

AUSTRALIAN HOMŒOPATHIC ASSOCIATION INC

CODE OF PROFESSIONAL CONDUCT

**Adopted by National Council
April 2001**

The homœopathic physician is one who adheres to the principle of the single remedy in the minimum dose, selected according to the Law of Similars.

Membership of the Australian Homœopathic Association is conditional upon adherence to this and the following rules.

The rules for professional conduct that follow this introduction expand on and provide examples for the following general principles, which operate in all situations.

1. General Principles of Professional Conduct

- 1.1 (a) The welfare of patients, students, research subjects and the public shall take precedence over a member's self-interest and the interests of employees and colleagues.
- 1.1 (b) Members shall not compromise their professional relationship with others by offering products or services in a manner that is commonly recognised as 'network marketing' or 'pyramid selling'.
- 1.2 The integrity of the profession shall be preserved and members, when acting in their professional capacity, are expected to behave in a manner that enhances and does not damage the status of the profession.
- 1.3 Members shall pursue their study of homœopathy and share their knowledge with other members of the profession, their patients and the public, at the appropriate level.
- 1.4 Members shall report their work with objectivity and scientific honesty.
- 1.5 Members shall refrain from employing, offering or undertaking work or advice beyond their professional competence.
- 1.6 Members shall secure and maintain professional indemnity insurance.
- 1.7 Members shall notify their State Branch immediately of any circumstance that may lead to an insurance claim.
- 1.8 The title "Doctor" should not be used to falsely represent that a member is a registered medical practitioner.
- 1.9 Members shall be aware of those diseases that are notifiable and take appropriate action in these cases.
- 1.10 Members shall report occurrences of circumstances such as domestic violence and child abuse to the appropriate authorities as required by law.

- 1.11 Members shall comply with current laws and regulations, particularly in regard to labelling and naming remedies.

2. Relationship with Patients

- 2.1 Members shall practice in compliance with the Australian National Competency Standards for Homœopathy and shall not cause undue harm to patients.
- 2.2 Members shall have the right to choose which patients they will serve professionally, however, they shall always respond to any emergency or render such assistance as possible until the emergency has passed or until another practitioner has assumed responsibility for the patient.
- 2.3 Members who have accepted cases in the course of their practice shall not neglect or abandon the patient before full recovery without due notice to the patient, or until another practitioner has assumed full responsibility.
- 2.4 Patients whose state of health is deteriorating shall not be attended indefinitely without the member in charge suggesting or insisting upon a consultation with at least one other practitioner to confirm the assessment and treatment.
- 2.5 When a second opinion is desired, the member (with the patient's approval) shall offer all practicable assistance to obtain that second opinion.
- 2.6 Members shall select and maintain clean and hygienic premises, which are appropriate and ensure the privacy of the patient.
- 2.7 Where there is evidence of a problem or a condition with which the member is not competent to deal, it is essential that this be made clear to the patient and that the patient is referred to an appropriate practitioner.
- 2.8 Members shall keep up to date and accurate records of their patient's condition and all treatments given for an appropriate period as required by law.

- 2.9 In announcing homœopathic services, members shall state no more than the place and time of their practice, their qualifications and the services they are offering. The information contained in such announcements shall be factual and explanatory, not in the form of emotionally persuasive advertising, not claiming superior competency or implying cure of any named disease and not offering guarantees of a particular outcome as an inducement.
- 2.10 Where the patient is a minor or someone deemed not capable of acting for themselves, e.g., a mentally defective or disordered person, the member, after they have done everything possible to respect such independence as may remain with the patient, shall regard their responsibilities as directed to the parent, next of kin or guardian, in accordance with the normal legal formulae.
- 2.11 Members owe a duty of absolute confidence to their patients and shall not disclose any information coming to their attention through their professional relationship with the patient, except when:
- (a) Required to do so by rule of law.
 - (b) In an emergency where the information may assist in the saving of a patient's life, or the prevention or likely prevention of damage or disease to the patient.
 - (c) In consultation with other health care practitioners, for the purpose of better assessment of treatment, or coordinating the treatment of the patient.
 - (d) The patient has consented to the nature and extent of the disclosure.
- 2.12 No member shall engage an unqualified person to act as agent or locum tenens.
- 2.13 Members shall fulfil their duty of care towards their patients, and shall provide or refer their patients to any available treatment that would be deemed necessary or beneficial by any competent homœopath.

2.14 Sexual activity with a patient with a patient in your care should not be undertaken in any circumstances, nor with a student under your tutelage or supervision. Only after the formal or therapeutic relationship has been concluded, and with full agreement and understanding on both sides, may any other kind of relationship be contemplated. Clear boundaries need to be observed by both parties to a therapeutic or educational relationship. (Adapted from the Society of Homeopaths *Code of Ethics & Conduct*, July 1996.)

