

SOUTH DAKOTA STATE MEDICAL ASSOCIATION  
POLICY

Subject: Patient-Physician Relationship

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POLICY STATEMENT

The practice of medicine, and its embodiment in the clinical encounter between a patient and a physician, is fundamentally a moral activity that arises from the imperative to care for patients and to alleviate suffering.

The relationship between a patient and a physician is based on trust, which gives rise to physicians' ethical responsibility to place patients' welfare above the physician's own self-interest or obligations to others, to use sound medical judgment on patients' behalf, and to advocate for their patients' welfare.

A patient-physician relationship exists when a physician serves a patient's medical needs. Generally, the relationship is entered into by mutual consent between patient (or surrogate) and physician; however, in certain circumstances a limited patient-physician relationship may be created without the patient's (or surrogate's) explicit agreement. Such circumstances include:

- a. When a physician provides emergency care or provides care at the request of the patient's treating physician. In these circumstances, the patient's (or surrogate's) agreement to the relationship is implicit.
- b. When a physician provides medically appropriate care for a prisoner under court order, in keeping with ethics guidance on court-initiated treatment.
- c. When a physician examines a patient in the context of an independent medical examination, in keeping with ethics guidance. In such situations, a limited patient-physician relationship exists.

It is the mission of the SDSMA to protect and enhance the patient-physician relationship and to promote improved access to and delivery of quality medical care.

AUTHORITY

South Dakota State Medical Association Council of Physicians, 6/1/2018; Reaffirmed by South Dakota State Medical Association Board of Directors 11/8/2019.