

RateMDs.com nets ire of Canadian physicians

An American Web site that lets patients post anonymous comments about their physicians online appears to have become wildly popular in Canada in recent months. But it's provoking both fear and threats of legal action from the medical community north of the border.

California-based RateMDs.com allows users in the US and Canada to rank physicians based on 3 factors (punctuality, helpfulness and knowledge) and post written comments. The Web site owners use the information to assign a physician rating (out of a maximum total of 5) that it publishes online alongside user comments, varying from the impeccably flattering to the blisteringly negative.

Founded 3 years ago by John Swapceinski, the free site recently gained popularity after a burst of media attention. In January, Canadians accounted for more than two-thirds of its 300 000 visitors. Nearly a third of the 65 000 North American physicians profiled on the site are Canadian.

Moreover, 5 of the top 10 most rated doctors are Canadian. One, Winnipeg pediatrician Dr. Lauri Alto, landed in fifth spot with 40 comments, 34 of which were positive.

Over 70% of comments are favourable. It's the other 30%, though, that have raised the ire of physicians. Swapceinski defends the site as a much needed forum for patients, many of whom feel powerless against the medical establishment.

"It's really easy to find [Internet] ratings for books or for iPods or even toasters," says Swapceinski. "But when it comes to medical care there was pretty much nothing on the Internet. It was definitely a need that was waiting to be filled."

While patients like the site, "most doctors don't like the site — we get threatened with lawsuits on pretty much a weekly basis."

Swapceinski has also received letters from the Canadian Medical Association and the Canadian Medical Protective Association (which provides

malpractice insurance to 71 000 physicians) demanding the names and IP addresses of more than a dozen individuals who have posted what they consider defamatory and/or libellous remarks. Swapceinski responded by removing 3 comments he considered offensive, but won't hand over user information without a court order. Both the Canadian Medical Association and the Canadian Medical Protective Association declined comment.

The US Supreme Court has ruled that the right to speak anonymously, both in print and online, is constitutionally protected free speech. Moreover, under current American law, Web sites owners can't be held liable for comments posted on their site. But according to Vancouver lawyer Roger McConchie, the rules governing online defamation in Canada are fundamentally different and Canadian courts would have jurisdiction in cases where a libellous statement about a Canadian citizen was made on a US Web site.

In addition, Canadian courts make no distinction between libel published in a newspaper or online. Both the individual who authors the statement or the individual who arranges for its publication or republication can be held responsible.

Although nearly 6000 members of the College of Physicians and Surgeons of Ontario are rated on RateMDs.com, spokesperson Kathryn Clark says that controversy over the site isn't on the agenda. College investigations wouldn't be prompted by Internet comments, she says. The general public should look first to the College if they have a complaint with an Ontario physician, Clark added.

Swapceinski, meanwhile, says that while his site has been overwhelmed, it still isn't turning a profit despite attracting Google advertisements. Nor is he fretting about lawsuits. "I've developed a thick skin over the years because the same thing happened with RateMyProfessors.com [a precursor to RateMDs.com that he sold in 2005]. I got threatened every single week for 7 years, but we never did get sued."

Doctors who feel unfairly judged can either respond online, or encourage their patients to post positive reviews.

"People just get hysterical. I think university professors and medical doctors have one thing in common, some of the biggest egos in the world. It's a generalization of course, but there are so many of them that can just not take criticism." — Brad Mackay, Ottawa

DOI:10.1503/cmaj.070239