

## Position Statement: Termination of Doctor-Patient Relationship

Approved 1/28/2022

Termination of the Licensee-Patient Relationship: The Board recognizes the licensee's right to choose patients and to terminate the professional relationship with them when the licensee believes it is best to do so. That being understood, the Board maintains that termination of the licensee-patient relationship must be done in accord with the licensee's underlying obligation to support continuity of care. Patient termination must be accompanied by appropriate written notice provided to the patient or the patient's representative sufficiently far in advance (generally 30 days is encouraged) to allow other health care to be secured. A copy of such notification is to be included in the health record. Should the licensee be a member of a group or an employee of a large practice, the notice of termination must also state clearly whether the termination involves only the individual licensee, other licensees in the practice, or the entire practice. In the latter case, those members of the group joining in the termination must be designated. It is advisable that the notice of termination also include instructions for transfer of or access to the patient health records.

Patients may not be dismissed or discriminated against based on limited English proficiency or status within a protected category under federal or state legislation, including race, religion, color, national origin, sex, disability, and age. Examples of laws prohibiting discrimination—which carry significant civil and administrative penalties for violations—include the Americans with Disabilities Act (ADA), the Civil Rights Act, and the Affordable Care Act. (The Department of Health and Human Services outlines requirements for providers regarding nondiscrimination policies and notices.)

Licensees may charge a reasonable fee for the preparation and/or the photocopying of medical records, keeping in mind that state law limits fees a licensee can charge for copies of medical records in certain cases, including liability claims for personal injury, social security disability claims, and workers' compensation claims. To assist in avoiding misunderstandings, and for a reasonable fee, the licensee should be willing to review the medical records with the patient at the patient's request. Medical records should not be withheld because an account is overdue or a bill is owed (including charges for copies or summaries of medical records).