

Professional Ethics for Physicians

Policy Adopted for BUCOM 9/29/2022

Policy Information			
Policy# :	COMBOD.1000	Reviewed Date(s):	9/12/22
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Responsible University Administrator:	Provost / Vice President of Academic Affairs	Board of Directors Approved Date:	9/13/22

1. Purpose

- 1.1. The American Osteopathic Association (AOA) Code of Ethics is a document that applies to all physicians who practice at an osteopathic medical school. The AOA has formulated this Code to guide its member physicians in their professional lives. The standards presented are designed to address the osteopathic and allopathic physician's ethical and professional responsibilities to patients, to society, to the AOA, to others involved in health care and to self. This Policy supports the AOA Code of Ethics and Baptist Memorial Health Care Corporation (BMHCC) Standards of Conduct.
- 1.2. This Policy applies to all Baptist Health Sciences University College of Osteopathic Medicine (BHSUCOM) physicians.
- 1.3. The responsibility to review and revise BHSUCOM's Professional Ethics policy is established by BHSUCOM leadership and approved by the BHSUCOM Vice Provost and Dean and BHSUCOM Provost. It is effective as of the date noted and shall remain effective until amended or terminated by the BHSUCOM Vice Provost / Dean or University Provost.

2. Policy

- 2.1. AOA Code of Ethics
 - 2.1.1. BHSUCOM physicians, both allopathic and osteopathic, are expected to adhere to the AOA Code of Ethics.
 - 2.1.2. Further, the AOA has adopted the position that physicians should play a major role in the development and instruction of medical ethics.
- 2.2. The physician shall keep in confidence whatever she/he may learn about a patient in the discharge of professional duties. Information shall be divulged by the physician when required by law or when authorized by the patient.
- 2.3. The physician shall give a candid account of the patient's condition to the patient or to those responsible for the patient's care.
- 2.4. A physician-patient relationship must be founded on mutual trust, cooperation, and respect. The patient, therefore, must have complete freedom to choose her/his physician. The physician must have

complete freedom to choose patients whom she/he will serve. However, the physician should not refuse to accept patients for reasons of discrimination, including, but not limited to, the patient's race, religion, age, color, sex, national origin, sexual orientation, gender identity or disability. In emergencies, a physician should make her/his services available.

- 2.5. A physician is never justified in abandoning a patient. The physician shall give due notice to a patient or to those responsible for the patient's care when she/he withdraws from the case so that another physician may be engaged.
- 2.6. A physician should make a reasonable effort to partner with patients to promote their health and shall practice in accordance with the body of systematized and scientific knowledge related to the healing arts. A physician shall maintain competence in such systematized and scientific knowledge through study and clinical applications.
- 2.7. The osteopathic medical profession has an obligation to society to maintain its high standards and, therefore, to continuously regulate itself. A substantial part of such regulation is due to the efforts and influence of the recognized local, state and national associations representing the osteopathic medical profession. A physician should maintain membership in and actively support such associations and abide by their rules and regulations.
- 2.8. Under the law a physician may advertise, but no physician shall advertise or solicit patients directly or indirectly through the use of matters or activities which are false or misleading. Advertising will be coordinated with the University's Marketing office and BMHCC Corporate Communications.
- 2.9. A physician shall not hold forth or indicate possession of any degree recognized as the basis for licensure to practice the healing arts unless she/he is actually licensed on the basis of that degree in the state or other jurisdiction in which she/he practices. A physician shall designate her/his osteopathic or allopathic credentials in all professional uses of her/his name. Indications of specialty practice, membership in professional societies, and related matters shall be governed by rules promulgated by the American Osteopathic Association.
- 2.10. A physician should not hesitate to seek consultation whenever she/he believes it is in the best interest of the patient.
- 2.11. In any dispute between or among physicians involving ethical or organizational matters, the matter in controversy should first be referred to the appropriate Baptist oversight committee.
- 2.12. In any dispute between or among physicians regarding the diagnosis and treatment of a patient, the attending physician has the responsibility for final decisions, consistent with any applicable hospital rules or regulations.
- 2.13. Any fee charged by a physician shall compensate the physician for services actually rendered. There shall be no division of professional fees for referrals of patients.
- 2.14. A physician shall respect the law. When necessary a physician shall attempt to help to formulate the law by all proper means in order to improve patient care and public health.

- 2.15. In addition to adhering to the foregoing ethical standards, a physician shall recognize a responsibility to participate in community activities and services.
- 2.16. It is considered sexual misconduct for a physician to have sexual contact with any patient with whom a physician-patient relationship currently exists.
- 2.17. Sexual harassment by a physician is considered unethical. Sexual harassment is defined as physical or verbal intimation of a sexual nature involving a colleague or subordinate in the workplace or academic setting, when such conduct creates an unreasonable, intimidating, hostile or offensive workplace or academic setting.
- 2.18. From time to time, industry may provide some AOA members with gifts as an inducement to use their products or services. Members who use these products and services as a result of these gifts, rather than simply for the betterment of their patients and the improvement of the care rendered in their practices, shall be considered to have acted in an unethical manner.
- 2.19. A physician shall not intentionally misrepresent himself/herself or his/her research work in any way.
- 2.20. When participating in research, a physician shall follow the current laws, regulations and standards of the United States or, if the research is conducted outside the United States, the laws, regulations and standards applicable to research in the nation where the research is conducted. This standard shall apply for physician involvement in research at any level and degree of responsibility, including, but not limited to, research, design, funding, participation either as examining and/or treating provider, supervision of other staff in their research, analysis of data and publication of results in any form for any purpose.

3. Definitions

- 3.1. None.

4. Procedure

- 4.1. None.

5. Related Information

- 5.1. Standards of Conduct Policy
- 5.2. Fraud, Waste, and Abuse Policy
- 5.3. Code of Conduct for a Safe and Productive Workplace Policy
- 5.4. Conflict of Interest and Commitment Policy
- 5.5. Harassment Policy