

DATE:

August 16, 2023

PRINCIPAL(S):

Lisa Calder, MD, MSc, FRCPC, CEO, CMPA

Jean-Hugues Brossard, MD, CSPQ, FRCPC, President, CMPA

SUBJECT:

A year in review

00:00:00

Jean-Hugues Brossard: So thank you, Elder McGregor for those words. (Voice of Translator). As we gather here today in Montreal, I'd like to acknowledge that the land on which we sit is unceded and unsurrendered Indigenous lands. Tiohtià:ke/Montréal is known as the gathering place for many First Nations, and we recognize the Kanien'kehá:ka Nation as custodians of the lands and waters on which we gather today.

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As an organization, we recognize all First Peoples who were here before us, those who live with us now, and the seven generations to come. I would also like to acknowledge that the CMPA offices, located in Ottawa, are on the unceded, unsurrendered Territory of the Anishinaabe Algonquin Nation, whose presence here reaches back to time immemorial. We honour and pay respect to these lands, and to all First Nations, Inuit and Métis Peoples throughout Turtle Island. Lisa. (End of translation)

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Lisa Calder: (Voice of Translator). Thank you, Jean-Hugues. So I have a couple of details that I would like to share with you. First of all, I'd like to remind you that only active members who are present in person can vote as per the CMPA by-law. Voting will be done by a show of hands. Additionally, only active members can ask questions, and members who ask a question will be identified in the minutes. Members in the room can ask a question by going to the microphones. Members who are online or those who don't want to go to a microphone can ask questions by using the Slido Q&A app. I'd invite you to see the handout found on your seat or click on the Technical Support button on your screen for instructions. (End of translation)

00:02:22

Jean-Hugues Brossard: (Voice of Translator) Thank you, Lisa. Now let me introduce my colleagues, the people who are seated here on this stage, and some of them may be speaking today. You already know Dr. Armand Aalamian, Executive Director, Learning; he moderated the previous session. We also have Domenic Crolla, our General Counsel for the CMPA. He's a lawyer, and he's doing what lawyers do: he's writing right now. Dr. Michael Curry, a CMPA council member and chair of the Audit Committee and he's over there in the room.

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There's also Dr. Pamela Eisener-Parsche, our Executive Director, Member Experience, and that's a euphemism to talk about the Medico-Legal Department; Cory Garbolinsky, our Executive Director and Chief Financial Officer, Financial services; and Christine Holstead, Executive Director, Strategy and Operations. You can see Christine there at the end of the table.

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Leah Keith, Executive Director, People and Culture; Dr. Birinder Singh, First Vice President, who's seated at the end; and Chantz Strong, Executive Director, Research and Analytics and Chief Privacy Officer. And Dr. Todd Watkins, our Associate CEO.

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With us in the room, we have three former presidents of the CMPA with us today, Dr. Debra Boyce, Dr. William Tucker and Dr. Peter Fraser. And as well, we have with us all the members of the CMPA Council. We also have with us Drs John Gray and Doug Bell in attendance, both former CMPA CEOs. Thank you all for joining us today.

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There are two scrutineers who have been identified in advance of today's meeting. They are Dr. Steven Bellemare and Dr. Debra Boyce. In the case of a vote, they will act as scrutineers. If you object to these two being named as scrutineers, in person attendees may proceed to a microphone to share their objection. Thank you for your cooperation. And since there is no opposition, they will now be able to fulfill this task. So, Debra and Steven, you're now scrutineers.

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And now I would like us to move to the approval of the minutes from the 2022 Annual Meeting, which were posted on the CMPA website ahead of today's meeting. Please remember only active members in the room can vote, as Lisa has mentioned.

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Additionally, if you have amendments to the minutes, please proceed to a microphone in the room. I will leave you a few moments to decide whether or not you would like any amendments to the minutes from last year. So, Susan Chafe has moved approval of the minutes and Gerry Craigen is seconding. We now have a motion moved by Dr. Chafe and seconded by her colleague, and it's now time to vote by a show of hands. Since there have been no changes proposed, I would ask you to raise your hands if you agree with approving the minutes. Please keep your hands up for a few moments. Thank you. The minutes of the 2022 Annual Meeting are approved. Lisa. (End of translation)

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Lisa Calder: (Voice of Translator) Thank you, Jean-Hugues. Over the next few minutes, Jean-Hugues and I will share how the CMPA has brought value to the healthcare system by supporting physicians and patients over the past year. Without a doubt this

was another challenging year. Physicians, patients and providers continue to face COVID-19, a toxic drug crisis and significant resource restrictions, including the healthcare human resources crisis. And you, our members, face new medico-legal risks in almost every area of practice.