You are reminded that as a practitioner, supervisor or tutor, your relationship with your patient, colleague or student is a complex one, and you need to be aware of your patient's or student's vulnerability. Before entering a personal or social relationship, you are reminded that the onus is on you to consider the boundaries to be observed. Should the relationship appear to be developing into a sexual one, you are also reminded that you should take appropriate action to uphold the Code of Professional Conduct. (Adapted from the Society of Homeopaths *Code of Ethics Directive*, September 1996.)

3. Relationships with other Members of the Association

3.1 Members shall not criticise the skill and judgement of any practitioner, nor make any remark or statement that may undermine the patient's confidence in that practitioner.

3.2 Members giving a second opinion as consultants shall not attempt to secure for themselves the care of the patient in consultation.

3.3 If members form the opinion that a colleague is behaving unethically, they may first approach the colleague in a helpful way. If this proves to be ineffective, members may:

(a) Warn the colleague of their intention to report the matter to the Association.

- (b) Proceed with this action, should it become necessary, through the State Branch in accordance with provisions laid down in Section 10.

4. Duties of Committee Members and Office Holders

- 4.1 Members of State Committees or National Council and office holders shall not publicly impugn the Association and must uphold the Association at all times.
- 4.2 Members of State Committees or National Council and office holders shall uphold the principles of homœopathy as set out at the beginning of this Code of Professional Conduct
- 4.3 Candidates for election to State Committees or National Council shall make full disclosure of all activities that could be construed to contravene this Code of Professional Conduct.

5. Relationships with Other Professionals

- 5.1 Members shall co-operate with other professionals where necessary for the benefit of the patient.
- 5.2 Members shall not convey confidential communications from members of related professions to a client without permission from the authors of such communications.
- 5.3 Members may not give or receive any fee or commission for arranging a consultation with another professional.

6. Principles relating to Employment in Organizations

- 6.1 Where members enjoy full reciprocity of data with other professional co-workers, they shall respect this trust in regard to their communications with clients and interested parties.

7. Principles relating to Research

- 7.1 Research shall be conducted so that bias is not deliberately introduced into the planning, carrying out, or reporting of a research study.

- 7.2 Members engaged in research in which there is a possibility of harmful effects to subjects shall advise the subjects of such possible effects. Where effects are uncertain, the members shall obtain the subject's consent to proceed with the investigation after informing them that risk may be involved.
- 7.3 Members shall not use a position of authority to exert undue pressure on potential subjects for the purpose of securing their participation in a particular research project.

8. Principles relating to Writing and Publishing

- 8.1 Members shall not publish as their own work that which is not essentially theirs, or to which they have not made a significant contribution.
- 8.2 Members shall not try to prevent the publication of a critical review of their work.
- 8.3 Members shall not endorse favourably for personal or financial gain a work they know to be an inadequate work.
- 8.4 Confidential material about patients or subjects that might lead to their identification shall not be published without their permission.

9. Public Relations

- 9.1 Members shall do all in their power to uphold the dignity of their profession at all times and defend the honour and reputation of their fellow practitioners.
- 9.2 Members shall not reveal to outsiders any confidential information of concern only to their professional Association.
- 9.3 No member shall presume to speak or make any comment on any matter on behalf of the Association unless specifically authorised to do so.

10. Procedures for Handling Complaints or Criticism regarding Professional Conduct

10.1 Criticism or complaints in writing of the professional activities of members should be directed to and processed by the State Branch in the first instance.

The State Secretary should:

- (a) Acknowledge receipt of the complaint and advise the complainant of the procedures to be followed.
- (b) Advise the member about whom the complaint has been received of the nature of the complaint and the identity of the complainant.
- (c) Notify the National Secretary in writing.
- (d) On receipt of the member's response, the State Committee shall meet as soon as possible to discuss and determine further action required.

10.2 If the State Committee determines that the matter needs to be pursued, it shall as soon as possible initiate mediation between the parties.

10.3 National Council shall be informed of the result of the mediation. If unsuccessful, the State Secretary shall advise both parties in writing and send a copy to National Council.

10.4 In the event of the mediation failing, National Council or its Executive Committee shall take one of the following actions:

- (a) Refer the matter to another appropriate body.
- (b) Appoint an investigative committee, which shall comprise three Professional members of the Association.

10.5 The National Council or its Executive Committee shall consider the report of the investigative committee at the conclusion of its enquiries and any other information available, and shall decide whether or not any disciplinary action shall be taken against the member reported. Such disciplinary action may consist of a reprimand and/or suspension and/or expulsion from the Association.

- 10.6 At the conclusion of the enquiry the complainant and the member about whom the complaint has arisen and the member's State Branch shall be advised in writing of the decision taken by National Council.