

Chapter 11

Conflicts of Interest

CHAPTER OVERVIEW

- Defining Conflict of Interest
- Identifying Potential Conflicts of Interest
- Managing Conflicts of Interest
- Chapter Summary
- Case Scenarios
- Chapter Quiz
- References

Defining Conflict of Interest

The term “conflict of interest” refers to a real or perceived “situation in which a person has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties as, say, a public official, an employee, or a professional.”⁷³ In other words, a conflict of interest occurs when one has an obligation to promote one interest, but promotes a competing interest instead, or has an obligation to promote two competing interests. Most conflicts of interest arise when a person stands to profit personally by promoting a competing interest. However, a conflict of interest can also occur when the interests of friends, relatives or other business associates are promoted.

In the provision of professional services, Registered Dietitians and Registered Nutritionists must use discretion when performing their assigned responsibilities, exercising professional judgment when deciding to take certain actions. There is a potential conflict of interest whenever the following conditions exist (1):

KEY PRACTICE POINT

A conflict of interest occurs when one has an obligation to promote one interest, but promotes a competing interest instead; most conflicts of interest occur when a person stands to profit personally by promoting the competing interest.

⁷³ Chris MacDonald, Michael McDonald, and Wayne Norman. “Charitable Conflicts of Interest”, *Journal of Business Ethics* 39:1-2, 67-74, August 2002, p.68.

- An employee or their close friend(s), relative(s) or associate(s) has a strong personal interest in a particular situation which is promoted
- An employee promotes a strong personal interest in a particular situation when involved in decision making or influencing others authorized to make decisions on behalf of an organization
- An employee's interest or perceived interest may cause the employee to exercise their decision making power to further their personal interest rather than that of the organization (or client), to the detriment of the organization (or client)

It is the expectation of the public, other professionals, employers and government that self-regulated professionals, including Registered Dietitians and Registered Nutritionists will provide competent, safe, ethical services. Professionals who maintain high standards in their practice and are conscious of their professional conduct build trust and confidence in their profession. A conflict of interest situation can undermine that trust and confidence.

The obligations of Registered Dietitians and Registered Nutritionists related to conflicts of interest are reflected in Section 3.8 of the College of Dietitians of Alberta (the College) *Code of Ethics* which states the following:

“3.8 Conflict of Interest

- (1) The dietitian avoids real or perceived conflict of interest in which their professional integrity, professional independence or the provision of professional services could be influenced or compromised.
- (2) When the dietitian identifies a conflict of interest the dietitian must resolve the conflict by fully acknowledging the conflict, ensuring that it is understood and accepted by all parties or discontinue professional services.”⁷⁴

Identifying Potential Conflicts of Interest

Conflicts of interest may occur in a variety of circumstances and forms. Identifying a potential conflict of interest is one of the most important steps towards managing the situation. Conflicts of interest typically exist when an individual puts their own interest above the interests of their clients and employers. Some of the more common conflict of interest situations are the result of inappropriate practices related to the following:

- A practitioner uses their position or professional influence to coerce a client or other individual to make a decision that is in the best interest of the practitioner rather than that of the client or other individual
- A practitioner recommends that a client purchase a product or service from a company or supplier that will result in financial gain for that practitioner

⁷⁴ College of Dietitians of Alberta. *Code of Ethics*; 2007.

- A practitioner who serves on a board or committee influences that board or committee to make a decision that will result in financial gain for that practitioner
- A practitioner accepts a personal gift or benefit from a supplier for agreeing to promote, endorse or purchase a product
- A practitioner is responsible for hiring, supervising and / or determining promotions and pay raises of relatives / close friends

Professionals, including Registered Dietitians and Registered Nutritionists are generally respected and held in high regard by others; in a professional relationship, clients are generally always vulnerable and will typically hold the advice of a professional in high regard. To minimize the risk of a potential conflict of interest, Registered Dietitians and Registered Nutritionists must conduct themselves carefully in all of their professional practice activities.

There is limited legislation available to direct the practice of health care professionals in relation to conflicts of interest; by and large, conflicts of interest are ethical issues. The *Code of Ethics* of the College is a document that is extremely useful in helping Registered Dietitians and Registered Nutritionists identify conflict of interest situations. The obligations of Registered Dietitians and Registered Nutritionists in relation to “Advertising / Promotion and Endorsements”, “Financial and Business Arrangements” and “Products and Services” are stated in the *Code of Ethics* of the College, and read as follows:

KEY PRACTICE POINT

The *Code of Ethics* of the College is a document that is extremely useful in helping Registered Dietitians and Registered Nutritionists identify conflict of interest situations.