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It's not an understatement to say that the healthcare system is strained to the breaking point. Through these difficult times, the CMPA has focused on being there for you with compassionate support. We've modernized the Association and we've done so collaboratively. I will now hand over the microphone to Jean-Hugues to share how we've been there for our members. (End of translation)

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Jean-Hugues Brossard: (Voice of Translator) Thank you, Lisa. As you can see from the slide... so I would ask for the slide to be put up, please? There we go. So as you can see from this slide, in 2022, we were there for members with peer support. Their support was provided by physicians, their peers. We received more than 29,000 requests for assistance, and we had over 49,000 interactions with our members.

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We provided expert guidance and ethical defence, and we did that in over 5,000 College matters - 5,000 - and close to 2,000 hospital matters and 760 new legal actions. We also continued to provide just-in-time advice on key issues like the healthcare human resources crisis.

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But one of the things I'm most proud of at the CMPA is that we have the trust of our members: 93% of members surveyed agreed that speaking with a physician advisor had a positive impact on their practice. We often hear from members who share things like this quote. I'll give you a moment to read it.

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We speak to members every day. We know physician burnout rates are at an all-time high. We also know that physician wellness can directly affect the safety of medical care and increase medico-legal risk.

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In 2022 we hired additional physician advisors to strengthen our capacity to help and we continue to educate our staff and lawyers to support distressed members. They were doing it before, and they will do it better in future. I'm proud to say that simply speaking to us often helps members decrease their stress and supports the safety of their care. I'll invite you to read another comment from another one of our members who demonstrates how we can help. Thank you, Lisa. (End of translation)

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Lisa Calder: (Voice of Translator) Thanks, Jean-Hugues. In addition to supporting

physician wellness, another essential role of the CMPA is to provide timely and appropriate compensation to patients on behalf of our members when the care provided is found to be negligent, or fault in Québec. In 2022, we paid \$279 million in compensation to patients. Over the past 10 years, we have paid a total of approximately \$2.3 billion in patient compensation, for an average of \$229 million per year.

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One of our main priorities is preventing patient harm from occurring in the first place through our member education, advice, and support. But when it is proven that harm has occurred as a result of negligence, or fault in Québec, both our members and patients can be confident that we're here to provide compensation.

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To ensure that we have the funds in place to do this, we took a number of steps, including investing prudently. Speaking of our investments, the performance of our investment portfolio impacts our financial position, which is a major factor when we set membership fees each year. While our investments are carefully managed, they are not immune to the volatility of the financial markets.

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As you likely know, 2022 saw one of the poorest market performances in recent history. And like many portfolios, our returns were less than expected. While we strive to maintain long-term fee stability over time, our ability to do so depends in part on the performance of our investments.

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Additionally, our financial position and membership fees are impacted by medico-legal costs which fluctuate from year to year. 2022 saw an increase in medico-legal costs in many regions which include compensation to patients. Medico-legal costs and lower investment returns mean our overall financial position has decreased. You'll hear more about this later when we share our 2024 membership fees.

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But the CMPA takes a long-term view of its finances, including when setting its membership fees. Each year we set membership fees to support the financial sustainability of the organization and keep fees as low as possible. We adjust and respond to changes and trends in the investment markets and the medico-legal environments appropriately. Ultimately, our goal is to ensure we have the funds to support members and compensate patients today, tomorrow, and well into the future. We will return to our 2024 membership fees shortly, but now let us continue with our year in review.

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I'd like to talk to you about equity, diversity and inclusion, or EDI. EDI is vital to healthcare. We know members and patients experience racism and inequities and that

this significantly affects physicians, threatens patient safety, and creates medico-legal risks. As an organization that protects physicians and promotes safe medical care, we have a responsibility to address this risk and help mitigate bias and inequity in the services we provide.

