

The Management of Patients Who Are Unvaccinated Against COVID-19

2022

1. As an overarching principle, doctors should not refuse to see unvaccinated patients solely based on their COVID-19 vaccination status.

2. Doctors have an ethical and professional duty to provide care, free from bias and discrimination, as outlined in clause 3.4.5 of the Medical Board's *Good Medical Practice: A Code of Conduct for Doctors in Australia*:

If a patient poses a risk to your health and safety, or that of your staff, take action to protect against that risk. Such a patient should not be denied care if reasonable steps can be taken to keep you and your staff safe.

3. Ahpra and the National Boards have provided specific guidance to health practitioners in relation to facilitating access to care in a COVID-19 environment¹, declaring that:

National Boards expect all health practitioners to facilitate access to care regardless of someone's vaccination status. People cannot be denied care if steps can be taken to keep the person, health practitioners and their staff safe.

4. While doctors have a duty of care to look after the health and well-being of individual patients, they also have an ethical and professional duty as well as legislated Workplace Health and Safety obligations to protect other patients, staff, colleagues, other health care workers and the wider community from harm. In relation to the COVID-19 crisis, this involves minimising the risk of patients with COVID-19 who attend a medical practice spreading the virus to other patients, carers, staff and others or behaving aggressively toward staff in the event they are denied access to care at that time.

5. It is reasonable also to consider the urgency, and type of service being offered by the practice to the patient in regard to the risks to the practitioner and practice, and any risks of delay in seeking another option for the patient.

6. Vaccination is an important measure for reducing transmission of COVID-19; however, fully vaccinated individuals (referring to those who are up-to-date with their vaccinations) can still catch the virus and transmit it to others. Simply banning unvaccinated patients from attending a medical practice will not eliminate the risk of disease transmission. Instead, practices are encouraged to use a range of measures to reduce the risk of disease transmission such as telehealth, infection prevention and control methods, physical distancing as well as wearing masks and other appropriate personal protective equipment.

7. Doctors can play a critical role in supporting unvaccinated patients. When a person is banned from attending their medical practice, they may feel abandoned and perhaps seek ineffective care or opt for no care at all, potentially placing themselves and others at risk of harm.

8. When undertaking a risk assessment for their individual medical practice, a doctor (or medical practice) may determine that treating patients not vaccinated against COVID-19 in the usual face-to-face setting poses too great a risk to the health and safety of others, particularly vulnerable patients. In such cases, rather than simply refusing to see all unvaccinated patients, doctors/medical practices

¹ Ahpra & National Boards. *Facilitating access to care in a COVID-19 environment*. December 2021.

should consider other ways they can support them to receive care. For example, they could consider options that minimise risks such as using telehealth consultations or providing designated consultation areas or times for unvaccinated patients. Doctors can also discuss how patients can best protect themselves and others from COVID-19 while they are still unvaccinated.

9. Doctors who are considering providing care based on a patient's COVID-19 vaccine status are encouraged to seek medico-legal advice from their medical defence organisation regarding the circumstances of their individual practices.

Reproduction and distribution of AMA position statements is permitted provided the AMA is acknowledged and that the position statement is faithfully reproduced noting the year at the top of the document.