Canadian Trends
In Life Care Planning

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May 2, 2014
Content Outline

• Introduction

• 2012 LCP Summits Consensus (Standard of Practice Key Statements)

• Form 53

• What are in the Cards for the Future
Introduction

The 4 Pillars of Life Care Planning

- Standard of Practice
- Legal Foundation
- Medical Foundation
- Scientific Foundation
IALCP - The purpose of the IALCP is to provide education and leadership for professionals who conduct life care planning and to contribute to the development of life care planning standards, policies and practice.


99 Consensus and majority Statements from summits since 2000 - Preston, K & Johnson, C., Journal of Life Care Planning, 11(2), 9-14
Standards of Practice

Canadian Life Care Planning Summit 2011
Journal of Life Care Planning, Vol. 10, No. 3, (3-24)
Johnson C. & Lacerte M
The 2012 Life Care Planning Summit on May 5 and 6, 2012 in Dallas, Texas included:

• The work of over 400 life care planners who took a vested interest in the future and participated in Summits to address cutting edge issues affecting Life Care Plans, Life Care Planning and Life Care Planners


• Letters of Endorsement of the Proceedings from a multitude of organizations involved with the multidisciplinary field of Life Care Planning.
Summits Consensus

• Life Care Planners may come from a variety of disciplines, provided they have qualifications including five years’ experience in a primary discipline, complete supervised time under a qualified life care planner and belong to a life care planning professional association.

• Life Care Planners shall seek out mentor relationships, educating students and unaffiliated professionals about life care planning training, education, experience, special knowledge and required credentials.
Summits Consensus

• Life Care Planners shall explore markets for life care planning outside litigation.

• Life Care Planners shall have knowledge of relevant laws and regulations as well as local and national care standards.

• Life Care Planners shall understand optimal outcomes achievable for particular injuries.
Summits Consensus

• Life Care Planners shall promote and participate in a national organization for life care planners that serve as a single voice for the practice of life care planning and as a single repository for life care planning resources.

• Life Care Planners shall complete 120 hours of training including courses that focus on disability issues and is specific to life care planning.
Summits Consensus

- Life Care Planning programs shall be based on the latest knowledge and practices.

- Life Care Planning programs shall cover certification-preparation as well as advanced topics and complex issues.

- Life Care Planning programs shall be promoted widely.
Summits Consensus

- Life Care Planning programs shall be offered in accessible geographic locations and electronically.
- Life Care Planning continuing education units shall be available at an increasing number of forums.
- Life Care Planning continuing education units shall be available at forums that may not focus solely on life care planning.
Summits Consensus

- Life Care Planners shall train themselves and recruit others to instruct educational programs.

- Life Care Planner certification shall render its holder a qualified life care planner, provided that certification is maintained.

- Life Care Planner certification shall be renewed every five years with the accumulation of 60 continuing education units.
Summits Consensus

- Life Care Planners shall hold a certification that has mechanism for complaints and resolution.
- Life Care Planning certification shall flow from a practitioner-created core curriculum.
- The Life Care Planning certifying body shall not be proprietary.
- The Life Care Planning certifying body shall manage and disclose ethical complaints and violations.
Summits Consensus

• Standards of Practice shall allow for individual judgment and expertise.

• Standards of Practice shall be utilized in the development of the practice of life care planning.

• Standards of Practice shall be applicable to current practices.

• Life Care Planners shall accept referrals only in their area of expertise.
Summits Consensus

• Life Care Planners shall renounce inappropriate processes and training.

• Life Care Planners shall disclose and differentiate between the roles in which they may be called upon to act.

• Life Care Planners shall avoid dual relationships when objectivity may be challenged.

• Life Care Planners shall better define dual relationships.
Summits Consensus

• Life Care Plans shall be individualized.
• Life Care Plans shall be objective and consistent.
• Life Care Plans shall be lifelong and flexible.
• Life Care Plans shall be a clear, concise and user-friendly document.
• Life Care Plans shall be comprehensive and based on multidisciplinary data.
Summits Consensus

- Life Care Planners shall research condition, resources, services and costs.
- Life Care Plans shall utilize established procedures.
- Life Care Planning procedures shall be peer or organizationally reviewed.
- Life Care Plans shall be developed in the client's best interest.
Summits Consensus

- Life Care Planners shall utilize standardized procedures and tools for gathering and reporting information.
- Life Care Plans shall feature standardized forms and formats.
- Life Care Plans shall be consistent across similar cases.
- Life Care Plans shall rely on medical/allied health professional opinions.
Summits Consensus

- Life Care Plans shall be limited to the planner’s expertise and scope of practice.

- Life Care Planners shall methodically handle divergent opinions.

- Life Care Planners shall properly inject personal expertise.