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Advancing EDI is an ongoing journey, and we have a number of initiatives underway. Last year we launched our EDI strategy to support this work and recently included EDI as a key component of our strategic plan. Throughout 2022, we provided CMPA Council members and the CMPA leadership team with comprehensive EDI and anti-bias training. To support reconciliation, we've consulted with indigenous leaders and stakeholders, exploring culturally sensitive approaches to the resolution of concerns arising from medical care. We are exploring restorative approaches to healthcare harm in the medico-legal environment.

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Finally, we're in the process of hiring an EDI strategic lead, who will directly report to me and help us strengthen our EDI activities. I look forward to continuing our work and strengthening our ability to provide members with fair, equitable and inclusive support. Jean-Hugues. (End of translation)

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Jean-Hugues Brossard: Thank you, Lisa. As part of our efforts to be a modern organization, we're also looking at our governance model. At our last annual meeting, a motion was passed for the CMPA to review our governance processes. This motion was very timely as the Council had already begun working with CMPA management to examine our governance model. In fact, this work is a key area of focus in our new strategic plan.

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We know the world is changing and we need to adapt. In order to continue to meet the needs of our members and deal with the challenges that come our way, we need a governance model that is modern and agile. We are now midway through a two-year review process to help us update our governance model. We're looking at everything about our governance including the size, the composition and role of our Council and the makeup and focus of our committees.

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To help us, we've hired an expert governance consulting firm, Watson Advisors, who have years of experience helping organizations implement modern practices and strengthen the function of boards and councils. Working with Watson, we've developed a robust business case to modernize our model. We've completed an extensive environmental scan, looked at models for stakeholder and medical malpractice organizations from across Canada, the UK, Australia, and the US.

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Our Governance Committee has met regularly 11 times, it appears, and we continue to engage with Council. And we've gotten to the stage where we want your input. Starting this fall, all members will have the opportunity to let us know what they think of our current governance process and what they think should change. You will be able to do this by filling out a survey which will be sent to you by email.

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Changing our governance model won't be easy or rapid due to the unique nature of the CMPA, but we are committed to outlining a plan for you to vote on at our 2024 Annual Meeting and we are on track to making this happen. The two key takeaways are that our efforts to modernize our governance model are well underway and that we need member input. Stay tuned for more on this in the fall.

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Change of topic. Part of our role is to advocate for the system enhancements that allow our members to focus on providing safe medical care. In a time when governments are contemplating significant changes to the healthcare system, our voice is an important part of this conversation.

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In 2022, we partnered with stakeholders to shape policy on issues impacting patients, physicians and the medical liability system, with a focus on virtual care and medical assistance in dying. We held 397 meetings with stakeholders and sent out 38 submissions to governments and medical regulatory authorities advocating for changes to improve the practice and the practice environments of physicians and the safety of care.

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We know that when we collaborate with healthcare organizations we are helping to build a stronger healthcare system and we know that collaboration in healthcare is the way of the future. Lisa. (End of translation)

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Lisa Calder: As one of Canada's largest providers of medical continuing professional development, in 2022, we delivered evidence-informed education as a benefit of membership. Our educational products range from fundamental medico-legal concepts to targeted offerings to help members in specific specialties practice safely. We even offer personalized educational advice to members who are facing recurrent medico-legal events.

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In 2022, we delivered fundamental medico-legal education to residents at all 17 faculties of medicine in Canada through our CMPA Patient Safety Primer workshop. With the wind down of our subsidiary Saegis, we transferred five learning resources into CMPA's

education portfolio, reinforcing our commitment to learning. We continue to modernize the delivery of our learning products to provide members with relevant and easy to access learning resources to help enhance the safety, reliability and quality of healthcare.

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Further towards our goal of modernization, in 2022, we used our medico-legal data in new ways and enhanced how we share research and insights with members and stakeholders. We created 66 analytical reports in response to member requests for medico-legal information, supporting patient safety, research and knowledge sharing.

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To enhance patient safety, we created a new product called Know Your Risk. This product allows physicians to go to our website and see the main drivers of medico-legal risk for their type of work. The Know Your Risk product also directs physicians to pursue learning opportunities including workshops, eLearning activities or a Good Practice resource.

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We also published peer-reviewed articles on medico-legal topics relevant to our members. For example, our research into diagnostic delays in sepsis was published in Critical Care and received significant media pickup, with articles appearing in La Presse Canadienne, La Presse, Profession Santé and Le Devoir. Our aim in sharing our research is to help members enhance the safety of their care and reduce the risk of harmful events. Over to you, Jean-Hugues. (End of translation)