

The Role of Medical Staff Associations at Public Hospitals

Health | Health Law

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In Ontario, all public hospitals are required to have a medical staff association (“MSA”),^[1] which consists of all physicians who possess appointments at the hospital. MSAs^[2] promote the interests of physicians at the hospital, including through advocacy efforts and representing their collective membership on various hospital committees and on the Board. In short, the MSA ensures that the perspective of physicians is considered in hospital governance and decision-making.

A robust MSA is integral for the effective functioning of a public hospital, as it provides an open forum for physicians to raise issues that are of importance to the medical staff and their patients. In addition, the MSA helps promote clinical excellence, by advocating for high standards of care and quality assurance initiatives and protocols.

The MSA also plays a key role in cases where a physician is under investigation by the hospital, as an MSA representative will typically attend at meetings between the physician and hospital administration and ensure that applicable procedures are being followed. Notwithstanding, the MSA is not to be viewed as an advocate for any particular physician, or a substitute for legal counsel.

The *Public Hospitals Act* sets out the following requirements in respect of MSAs:

- The MSA is required to have a President, Vice-President and Secretary (which are to be determined by a vote of the membership);^[3]
- The MSA is required to meet four times per year, with the first meeting being the annual meeting;^[4]
- The President, Vice-President and Secretary of the MSA are members of the Medical Advisory Committee (“MAC”). The MAC is the most important committee at a public hospital, as it is comprised of the chiefs of each department and makes recommendations to the Board;^[5]
- The President of the MSA is a member of the Board;^[6] and
- A representative of the MSA is a member of the Fiscal Advisory Committee.^[7]

In addition, the *Public Hospitals Act* provides that the by-laws of each hospital are to set out additional rules relating to MSAs, including the duties of the President, Vice-President and Secretary, and the election procedures relating to said leadership positions.^[8] A PDF version is available to download [here](#).

For more information please contact: **Lad Kucis** at **416.864.3114** or lkucis@grllp.com

[1] This requirement is derived from the *Public Hospitals Act*, s.32(1)(k); and its Hospital Management Regulation, s. 4(1)(b)

[2] Some public hospitals use the term Professional Staff Association, rather than MSA

[3] Hospital Management Regulation, s. 6(3)(b)

[4] Hospital Management Regulation, s. 6(1)(2)

[5] Hospital Management Regulation, s.7(1)(a)

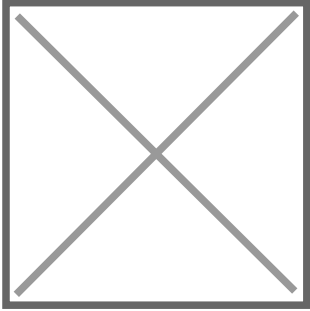
[6] Hospital Management Regulation, s. 2(1)(b)

[7] Hospital Management Regulation, s. 5(1)

[8] Hospital Management Regulation, s.4(1)(b)

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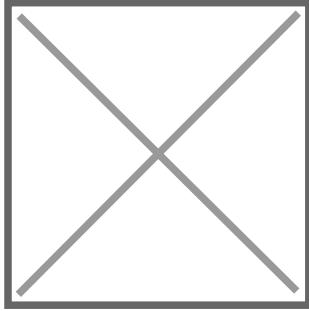
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