“3.7 Advertising / Promotion and Endorsements

- (1) The dietitian does not engage in any form of advertising / promotion or endorsement of products and services that:
 - a) takes advantage of or exploits vulnerable individuals;
 - b) makes statements or claims that are false, misleading, inaccurate or unverifiable;
 - c) creates an unjustified expectation about the results that can be achieved;
 - d) compares the quality of services or fees to those of another individual.
- (2) The dietitian does not allow their name or professional titles and initials to be used in connection with any product or service that:
 - a) provides an endorsement that has not been given;
 - b) has not been evaluated by the dietitian;

- c) misrepresents the product or service;
 - d) misrepresents the association of the dietitian with the product or service;
 - e) affects the credibility of the dietitian or the profession.
- (3) The dietitian must keep a copy of any advertising / promotion or endorsement for a period of one year following the date in which it last appears. The dietitian must provide a copy to the College on request.

3.9 Financial and Business Arrangements

- (1) The dietitian does not accept or offer fees, compensation, gifts or other benefits for making or receiving referrals for professional services.
- (2) The dietitian does not accept contracts, consulting fees, funding including research funding, fees, compensation, gifts or other benefits that compromise professional integrity, professional independence or influence the provision of professional services.

3.10 Products and Services

- (1) The dietitian does not recommend, promote, advertise, distribute, endorse or sell products or services in the provision of professional services where the efficacy or safety of products or services:
 - a) is not supported by evidence based research;
 - b) has not been tested or verified by credible sources.
- (2) The dietitian does not recommend, promote, advertise, distribute, endorse or sell products or services in which the dietitian, or individuals connected to the dietitian, have a financial or other interest unless the dietitian at the same time:
 - a) fully discloses the financial or other interest;
 - b) informs the client they have the option of using alternative products or services;
 - c) assures the client that choosing alternative products or services will not affect the quality of professional services provided by the dietitian.
- (3) The dietitian does not use professional titles and initials or make any reference to being a member of the dietetic profession or the College, or having dietetic education and training with respect to any products or services that do not relate to the provision of dietetic professional services.⁷⁵

⁷⁵ College of Dietitians of Alberta. *Code of Ethics*; 2007.

Managing Conflicts of Interest

Registered Dietitians and Registered Nutritionists have a professional obligation to avoid real or perceived conflict of interest situations in which their professional integrity, professional independence or the provision of professional services could be influenced or compromised (3). In managing these situations, it is important to recognize that not all conflict of interest situations are prohibited. However, each conflict of interest situation does require some sort of action (2).

KEY PRACTICE POINT

Conflicts of interest may be managed through safeguards which include disclosure, recusal, exclusion or removal. However, some conflict of interest situations are best managed by being avoided entirely.

Whenever a professional identifies that they are in a potential conflict of interest, they must determine whether the situation can be managed through safeguards that involve openness and transparency, or should be avoided entirely (2). Strategies for which potential conflicts of interest may be managed include disclosure, recusal, exclusion or removal. Each of these concepts is explained below.

Disclosure

Disclosure is one of the primary safeguards in managing any potential conflict of interest. As long as an agent (employee, officer, board members, etc.) discloses the nature of a conflict of interest and the potential benefits that they stand to gain, the organization, client or other party is in a position where they are free to either reject the agent and find someone who has no such conflict, or to accept the agent with the understanding that the agent will serve the organization, client or other party fairly, despite the conflict of interest. Disclosure that occurs at the beginning of a relationship can help prevent suspicion and the perception of dishonesty that could arise if the conflict were to become apparent at a later time. In some situations, disclosure may not be sufficient to manage or resolve a conflict of interest. However, failing to disclose a conflict of interest will usually exacerbate the situation and almost always be considered a breach of the *Code of Ethics* of the College (1, 2, 4).

