L’ORDRE DES MEDECINS
French Medical Council

Listening to physicians
Helping to improve the quality of healthcare
LISTENING TO DOCTORS HELPING TO IMPROVE THE QUALITY OF HEALTHCARE

Set up by a Government edict in 1945, the French Medical Council is:
• a private professional body;
• in charge of “missions of public interest” ;
• financed solely by doctors’ contributions.

Its main missions:
• Upholding medical ethics and physicians’ professional independence
• Advising doctors
• Working in partnership with others healthcare stakeholders
• Responsible for self-regulation of the profession
THE ORDRE DES MEDECINS
HELPING TO IMPROVE THE QUALITY OF
HEALTHCARE

1 – Upholding medical ethics

• Responsible for the code of ethics: drawing up the code, adapting it to changing needs and situation of the healthcare system.

• Ensuring compliance with the principles and rules of medical practice laid down in the code of ethics.

• Overseeing physicians’ essential rights and duties: medical confidentiality, the doctor-patient privilege, patients’ freedom to choose their doctor, professional independence.
2 - Advising doctors


- An increasingly important role in advising doctors on all aspects of their professional life: contracts, locums, relationships with industry, organisation of stand-by duties, setting up in private practice, hospital and salaried work.

- Supporting doctors in distress: assistance to physicians and their families at moments of hardship (death, accident, etc.)
THE ORDRE DES MEDECINS
HELPING TO IMPROVE THE QUALITY OF HEALTHCARE

3 - Working in partnership with others healthcare stakeholders

• An advisory role: both for doctors and government authorities. Providing input on prospective healthcare legislation, regulations and decrees which could affect medical ethics.

• Contributing to public debate on the healthcare system: several reports on medical practice, public health, changes in society and the healthcare sector are published every year.

• Liaising between various players in the healthcare system: as a mediator and opinion former on various proposals and suggested solutions.
4 - Responsible for self-regulation of the profession

• A mainstay of healthcare quality: disciplinary powers as a guarantee of the highest standards of medical ethics;

• An open and transparent procedure based on mediation and conciliation. Disciplinary proceedings are held in public;

• Scaled disciplinary sanctions: ranging from a simple warning to temporary suspension. The deterrent aspect of this disciplinary function is highly effective and a major contributing factor to the quality of the healthcare system.
THE ORDRE DES MEDECINS
Representing the profession throughout France

• A democratic organisation:
  – Counsellors are directly elected by physicians.
  – Organized at three institutional levels:
    • The National Council;
    • The Regional Councils and the first instance disciplinary chambers;
    • the “Departmental” Councils.

• One fundamental principle:
  – Ensuring respect for ethical principles and safeguarding the competence of physicians in the best interests of patients and physicians.
DEPARTMENTAL COUNCILS
A GRASS ROOTS ORGANISATION

• Administrative powers:
  • Managing doctors’ registration
  • Vetting of medical qualifications
  • Checking contracts and formal conditions for medical practice
  • Hardship support at “departmental” level

• A jurisdictional role:
  • Right of referral to a court of law
  • Enforcement of its rulings

• A mediating and conciliating role:
  • Between physicians and patients
  • Between physicians themselves
THE REGIONAL COUNCIL

The Regional or Interregional Council, under the supervision of the National Council:

• represents the profession in the region;
• coordinates the “Departmental” Councils;
• considers drafts, proposals or requests for opinion submitted in particular by the competent authorities on healthcare matters affecting the regional administrative unit;
• can decide on the temporary suspension of a physician in the event of illness or other factor making him unfit to practice.
THE DISCIPLINARY CHAMBERS OF FIRST INSTANCE

• 9 regular members and an equal number of substitutes (with some exceptions) elected by the “Departmental” Councils for 9 years and renewable per third every 3 years.

• Are present in an advisory capacity: a legal expert, the local Director of Public Health (DAS), a Professor of Medicine, a medical officer from the national health care insurance system (Sécurité sociale), a representative of the salaried doctors.
THE DISCIPLINARY CHAMBERS OF FIRST INSTANCE

• The disciplinary chambers have disciplinary powers in the first instance (appeals go to the disciplinary section of the National Council, ultimately to the Conseil d’État). The chambers have two sections:
  • the **disciplinary section**, responsible for disciplinary matters, temporary suspensions, disputes, elections and registration.
  • The **social insurance section**, responsible for hearing disputes over healthcare insurance claims.
THE DISCIPLINARY CHAMBERS OF FIRST INSTANCE

• The following bodies can submit a case to a chamber:
  – The “Departmental” Councils;
  – The Minister, the “Departmental” Director of Health;
    the Prefect, the public prosecutor;
  – Doctors' associations;
  – An individual doctor.

• Possible sanctions:
  – Warning, censure, temporary or permanent suspension from a public medical post, temporary suspension or erasure from the Register.
THE NATIONAL COUNCIL
ACTION AND REFLECTION

• Membership

- a total of 40 full-members and 4 substitutes elected by the “Departmental Councils”
- One-third come up for re-appointment every 2 years
- Others members:
  - with voting rights: 1 member of the Conseil d’État, appointed by the Minister of Justice, 1 representative of the Académie Nationale de Médecine.
  - in an advisory capacity: 3 physicians representing the Ministries of Health, Education and Labour
- The Bureau (Executive Board) is responsible for implementing Council decisions.
THE NATIONAL COUNCIL
ACTION AND REFLECTION

• Powers:

Carries out Council missions at national level:

• Ensures compliance by all members with professional duties and rules laid down in the code of ethics;
• Considers issues and projects referred to it by the government;
• Fixes the amount of doctors’ contributions;
• Manages the Council’s assets and oversees the “Departmental” and Regional Councils.

A disciplinary section, made up of 8 full members and substitutes and including a Conseiller d’Etat, acts as a court of appeal for rulings made by first instance disciplinary chambers.
THE NATIONAL COUNCIL
ACTION AND REFLECTION

• Establishes close working relationships with:

  Ë  government authorities,
  • as the consultative body for the public authorities on any reform affecting the healthcare sector.

  Ë  doctors, as a genuine partner,
  • defending the independence of the medical profession,
  • providing doctors with the information and services necessary for sound and effective medical practice.