



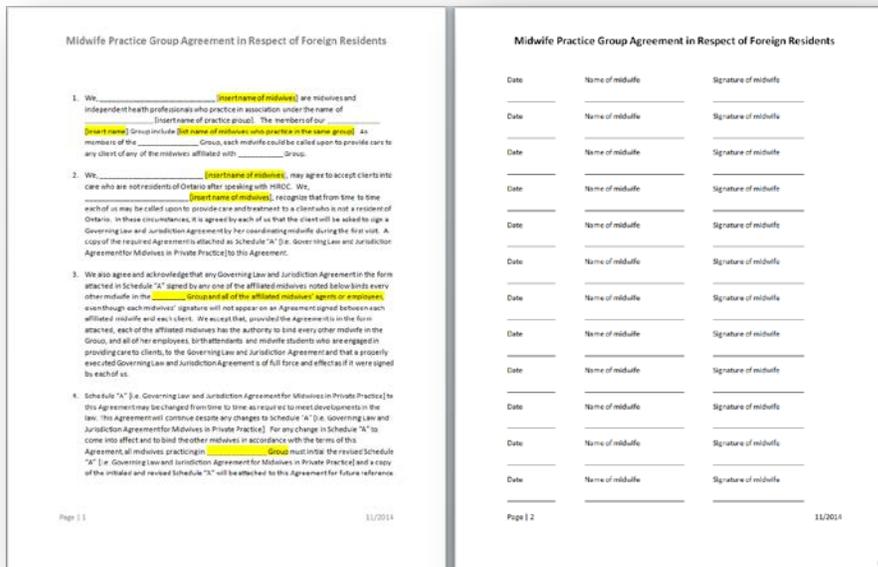
Offering Midwifery Services to Non-Resident of Canada

In consultation with legal counsel, a supplementary form to accompany the [Governing Law and Jurisdiction Agreement for Midwives in Private Practice](#) is now available. This new form ([Midwife Practice Group Agreement in Respect of Foreign Residents](#)) is a legal agreement between all midwives at a practice group, enabling each midwife the authority to bind every other midwife in the practice group to the *Governing Law and Jurisdiction Agreement for Midwives in Private Practice*. The goal is to help ensure the greatest possible protection for all midwives who may provide care/services to a non-resident of Canada throughout her course of care.

Instructions for completing the forms are provided below.

A. How to complete the *Midwife Practice Group Agreement in Respect of Foreign Residents* form

1. Go to: [Midwife Practice Group Agreement in Respect of Foreign Residents](#)
2. Complete (handwritten or electronically) the required editable yellow fields in sections 1, 2, 3 and 4 on page 1.
3. Print a copy of the agreement *Midwife Practice Group Agreement in Respect of Foreign Residents*.





Offering Midwifery Services to Non-Resident of Canada

4. Obtain the dated name and signature of all midwives who practice in association with the practice group on page 2 (and pages 3 and 4 if needed).
5. File the original master agreement in a secure and centralized location. Retain as a permanent part of the client/health record.
6. Attach a copy of the signed master agreement to a blank copy of *Schedule A – Governing Law and Jurisdiction Agreement for Midwives in Private Practice*.
7. Review (i.e. ideally annually), update and/or replace the master agreement as required.

B. How to Complete the **Schedule A - Governing Law and Jurisdiction Agreement for Midwives in Private Practice**

8. Confirm the client's Canadian residency status at the first meeting/appointment (or shortly thereafter). If the client is considered a non-resident of Canada, consider contacting HIROC directly (riskmanagement@hiroc.com) to discuss possible extension of coverage (where available).
9. Ensure the client is advised that **other midwives** in association with the practice group **may** provide care/services throughout the woman's course of care.
10. Go to: [Schedule A Form](#)
11. Print a copy of the agreement *Schedule A - Governing Law and Jurisdiction Agreement for Midwives in Private Practice*.

Schedule A - Governing Law and Jurisdiction Agreement for midwife in private practice

This agreement ("Agreement") is entered into by and between _____ and _____ (collectively, the "Parties").

Governing Law
The Parties hereby agree that:

a) all aspects of the relationship between _____ and _____ (as well as her/his agents, delegates, employees, and any midwives and other independent healthcare practitioners providing medical or other healthcare and treatment to _____ or in association with _____), including without limitation any medical or other healthcare and treatment provided to _____, and _____

b) the resolution of any and all disputes arising from or in connection with that relationship, including any disputes arising under or in connection with this Agreement, shall be governed by and construed in accordance with the laws of the province or territory of _____ (other than conflict of laws rules) and the laws of Canada applicable therein.

Exclusive Jurisdiction
The Parties hereby acknowledge that the medical or other healthcare and treatment received by _____ from _____ will be provided in the province or territory of _____, and that the Courts of _____ shall have exclusive jurisdiction to hear any complaint, demand, claim, proceeding or cause of action, whatsoever arising from or in connection with that medical or other healthcare and treatment, or from any other aspect of the relationship between _____ and _____.

Date _____

Name of client (please print) _____ Signature of client / substitute decision-maker on behalf of client _____
Date _____

Name of midwife in private practice (please print) _____ Signature of midwife in private practice _____

11/2014



Offering Midwifery Services to Non-Resident of Canada

12. Attach a copy of the signed *Midwife Practice Group Agreement in Respect of Foreign Residents* to a blank copy of *Schedule A – Governing Law and Jurisdiction Agreement for Midwives in Private Practice*.
13. Obtain the client's signature on *Schedule A - Governing Law and Jurisdiction Agreement for Midwives in Private Practice*.
14. Consider notifying other midwives associated with the practice group regarding offering services to a non-resident of Canada.
15. File the original signed agreement in the client record and provide a copy to the client. Retain as a permanent part of the client/health record.