When disclosure of a potential conflict of interest is made, the agent is advised to provide the organization, client or other party with options for acquiring similar products or services from another source, thereby allowing the organization, client or other party to make an informed choice. It is also important to reassure the organization, client or other party that should they choose to select products or services from the options provided, the quality of the professional services provided by the agent will not be affected. For example, in the case of selling a product for profit, disclosure would involve informing the client that the product is being sold for a profit and that the client is free to check other suppliers (2).

Some organizations have a disclosure policy to help manage and prevent potential conflicts of interest. In order to be effective, a disclosure policy must clearly identify the types of situations that may constitute a conflict of interest, requirements for ongoing disclosure (often in the form of an annual statement and requirements to provide disclosure when circumstances change, thereby creating a conflict of interest situation) and obligations to make any disclosures public to the applicable decision makers (1).

Recusal, Exclusion or Removal

In some circumstances, a conflict of interest is not an ongoing matter, but rather relates to a particular decision that needs to be made by an organization, client or other party. In such situations, many organizations will consider it appropriate for any agent (employee, officer, board member, etc.) in a conflict of interest situation to recuse themselves by withdrawing from participation in that particular situation.

While recusal is an acceptable strategy for managing a conflict of interest that is temporary or infrequent, it is not effective for situations that are ongoing. In such circumstances, the organization, client or other party must find a way to end the conflict by either changing the nature of the agent's employment (i.e. moving them to another department where the conflict will no longer exist) or by removing the agent from the employment relationship (1).

Conflict of Interest Situations That Should Be Avoided Entirely

With some conflicts of interest, safeguards are insufficient to effectively manage the situation. Such situations should be avoided entirely; consider the following examples:

Conflicts Involving Acceptance of Gifts or Other Benefits

Accepting a gift or other benefit from a client or supplier of products /services may or may not create a conflict of interest situation. Depending upon the policy of an organization, accepting smaller gifts such as a pen, mug, box of chocolates, lunch, concert, theater or sporting event tickets, etc. may be permissible while accepting larger gifts such as vacation packages are not. It should be recognized that no amount of disclosure to the organization, clients or other parties will provide an objective level of confidence and trust in a Registered Dietitian or Registered Nutritionist who accepts a tropical vacation from a supplier whose products they recommend. Accepting such large gifts or benefits should be avoided entirely (2).

If the policy of an organization allows gifts or other benefits to be accepted, Registered Dietitians and Registered Nutritionists must consider whether or not others may perceive that acceptance of a gift or other benefit will have an improper influence on their professional judgment. In determining whether or not to accept a gift or other benefit, the following should be considered (2):

- The cost or value of the gift or benefit
- The frequency in which gifts or benefits are provided by the supplier
- Who actually uses or consumes the gift or benefit
- The existing policies of the organization
- The employer's knowledge and approval of receiving the gift or benefit

- Practices that are generally accepted in the profession

As previously discussed, the professional obligations of Registered Dietitians and Registered Nutritionists in relation to accepting gifts or other benefits are stated in the *Code of Ethics* of the College. Registered Dietitians and Registered Nutritionists are also responsible to be aware of and practice in accordance with the policies established by their employers in relation to accepting gifts or other benefits.

If gifts or other benefits are accepted, it is important to carefully consider the possible consequences of accepting the gift or other benefit and any possible harm that may result. Registered Dietitians and Registered Nutritionists should ensure that their ability to conduct business in a fair and objective manner is not compromised. Clients / suppliers who provide gifts or other benefits should be made aware that the gifts or other benefits that they provide will be shared equally among all employees. When possible, gifts or other benefits that are accepted should be reciprocated i.e. if a client or supplier buys coffee or lunch one time, the practitioner or organization should buy the next time.

The following “gift checklist” included in a presentation provided on behalf of the Organization for Economic Co-operation and Development provides a series of questions to ask that are helpful in avoiding conflicts of interest related to accepting gifts or other benefits (5).

Genuine: Is the gift genuine, given in appreciation for something that you have done and not sought out or encouraged by you?

Independent: If you accepted the gift, would a reasonable person have any doubts that you would be able to be independent in doing your job in the future when the person who gave the gift is involved or affected?

Free: If you accepted the gift, would you feel free of any obligations to do something in return for the person giving the gift, or their family / friends / associates?

Transparent: Are you able to declare the gift and its source transparently to your organization, its clients, to your colleagues, to the media and to the public?

