MD Management by Practice Solutions is a conflict of interest.

It is a form of nepotism that is apparently tolerated in business; however, that does not make it ethical. Even successful business models can be unethical since ethical behavior is not always governed by law. Even if Practice Solutions’ seminar series was spun off to a third party, it does not change the fact that the Practice Solution consultants have been left in an untenable situation: their status as objective, unbiased sources of expert information has been removed. They appear to have been submarined by their own organization - either intentionally or unknowingly.

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I suspect that the CMA Board, and certainly CMAH, believes that this was simply a sound business decision. This notion is disconcerting since it is such a superficial assessment of the impact of their actions. If they are either that naïve or that disingenuous, then I think that the member physicians of the CMA have a real problem on their hands. On the other hand, if they feel that this was such a good business decision that they were willing to sacrifice the credibility and ethical basis of Practice Solutions' consultants then I suspect that that arm of CMAH will be dismantled very shortly.

It is clear to me that, Practice Solutions is now simply a vendor of marketing information for CMAH's new EMR company; much like it is for MD Management and the investment and insurance options

that the CMA offers its members. They are, therefore, at least in ethical terms, disqualified from providing consulting services in these areas. It remains to be seen how the CMA Board of Directors will deal with this but the fact that they failed (or chose not) to see this as a problem (they actually approved the decision and expenditure) does not inspire much confidence that they will have the political or corporate will to fix it.

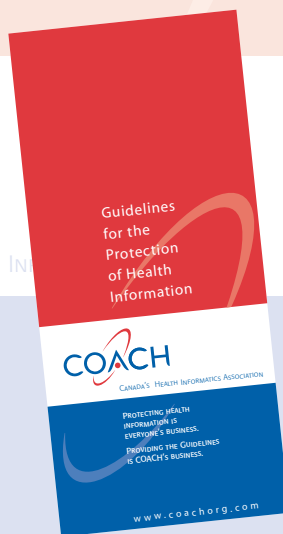


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