



ONTARIO CHIROPRACTIC ASSOCIATION

CODE OF ETHICS

As approved by the OCA Board of Directors

May 4, 2002



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PART I

PREAMBLE

Section 1

The Ontario Chiropractic Association accepts the responsibility of delineating the standard of ethical and professional conduct expected of all Ontario chiropractors who are members of the Association.

Section 2

The ethical foundation of the practice of chiropractic consists of those established moral obligations which place the best interest of the patient first and foremost, and ensure the dignity and integrity of the profession, and honour its history and tradition.

Section 3

The chiropractor is obligated to practice in accordance with the laws and regulations of the Province of Ontario.

Section 4

The chiropractor will accept the moral responsibility to act as his or her own ethicist.

Section 5

The chiropractor will practice the profession above reproach and will take neither physical, mental, social, nor financial advantage of the patient.

Section 6

The chiropractor will practice the profession to the best of his or her ability, and education should be ongoing to improve clinical competence and thus, assure the confidence and respect of his or her patients.

Section 7

The chiropractor will respect the dignity of both colleague and patient by being truthful, honouring confidences, and acting with compassion.

Section 8

The chiropractor will collaborate with other recognized health care practitioners toward the ideal of teamwork, in which the rights and best interest of the patient are paramount.

PART II RESPONSIBILITIES OF CHIROPRACTORS TO THEIR PATIENTS

Article (1) Patient Care

Section 1

A chiropractor shall have as his or her primary objective the best interest of his or her patient.

Section 2

A chiropractor is bound to keep confidential all information respecting the private affairs of his or her patients and family - except when releasing information to a third party with the consent of the patient or his or her guardian, or when required by law. A chiropractor shall not release any information or report with respect to a patient to a third party without the written approval of the patient, parent or guardian unless required to do so by law. Reports authorized by the patient or required by law shall be provided in a timely manner.

Subject to legal requirements, a patient has a right to inspect and receive copies of any health information contained in his or her clinical records, kept by a chiropractor.

X-ray films or copies of other records originating at a chiropractor's office must be released after receipt of signed authorization from the patient.

It is the responsibility of the practitioner to insure he or she obtains a patient consent before releasing patient records to any party.

Section 3

All chiropractors shall be guided by the highest standards of moral conduct. Honesty and integrity should characterize all transactions with patients or their representatives and the public.

A chiropractor should attend his or her patient as often as is necessary to insure the best possible response to care, but must avoid unnecessary care.

A chiropractor should neither exaggerate nor minimize the gravity of the patient's condition, nor offer any false or unrealistic hope or prognosis.

No chiropractor shall offer or imply a guarantee of results either verbally or in writing.

Section 4

The right of the patient to select his or her own health care should be recognized and respected. The chiropractor should support the patient's right to select other professional care or opinion, separate or complementary to chiropractic care.

Section 5

Since a patient has the right to dismiss a chiropractor for reasons satisfactory to himself or herself, so likewise the chiropractor may decline to attend a patient when self respect, dignity, or the best interest of the patient so require. A chiropractor shall have the right to refuse to accept a patient except for reasons of race, religion, sexual orientation or political beliefs. Once having accepted a patient, he or she should never abandon the patient without due regard for the patient's welfare. If for any reason a chiropractor wishes to withdraw from a case, he or she should give the patient or the patient's parent or guardian sufficient notice of withdrawal to permit them to secure other attendance.

Section 6

A chiropractor must adhere to all legal requirements established by the College of Chiropractors of Ontario (CCO) and the province of Ontario and other governing bodies with jurisdiction.

A chiropractor shall avoid practices of a questionable propriety either with his or her patient or a colleague or business associate and in accordance with the OCA Conflict of Interest policy.

A chiropractor shall conduct his or her practice in surroundings which will not compromise the quality of care.

A chiropractor shall ensure that his or her conduct in the practice of his or her profession is above reproach, and that he or she will take neither physical, emotional nor financial advantage of his or her patient.

A chiropractor shall recommend only those diagnostic procedures which he or she believes necessary to assist him or her in the case of the patient, and treatment which he or she believes necessary for the well-being of the patient.

In response to a patient's request, the chiropractor shall assist him or her by supplying the information required to enable the patient to receive any benefits to which the patient may be entitled.

When acting on behalf of a third party, the chiropractor will assure himself or herself that the patient understands the chiropractor's legal responsibility to the third party before proceeding with any consultation or examination.

Section 7

A chiropractor will recognize that he or she has a responsibility to respect all patients equally regardless of their race, religion, sexual orientation or political belief.

Section 8

A chiropractor shall request the opinion of another chiropractor or health practitioner acceptable to the patient when appropriate or when the patient requests it.

The chiropractor shall, when examining a patient at the request of a colleague or other health practitioner, report findings and recommendations to the attending chiropractor or health practitioner and may outline the

opinion to the patient. Care of the patient should be provided only at the specific request of the attending chiropractor or health practitioner, and with the consent of the patient.

Section 9

Services provided by a chiropractor whether within the primary practice facility or at another location (sports club, nursing homes, work places, residence, etc.) should be provided to the same professional, clinical, and ethical standards. This should include, but not be limited to, assessment and treatment procedures, patient records and patient privacy.

Section 10

A chiropractor will conduct his practice with due regard to any policy or practice guidelines published or endorsed by the Ontario Chiropractic Association.