Conflicts Involving Clients

In the case of *McInerney v. MacDonald*, the Supreme Court of Canada recognized the physician-patient relationship as a fiduciary or trust relationship, requiring a high duty of care by the physician, and an obligation for physicians to act in accordance with the best interests of the patient and to avoid promoting their own interests (6,

7). It is reasonable to expect that the same type of relationships exist between clients and other health care professionals, including Registered Dietitians and Registered Nutritionists.

Clients are generally more vulnerable and less able to protect themselves than the practitioners who provide services for them. Registered Dietitians and Registered Nutritionists must entirely avoid any practices that would take advantage of or exploit their clients. Examples of such practices include but are not limited to the following:

- A practitioner receives a commission or bonus for each client that they refer to a health club
- A practitioner sends a client to their relative's or friend's store or online business to purchase nutrition supplements or other products
- A practitioner with strong religious or moral values related to consuming certain foods instructs a client to adapt their diet based on the values of the practitioner
- A practitioner asks a client to donate or lend them money for their business, to conduct a research project or to support a particular charity

Conflicts Involving Donations or Funding

Some Registered Dietitians and Registered Nutritionists are in positions where they must solicit donations or funding in order to conduct a research project, operate their business, etc. Any such dealings must be handled with honesty and fairness. Examples of conflicts of interest surrounding solicitation of donations / funding that should be avoided entirely include but are not limited to the following:

- A practitioner receives funding from a food company to research the benefits of a new food product that they have manufactured; the practitioner alters the findings of the research study to ensure continuous funding for the project
- A practitioner receives funding to attend a national conference from a company in exchange for agreeing to promote and endorse the products of that company

Conflicts Involving Use of Items Belonging to Others

Registered Dietitians and Registered Nutritionists are obligated to conduct themselves with honesty in their practice. Section 3.5 of the *Code of Ethics* of the College states the following:

“3.5 Honesty

- (1) The dietitian acts with honesty in their professional relationships and in the provision of professional services.”⁷⁶

The potential for a conflict of interest situation exists when practitioners do not act with honesty. Registered Dietitians and Registered Nutritionists should be aware of and practice in compliance with the policies of their employers when using resources of the organization for personal use. Examples of conflicts of interest that should be avoided entirely when using items belonging to others include but are not limited to the following:

- A practitioner uses the photo copy machine, fax machine, etc. of their employer / client for personal use
- A practitioner surfs the Internet or otherwise uses the Internet for personal use during work time
- A practitioner develops and delivers a presentation for an outside organization during work time

Conflicts Involving Research

A real or perceived conflict of interest in a research setting can compromise the integrity and effectiveness of a study by undermining the trust between researchers, research participants, research sponsors, research institutions and the general public. A conflict of interest situation may arise when professional judgment concerning the primary interest (i.e. the welfare of the research participants, the validity of the research, etc.) becomes unduly influenced by a secondary interest (i.e. financial gain, career advancement of the researcher through publication of study results in reputable journals, peer recognition, satisfying research sponsors, etc.) (8). As previously discussed, all practitioners including Registered Dietitians and Registered Nutritionists have an ethical obligation to practice with honesty and in the best interests of their clients rather than promoting their own personal interest. Examples of conflicts of interest surrounding research that should be avoided entirely include but are not limited to the following:

- A research practitioner receives a substantial recruitment fee from a pharmaceutical company to research the benefits of a particular nutrient supplement; the research practitioner is offered further monies for retaining participants in the study

Managing conflicts of interest can be challenging in that the circumstances of every situation are different and must be managed accordingly. In order to gain a better understanding of

⁷⁶ College of Dietitians of Alberta. *Code of Ethics*; 2007.

how conflicts of interest can be identified and managed most effectively, consider the following case examples.

Case Example 1: A Registered Dietitian / Registered Nutritionist (RD) has contracts with several junior hockey teams for which she provides information on diet and nutrition for athletic performance. Several of the team players have asked her about nutritional supplements, vitamins, minerals, protein drinks etc. The RD knows that many professional athletes use and endorse these products and she is aware that some of the team members are purchasing nutritional supplements through the local health food store. After reading the ingredient listing on the products, she comes to the conclusion that there is probably nothing in the supplements that will harm the players. She hedges her answers and avoids providing an outright endorsement that using the nutritional supplements will make the team members better hockey players.

