



UNIVERSITY
OF MANITOBA

Faculty of Medicine Policy

Policy Name:	Conscience-Based Exemptions
Application/ Scope:	Undergraduate Medical Students; Postgraduate Medical Learners; Physician Assistant Learners
Approved (Date):	April 10, 2013
Review Date:	April 10th, 2014
Revised (Date):	
Approved By:	Faculty Executive Council

1. **PURPOSE**

- 1.1 To accommodate the Conscience-Based Objections of Learners in the Faculty of Medicine;
- 1.2 To ensure the health and safety of patients through timely and acceptable medical care notwithstanding any Conscience-Based Objections or Conscience-Based Exemptions;
- 1.3 To ensure Learners meet the objectives of their medical education program;
- 1.4 To set out a process for approval and administration of Conscience-Based Exemptions.

2. **DEFINITIONS**

- 2.1 **Learners:** means registrants in the University of Manitoba's Faculty of Medicine undergraduate, postgraduate, and physician assistant programs.
- 2.2 **Conscience-Based Objection:** An objection, by a Learner, to participate in certain health care activities related to their medical education program, based on ethical, religious or personal beliefs.
- 2.3 **Conscience-Based Exemption:** An approved exemption, for a Learner, from participation in certain health care activities.

3. **POLICY STATEMENTS**

- 3.1 A Conscience-Based Objection shall be accommodated by granting a Conscience-Based Exemption, subject to the provisions of this Policy.
- 3.2 A Conscience-Based Exemption will not be granted if the Conscience-Based

Objection is based on a prohibited ground of discrimination under the [University of Manitoba Respectful Work and Learning Environment Policy](#), [the Human Rights Code \(Manitoba\)](#) or the [Code of Conduct of the College of Physicians and Surgeons of Manitoba](#).

- 3.3 Any Conscience-Based Objection(s) cannot be so broad that the Conscience-Based Exemption(s), if granted, would limit a Learner's core goals, objectives and competencies such that, on completion of the program, the Learner is unable to provide recognized standards of care. If such is the case, the Learner may be required to withdraw from the program.
- 3.4 A Conscience-Based Exemption does not relieve a Learner from the following obligations:
 - (a) Effective communication about any services, treatments or procedures the Learner chooses not to provide because of his or her ethical, religious or personal beliefs
 - (b) The provision of information about the existence of any services, treatments or procedures, even if such matters conflict with his or her ethical, religious or personal beliefs;
 - (c) The provision of information without promoting his or her own ethical, religious or personal beliefs when interacting with patients;
 - (d) When ethical, religious or personal beliefs prevent a Learner from providing information about services, treatments or procedures, that Learner must inform his or her clinical preceptor such that the patient who seeks such advice or medical care is offered timely access to all available options related to such matters.
- 3.5. A Conscience-Based Exemption does not relieve a Learner from his or her professional responsibilities, including:
 - (a) To meet the current standard of timely and acceptable medical care;
 - (b) To respond expediently to medically emergent situations, including public health emergencies, within the boundaries of his or her clinical competence and authority, unless or until another practitioner with equal or greater skills assumes responsibility for the care of the patient(s);
 - (c) To engage in professional behaviour.
- 3.6 When a Conscience-Based Exemption prevents a Learner from participation in regular curricular learning activities, the Faculty of Medicine will make reasonable efforts to provide alternative learning opportunities to enable core learning objectives to be met. All curricular and clinical time missed shall be spent in alternative activities under the direction of an appropriate Faculty supervisor.
- 3.7 Notwithstanding a Conscience-Based Exemption, a Learner is responsible to learn and, through standard evaluative practices, demonstrate knowledge of indications, contraindications, benefits and risk pertaining to that procedure or service.

- 3.8 The Faculty of Medicine shall establish a committee (“**Committee**”) from its membership to receive and review requests from Learners for consideration of a Conscience-Based Exemption.
- (a) The Committee shall consist of, at a minimum,
 - (i) a Clinician;
 - (ii) an Individual with training in medical ethics; and
 - (iii) a Learner.
 - (b) The Committee shall have the authority to grant or deny a Conscience-Based Exemption based on the Conscience-Based Objection.
 - (c) The Committee shall advise the respective Associate Dean regarding the granting of a Conscience-Based Exemption to one of their program’s Learners.
- 3.9 If a Conscience-Based Exemption is denied, a Learner may appeal to the Faculty Appeals Committee.
- 3.10 No Learner shall be subject to intimidation, harassment or discrimination based on the granting of a Conscience-Based Exemption.
- 3.11 The Faculty of Medicine shall inform the Winnipeg Regional Health Authority if a postgraduate Learner has been granted a Conscience-Based Exemption.

4. **REFERENCES**

- 4.1 The University of Manitoba Respectful Work and Learning Environment Policy (http://www.umanitoba.ca/governance/governing_documents/community/230.html)
- 4.2 *The Human Rights Code* (Manitoba) (<http://web2.gov.mb.ca/laws/statutes/ccsm/h175e.php>)
- 4.3 College of Physicians and Surgeons of Manitoba, Code of Conduct, December 1, 2008. (<http://cpsm.mb.ca/about-the-college/by-laws-code-of-conduct-statements-and-guidelines/code-of-conduct>)
- 4.4 College of Physicians and Surgeons of Ontario Policy Statement #5-08 – Physicians and the Ontario Human Rights Code (http://www.cpso.on.ca/uploadedFiles/downloads/cpsodocuments/policies/policies/human_rights.pdf)

5. **POLICY CONTACT**

Please contact the Associate Dean, Professionalism and Diversity or the Associate Dean Students, with questions respecting this policy.