- Life Care Planners shall utilize credible, evidence-based guidelines.
Summits Consensus

• Life Care Planners shall conduct an in-person interview whenever permitted.

• Life Care Planners shall utilize protocols for cost research.

• Life Care Planners shall gather geographically relevant & representative prices.

• Life Care Planners shall utilize protocols for using local versus national resources.
Summits Consensus

• Life care planners may independently make recommendations for care items/services that are within their scope of practice.

• Life care planners seek recommendations from other qualified professionals and/or relevant sources for inclusion of care items/services outside the individual life care planner’s professional scope(s) of practice.
Summits Consensus

- When the life care planner includes home care, both private-hire and agency-procured services are options to be considered.

- The cost of private hire home care includes care giver compensation and associated expenses.

- Life Care Planners shall consider the impact of aging.
Summits Consensus

- Review of evidence based research, review of clinical practice guidelines, medical records, medical and multidisciplinary consultation, and evaluation / assessment of evaluatee/family are recognized as best practice sources that provide foundation in Life Care Plans.
Content Outline

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• What is in the Cards for the Future?
FORM 53
Courts of Justice Act
ACKNOWLEDGMENT OF EXPERT'S DUTY

(General heading)

ACKNOWLEDGMENT OF EXPERT'S DUTY

1. My name is ____________________________ (name). I live at ____________________________ (city), in the ________________________________ (province/state) of ________________________________ (name of province/state).

2. I have been engaged by or on behalf of ________________________________ (name of party/parties) to provide evidence in relation to the above-noted court proceeding.

3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:

(a) to provide opinion evidence that is fair, objective and non-partisan;

(b) to provide opinion evidence that is related only to matters that are within my area of expertise; and

(c) to provide such additional assistance as the court may reasonably require, to determine a matter in issue.

4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date __________________________________________

__________________________
Signature

NOTE: This form must be attached to any report signed by the expert and provided for the purposes of subrule 53.03(1) or (2) of the Rules of Civil Procedure.

RCP-E 53 (November 1, 2008)
What is in the Cards for the Future?
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Standard of Practice & Code of Ethics

- Vigorous Court Qualifications & Cross-Examination
- Attendant Care Needs Determination Focus
- More attention to Non-Catastrophic Life Care Plans

Legal Foundation

- A Canadian Legal Primer (IARP)
- Judicial Greater Scrutiny
What is in the Cards for the Future?

Medical Foundation

- Physician Life Care Planners  
  (New player for the last 10 years)

- American Academy of Physiatrist Life Care Planners  
  (non-profit)

- Physiatrist’s LCP Code of Conduct ¹

- Causation, Apportionment and Negative Contingencies

- Université de Montréal, AIDC and IARP  
  The Orthopaedic Fractures LCP Initiative

Life Care Planning: A Natural Domain of Physiatry

Joe G. Gonzales, MD, FAAPMR, CLCP, Andrea Zotovas, MD, FAAPMR

This article is an introduction to life care planning and its relevance to physiatry and physiatric practice. It includes a discussion of life care planning, physiatry’s role within its history and evolution, and life care planning methodologies. It also discusses life care planning education and certification, how the core competencies of the physiatrist are particularly relevant and applicable to life care planning, and life care planning’s capacity to complement and diversify a clinical physiatric practice.

PM R 2014;6:184-187
What is in the Cards for the Future?

Scientific Foundation

- IARP Podcasts & Conferences
- Ontario Protocol for Traffic Injury Management Collaboration (OPTIMa)
- Utilization Review and LCP Fraud Indicators
IARP WEBINARS (DRAFT)

1. Life Care Planning Summits – Where are we?  Cloie Johnson & Evie Cowitz
2. Life Care Planning Current Issues: Ethics – Christine Reid & Karen Rucas
3. 2012 Fibromyalgia Criteria and Care Needs – Mary-Ann Fitzcharles & Tony Reddick
4. Functional Capacity Evaluations: Sonia Paquette & Clae Willis
5. Life Care Planning Forensic Accounting: Gary Phelps & Evie Cowitz
6. Physiatrist’s Code of Conduct in Life Care Planning – Bill Rosen & Michel Lacerte
7. Qualifying as an Expert Witness – Talaal Bond & Dana Weldon
8. Canadian Pediatric & Youth Rehabilitation Resources - Maria Scaringi & Peter Rumney
9. Attendant Care Needs Determination – Carol Bierbrier & Ariel Beaudoin
10. IALCP Current Affairs & Strategic Plan – Gerri Pennachio & Giovanna Boniface
11. Moving towards a Standard Reporting Format – Steve Yuhas
12. Doing legal research using CanLii – CanLii Faculty (Pre-recorded)
Thank You