Article (2) Professional Fees

Section 1

The welfare of the patient shall always be paramount and expectations of remuneration or lack thereof should not in any way affect the quality of service rendered to the patient. Consideration should be given to the patient's ability to pay. Fees and fee practices should be in accordance with the OCA policy on professional fees.

PART III RESPONSIBILITIES TO THE CHIROPRACTIC PROFESSION

Article (1) Personal and Professional Conduct

Section 1

A chiropractor shall recognize that the chiropractic profession demands integrity from each of its members in the interests of all.

Section 2

A chiropractor shall recognize that self-regulation of the profession is a privilege and that he or she has a responsibility to merit the retention of this privilege.

Section 3

The chiropractor shall neither claim nor imply qualifications or expertise not possessed, nor misrepresent the nature of treatment given.

Section 4

A chiropractor shall conduct himself or herself in such a manner as to merit the respect of the public and colleagues in the chiropractic profession.

Section 5

A chiropractor shall avoid impugning the reputation of his colleagues or other health professionals.

Section 6

Members shall not participate in activities which conflict with the goals and aims of the association.

Article (2) Contractual Arrangements

Section 1

A chiropractor shall, when aligning himself or herself in practice with other chiropractors, insist that they maintain the standards enunciated in this Code of Ethics.

Section 2

A chiropractor shall only enter into a contract or agreement regarding his or her provision of professional services if it will allow him or her to maintain his or her professional integrity.

Section 3

A chiropractor shall only offer to a colleague a contract which has terms and conditions that are equitable.

Article (3) Addressing the Public

Section 1

A chiropractor has a responsibility to present the generally held opinions of the profession. In presenting any personal opinion which is contrary to the generally held opinion of the profession, he or she will indicate that fact and will avoid any attempt to enhance his or her own professional reputation over those of other chiropractors.

Section 2

A chiropractor shall not indicate or imply to the public a level of education, training or competence greater than that which he or she actually holds.

Section 3

A chiropractor who addresses the public should recognize that he or she is representing the profession and that it is unethical to do so with a principal purpose of soliciting business.

Article (4) Advertising

The chiropractic profession is best served if information presented to the public is given on behalf of Associations or Societies rather than individual practitioners. Other forms of advertising may be used by a chiropractor. If advertising is used it must be professional in all respects, thus giving no grounds for adverse criticism of the chiropractic profession, and should be in accordance with the OCA Advertising policy and CCO standards.

PART IV RESPONSIBILITIES TO SOCIETY

Section 1

A chiropractor will strive to improve the standards of chiropractic services and health care in the community.

Section 2

A chiropractor will accept his or her share of the chiropractic professional's responsibility to society relating to spinal and public health, health education, and legislation affecting the health or well-being of the citizens of the community.

Section 3.

A chiropractor will maintain an appropriate level of malpractice insurance.

Section 4

A chiropractor shall update his or her professional knowledge and skills with current scientific information on an ongoing basis.

Section 5

A chiropractor should strive to become an active and productive member of his or her community.

Attachments:

OCA Conflict of Interest Policy - approved May 4, 2002

OCA Policy on Professional Fees - to be developed

OCA Advertising Policy - to be developed

OCA CONFLICT OF INTEREST POLICY

AS PER PART II, ARTICLE (1), SECTION 6 OF OCA CODE OF ETHICS

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Section 1

Definitions and Commentary

Conflict of Interest: A situation in which a health professional has a direct or indirect financial interest that is sufficient, in the view of an independent reasonable person, to influence the exercise of his or her professional judgement on the appropriateness of services or products being recommended.

Potential Conflict of Interest: A situation that is likely to develop into an actual conflict of interest.

To test for a conflict of interest the "truth test" should be employed and the following question asked: would patients and colleagues and any relevant other individuals trust the chiropractor's judgement if they knew the chiropractor was in this situation?

There is nothing wrong with chiropractors pursuing other sources of income from services or products in the healthcare field. However as a professional a chiropractor takes on certain responsibilities by he or she acquires obligations to patients, employees, the public, the profession and others. These obligations require that the chiropractor does not create a conflict between the interests of his or her chiropractic patients and himself or herself or others with whom the chiropractor associates.

The chiropractor is expected to be objective and independent. A conflict of interest may interfere with professional responsibilities by impairing objective professional judgement. Private or personal interests that either interfere or appear likely to interfere with objectivity are a matter of legitimate concern to those who rely on the chiropractor's professional judgement.

To avoid a conflict of interest the following ethical guidelines should be followed:

Section 2

A chiropractor, or a person not at arm's length from the chiropractor (e.g. family member, associate, a corporation in which the chiropractor has a financial interest), should not receive financial benefit from a third party in return for referral of patients to a third party or the sale of products to a patient. Likewise, a benefit should not be offered to a third party in return for referral of patients from that third party.

Section 3

The sale of any product to a patient by or on the recommendation of a chiropractor, is a potential conflict of interest. It becomes a conflict of interest if the difference between the purchase price to the chiropractor and the purchase price to the patient does not have a reasonable relationship to the handling and overhead expenses of supplying the product. A chiropractor can avoid an actual conflict of interest by adhering to recommendations on prescription sales as set out within The OCA Recommended Fee Schedule and any other guidelines that may be established by the association.

Section 4

Chiropractors should avoid engaging in any commercial activity that could improperly influence their professional judgement or conflict with their duty to act in the best interests of patients.

Section 5

The chiropractor should avoid, potential or actual conflicts of interest as these will likely be unethical and/or illegal and damaging to the reputations of the chiropractor, professional colleagues in his or her community and the profession.