

Avant factsheet:

When doctors leave a practice

Quick guide

- Ensure the continuity of your patient care as far as possible.
- Understand and comply with your contractual obligations.
- Do not take patient medical records and other confidential information unless you have a legal right to do so.

How much notice is required before I leave?

If you have a written contract give the agreed notice period, in writing. Read your contract carefully – many are for an initial fixed term and cannot be terminated during that time.

If you do not have a written agreement, give 'reasonable notice'. This will vary depending on factors such as the length of time you have worked at the practice and how easy it will be for the practice to replace you. Again, give your notice in writing.

You can agree with the practice to leave before the end of your notice period but confirm any such agreement in writing.

How much notice should the practice give?

The practice must give the agreed notice period, or reasonable notice, if you do not have an agreement.

Can the practice require me to leave immediately?

Yes. If this happens, leave as soon as possible.

If you are distressed or upset, do not drive yourself home. Arrange for someone to collect you.

If possible, take your important personal belongings with you.

After you leave, write to the practice confirming you were directed to leave immediately and advising that the continuity of care for your patients is now the practice's responsibility.

If you believe the practice has breached your agreement by asking you to leave immediately, seek advice from Avant.

What can I take when I leave?

Do not take any property belonging to the practice (including confidential information). This includes patient lists, patient contact details and practice financial information.

Return all practice property in your possession that is not physically located at the practice (for example, any records or equipment you may have at home). Ask the practice manager or owner to give you written confirmation that the practice has received the returned property.

Prescription pads remain the property of the practice. We recommend you destroy all old prescription pads with your name and the practice address on them before you leave.

What do I do with my computer?

You may wish to put an auto reply message on your former practice email account, indicating you no longer work there.

If possible, arrange for all emails to that account to be forwarded to another person, so any urgent follow-ups can be attended to.

Before you leave, remove your personal information from the practice's computer system (for example, email addresses, personal documents). Disable your computer passwords.

Can I take patient medical records?

In a general or large specialist practice, medical records are typically owned by the practice unless there is a written agreement making it clear you own them. Do not take medical records when you leave and return any in your possession.

In solo or small specialist or general practice, medical records ownership can be complicated. If there is no written agreement in place stating who owns the medical records, we recommend you speak with the practice owner before you leave about taking the medical records.

What can I tell my patients?

Tell the practice owners you are leaving before you tell any of your patients, as they may disclose your news to the practice staff even if you have asked them not to.

If possible, agree with the practice owners on what you and the reception staff will tell patients about you leaving. If you cannot reach agreement, tell patients you are leaving but do not mention where you will be working. If patients specifically ask where you are moving to, tell them you will advertise your new location in due course.

Who has responsibility for the care of my patients when I leave the practice?

Once you have left, if the practice continues to hold your patient's medical records, it will be responsible for their care.

There are a number of things to do before you leave to ensure patient care is maintained.

- Prepare a written patient handover list for the care of your complex patients, or those with outstanding results, and give it to the practice manager and the doctor who will look after your patients when you leave. Assign patient care to the practice itself if no doctor is nominated to take over. Do not check your patients' pathology, radiology and other results after you leave, unless the patient has elected to transfer their care to you.
- If you have an email inbox for patient-related correspondence, or receive correspondence such as results, messages and discharge summaries via the post, where possible, ensure these are appropriately filed before you leave.
- Provide a list of incomplete tasks to the practice owner before you leave or take the appropriate ones with you (as agreed by the practice owners). In particular:

Patient recalls and follow-up

Let the practice know to follow up urgent and non-urgent patient recalls after you have left and ensure the practice has a way of identifying the patients requiring follow-up. Ensure you generate all urgent recalls in the first instance while you are still at the practice. Consider providing a separate urgent recall list – incomplete actions/responses – as part of your clinical handover. Keep a spreadsheet of the high-risk patients you want to ensure are followed up or handed over when you leave and provide a copy to the practice.

Referral tracking

GP specialists: Develop a list of patients you have referred to a specialist who have clinically significant issues and would be at medium to high risk of a delayed diagnosis or a failure to diagnose if they do not attend the specialist appointment, or if you do not receive feedback from the specialist.

Non-GP specialists: Ensure all responses regarding patient care have been provided in a timely manner to the practitioners who referred patients to you.

Test tracking

If there is a computer system facility, you may be able to view your outstanding results audit trail and print a list of all tests (pathology and radiology) you have requested where you have not received results (or not reviewed those results). If not, follow your manual process and highlight outstanding results. Make it clear who will be responsible for taking follow-up action, if indicated.

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Letter about clinical handover

Consider writing a letter to the practice owner, stating that clinical handover has been completed and the remaining follow-up processes are the practice's responsibility. Keep copies of all handover documents you provide the practice when you leave, including detailed records of how you have managed your patients' continuity of care. Include your future contact details so the practice can follow up with you should any clinical issues arise which cannot be resolved without further input from you.

Should I contact Medicare?

Yes. Ask Medicare to close down your Medicare provider number for the practice. You can request details of the Medicare billings for patients treated under your provider number. This information can be helpful if there is a later dispute about amounts owing to you from the practice.

Can I move to a new practice?

Ensure you comply with any obligations to your former practice when you commence work at a new practice, including any restraint of trade obligations.

Inform your insurers of the change in your circumstances and provide details of your next practice type and location.

What if a patient follows me to my new practice?

Until you have received your patient's prior medical records, you must treat them as a new patient and obtain all relevant information from them during your first consultation in your new practice (for example, allergies, medical history, medications). Document these in their new medical record.

Advise patients if there are any significant changes to billing, such as your new practice does not routinely bulk bill.

You may wish to organise for the transfer of your patient's medical records to your new practice. Your former practice will likely require patient consent for the transfer and will have a process for this. Consider whether you need a copy of the entire medical record or whether a patient health summary will be sufficient.

Can I promote my new practice?

Yes, but you must comply with Ahpra's advertising guidelines and any obligations you have to your former practice.

Your health and wellbeing

Leaving a job can be stressful, particularly if the decision to leave is not yours. For further advice about support available to you, visit our [Key support services page](#).

Remember, you can always phone Avant for specific advice: 1800 128 268.

For more information or immediate **medico-legal advice**, call us on **1800 128 268**, 24/7 in emergencies.