

The Apology Act

Health care professionals have an obligation to disclose to patients/clients/residents/families when an unintended event has happened.

After disclosing any harmful event, including a critical incident, it is natural to follow with an apology.

Patients/clients/residents/families want a sincere apology for what has happened to them. An apology can be therapeutic for the health professional and can begin the healing process for the patient/client/resident/family as well as the health professional.

Manitoba's Apology Act allows health professionals to apologize freely, without creating liability or negatively affecting malpractice insurance coverage. An apology is not admissible in court.

Things to keep in mind with any apology:

Apologize as soon as possible. Talk with your team about who will apologize and how the apology should occur. Check your organizational and regulatory body policies for further information/direction. Be compassionate, honest and sincere.

Apology guidelines:

- Acknowledge that an unintended event has happened.
- Explain the facts of what has happened.
- Explain how the event has, or may, impact the patient/client/resident's health.
- Consider using words like “we are sorry.” “We know that what happened has caused you unnecessary pain/anguish/health complications....” “We feel badly for what happened.”
- Explain the actions taken or to be taken as a result of the event.
- Document any conversations with the patient/client/resident/family about this event.
- If known, explain what will be done to improve patient safety and prevent a similar event from happening to someone else.

Where can I get reliable, confidential advice about apologizing?

Review your SDO and facility policies and procedures or consult the regulatory body governing your profession. You may also consult your professional insurer or protective association.