Knowing of the RD's involvement with the hockey teams, a representative of a nutritional supplement company makes arrangements to meet with the RD. The RD is offered an exclusive contract with the company if she will, as a RD, endorse the nutritional supplements as being beneficial for athletes. In exchange for her endorsement, she will receive a bonus for signing on with the company, a free trip to a Mexican resort including use of the company condo, as well as a commission for every supplement sold.

Based on the *Code of Ethics* of the College, the RD is placing herself in a potential conflict of interest situation as described below:

- The practitioner would be exploiting vulnerable individuals (hockey players who will hold her expertise in high regard and trust her recommendations)
- The practitioner would be creating an unjustified expectation about the benefits of the product for athletes
- The practitioner would be endorsing a product that is not supported by evidence based research
- The practitioner would be accepting compensation, benefits, gifts, etc. in exchange for her endorsement

Overall, Registered Dietitians and Registered Nutritionists must use caution when promoting nutrition related products. If a Registered Dietitian or Registered Nutritionist uses their position or expertise to promote a product to a client / consumer when they have a competing interest, there is a conflict of interest. In this case example, the real or perceived conflict of interest is in whether the interests of the Registered Dietitian or Registered Nutritionist lie with the company (and ultimately herself) or with the client / consumer.

The goal of the company that is hiring the Registered Dietitian or Registered Nutritionist is to generate a profit through sales of the product that the dietetic professional is being asked to promote. As previously discussed, professionals are held in high regard by others and clients / consumers will typically hold the advice of a professional in high regard. In the above case example, the company is buying the respect and trust that clients / consumers have for the nutrition expertise and opinion of the Registered Dietitian or Registered Nutritionist.

Any time that a Registered Dietitian or Registered Nutritionist is involved in advertising, promoting or endorsing a product or service, they must ensure that they are acting in the best interests of their clients / consumers and that the basis for their actions is evidence based. The conflict of interest in this case example would be best managed by the Registered Dietitian or Registered Nutritionist through avoidance of the situation entirely and by refusing to accept the contract offered by the company.

It should be noted that some Registered Dietitians and Registered Nutritionists are employed as representatives by companies who produce and / or distribute various types of products. Practitioners employed in such settings must ensure that any nutrition information provided in relation to the products represented is evidence based. When dealing with the public, such practitioners are advised to identify themselves as a representative of the company they are employed by, and avoid creating any perception that they are making a clinical recommendation to anyone (2).

Case Example 2: A Registered Dietitian / Registered Nutritionist (RD) who works in a large active treatment health care facility is on a committee responsible for establishing purchasing contracts with suppliers. Each year, products and pricing are reviewed after which the committee determines which companies will be granted contracts. The committee is currently reviewing information to determine which company will be contracted to supply all of the cleaning and sanitation products used by the facility. The husband of the RD is the regional sales manager for one of the companies under consideration by the committee. The RD is well aware that if she is able to sway the decision of the committee in favor of her husband's company, his income will sky rocket for the next year.

- Based on the *Code of Ethics* of the College, the RD is placing herself in a potential conflict of interest situation by influencing the committee to sway their decision, the practitioner would experience personal financial gain.

Any time that a Registered Dietitian or Registered Nutritionist provides recommendations or makes decisions on behalf of their employer, they must ensure that they are acting in the best interests of their employer. If a Registered Dietitian or Registered Nutritionist uses their position to influence or sway a decision in such a way that they will personally benefit, there is a conflict of interest. In this case example, the real or perceived conflict of interest is in whether the interests of the Registered Dietitian or Registered Nutritionist lie with her employer or herself. The

conflict of interest in this case example would be best managed by the Registered Dietitian or Registered Nutritionist through disclosure or recusal.

Case Example 3: A Registered Dietitian / Registered Nutritionist (RD) works in the community in a school lunch program for elementary school age students. In addition to ensuring that the children receive a nutritious lunch each day, the RD also incorporates nutrition education into the program, with the hopes that the students will learn to make healthy food choices.

The school lunch program is a non-profit program. One aspect of the RD's responsibilities involves soliciting funds and donations from suppliers to help operate the program. Currently, the RD is soliciting funds and donations for the upcoming kick off for the annual Nutrition Month campaign. One of the companies that is keen to participate is the Crispo Potato Chip Company; they are particularly eager to see their products associated with the name of an RD. The company is willing to provide a generous cheque to the school lunch program and a free bag of potato chips to each of the children.

Based on the *Code of Ethics* of the College, the RD is placing herself in a potential conflict of interest situation as described below:

- The practitioner would be sending a mixed message in terms of what constitutes healthy eating by allowing her name and professional title to be used in association with the products produced by the company
- The practitioner is at risk of affecting her credibility and that of the dietetic profession

Registered Dietitians and Registered Nutritionists must always consider the best interests of their clients when making decisions on their behalf. In this case example, the real or perceived conflict of interest is more difficult to identify in that the competing interests are somewhat indirect. The practitioner must determine what is in the best interests of the students (for whom the practitioner is responsible to provide nutrition education) and of the school lunch program (which relies on funding and donations in order to operate). The nutrition education messages that have been delivered to the children could be compromised by accepting the donation of the potato chips.

Overall, Registered Dietitians and Registered Nutritionists are advised to exercise caution when allowing their name and professional title to be used in association with a product or service. They should ensure that their actions will not result in sending mixed messages to their clients, or affect the credibility of the practitioner and the dietetic profession. Furthermore, to promote fair business practices, Registered Dietitians and Registered Nutritionists are advised to avoid promoting specific brand names of products and services.

The conflict of interest in this case example would be best managed through avoidance of the current situation. The Registered Dietitian or Registered Nutritionist would be advised not to risk sending mixed messages to her clients (the children) or to compromise her credibility or that of the profession by allowing her name and professional title to be used in association with the products sold by the company. If at all possible, the Registered Dietitian or Registered Nutritionist should attempt to negotiate a reasonable solution such as to have the company provide a “healthier” version of their product i.e. a potato chip that is lower in sodium and fat. The practitioner could then provide the appropriate nutrition education on label reading and choosing healthier products.

Chapter Summary

A conflict of interest occurs when one has an obligation to promote one interest, but promotes a competing interest instead, or has an obligation to promote two competing interests. Most conflicts of interest arise when a person stands to profit personally by promoting the competing interest; a conflict of interest can also occur when the interests of friends, relatives or other business associates are promoted. Conflicts of interest may occur in a variety of circumstances and forms. Identifying a potential conflict of interest is one of the most important steps towards managing the situation. Professionals, including Registered Dietitians and Registered Nutritionists are generally respected and held in high regard by others; in a professional relationship, clients are generally always vulnerable and will typically hold the advice of a professional in high regard. To minimize the risk of a potential conflict of interest, Registered Dietitians and Registered Nutritionists must conduct themselves carefully in all of their professional practice activities. Registered Dietitians and Registered Nutritionists have a professional obligation to avoid real or perceived conflict of interest situations in which their professional integrity, professional independence or the provision of professional services could be influenced or compromised. The *Code of Ethics* of the College is a document that is extremely useful in helping Registered Dietitians and Registered Nutritionists identify and manage conflict of interest situations. Some conflicts of interest may be managed through safeguards which include disclosure, recusal, exclusion or removal. However, some conflicts of interest are best managed by being avoided entirely.

References

1. Boyle, Philip J, et al. *Organizational Ethics in Health Care: Principles, Cases, and Practical Solutions*. Jossey-Bass, San Francisco, USA; 2001.
2. Steinecke, Richard, LLB and the College of Dietitians of Ontario. *The Jurisprudence Handbook for Dietitians in Ontario*; 2008.
3. College of Dietitians of Alberta. *Code of Ethics*; 2007.
4. American Dietetic Association. Recognizing and Addressing Conflicts of Interest. *J Am Diet Assoc*. 2006; 106:351 – 355.
5. Organization for Economic Co-operation and Development. PowerPoint Presentation: *Identifying Conflict of Interest in the Public Service*; May 2007. Available from: <http://www.oecd.org/dataoecd/42/20/39931861.ppt>
6. College of Physicians and Surgeons of Alberta. *CPSA Policy: Conflict of Interest*; Revised February 2005.
7. Judgments of the Supreme Court of Canada. *McInerney v. MacDonald*, June 1992. Available from: <http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/884/index.do>
8. Downie, Jocelyn, et al. *Canadian Health Law and Policy*. 3rd edition. LexisNexis Canada, Toronto, ON, Canada; 2007.