

Alberta College and Association of Chiropractors (ACAC)

Code of Ethics

Approved by Council Nov 14, 2007
Effective Dec 1, 2007

Purpose, Authority, Accountability

This Code of Ethics (the Code) is a set of principles of professional conduct, which guides all chiropractors and establishes the expectations for chiropractors in fulfilling their ethical duties to patients, to the public, the profession and to society as a whole. The Code affirms and clarifies principles that are definitive to professional and ethical chiropractic care.

For those about to enter the profession, the Code identifies the basic moral and ethical commitments of the chiropractic profession and will serve as a source for education and reflection. For those within the profession, the Code provides direction for ethical practice; and in so doing, it also serves as a basis for self-evaluation. For those outside the profession, the Code of Ethics provides public identification of the profession's ethical expectations of its members. Therefore, the Code is educational.

The Code of Ethics guides behavior and expresses to the larger community the values and ideals that are espoused by the chiropractic profession by reason of public trust and commitment to this trust. The Code of Ethics is an important part of the way in which the ACAC fulfills its obligation to promote and protect the public interest.

The Code is binding on all members and violations may result in disciplinary action. The Code of Ethics, by its very nature cannot be a complete articulation of all ethical obligations. In resolving ethical issues, chiropractors shall consider ethical principles, the patient's needs and interests, and all applicable laws.

The Code of Ethics that follows sets forth the ethical duties that along with the Standards of Practice of the ACAC, are binding on regulated members of the Alberta College and Association of Chiropractors. Any member of the public who believes that a member-chiropractor has acted unethically or in an unskilled manner may bring the matter to the attention of the Complaints Director, to be dealt with in accordance with the provisions of the Health Professions Act.

Principles

The Code of Ethics contains the guidelines for, and expresses the values shared by registered members of the chiropractic profession of Alberta. The Principles of Ethics are the goals to which every member of the profession must aspire. There are five fundamental principles that form the foundation of the Alberta College and Association of Chiropractors (ACAC) Code of Ethics. These are:

1. Patient Autonomy and Informed Choice

Chiropractors have a duty to inform the patient of their treatment options including the benefits, advantages and disadvantages; significant risks and cost; and whether it is appropriate to consider referral to another health care professional. The patient makes the final decision on choice of treatment, and on choice of provider to perform the treatment or to follow-up after referral or for second opinion.

2. Nonmaleficence (do no harm)

Chiropractic treatment, in all circumstances and situations, shall expressly be intended to not leave the patient in a worse state than if no treatment had been performed. Should harm occur there is a duty to disclose this to the patient.

3. Beneficence

Chiropractic treatment, in all circumstances and situations, shall expressly be intended to result in an improvement in the patient's condition. The ultimate goal of treatment shall be optimum function and/or resolution for the patient. The achievement of this goal will be influenced by variables such as the patient's age, general health, underlying anatomy and general physical condition. Chiropractors have a responsibility to provide a high standard of professional services and are accountable for the intended benefit and outcome of any treatment.

4. Competence

The chiropractor's primary obligation is to provide service to patients through the delivery of quality care in a competent and timely fashion. Chiropractors have a duty to apply the knowledge, skills, attitudes and judgments necessary to perform competently in all patient assessments and services, in accordance with currently accepted ACAC professional standards.

5. Veracity

Chiropractors must be truthful and forthright in all professional matters. This means fully disclosing and not misrepresenting information in dealings with patients, the public at

large, other professionals, and the Alberta College and Association of Chiropractors on chiropractic matters.

A. Responsibilities to Patients

Article A1: Service

As a primary health care provider, a chiropractor's first responsibility is the health and safety of the patient. The competent and timely delivery of appropriate care given the clinical circumstances presented and services sought by the patient, shall be the most important aspect of that responsibility. This reflects the principle of placing the patient's interests above the interests of the professional.

Article A2: Current/Continued Competence

The privilege of chiropractors to be accorded professional status rests primarily in the knowledge, skill, attitude and judgment with which they serve their patients and society. All chiropractors, therefore, must keep their knowledge of chiropractic current and must provide treatment in accordance with currently accepted professional standards. Chiropractors have an obligation to maintain competence throughout their career and to comply with the ACAC's Continuing Competence Program under the Health Professions Act.

Article A3: Fitness to Practice/Incapacity

Chiropractors may experience medical or behavioral impediments to competence. A chiropractor shall inform the ACAC when a serious injury, medical condition, or any other condition has either immediately affected, or may affect over time, his or her ability to practice safely and competently. It is unethical for a chiropractor to practice while abusing controlled substances, alcohol or chemical agents that impair their ability to practice. A chiropractor has an ethical obligation to urge impaired colleagues to seek treatment. A chiropractor with first-hand knowledge that a colleague is practicing chiropractic when so impaired has an ethical responsibility to report such information to the Alberta College and Association of Chiropractors.

Article A4: Competence, Consultation and Referral

Chiropractors shall provide treatment only when currently competent to do so by reason of their education and training, experience, or demonstrated continued competence;

otherwise the chiropractor should consult with another chiropractor and/or refer the patient to an appropriate professional.

Article A5: Informed Choice of and Consent For Treatment

A chiropractor must discuss with the patient treatment recommendations including benefits, prognosis and significant risks of doing treatment along with the risks of not doing treatment; as well as reasonable alternatives and associated costs to allow the patient to make an informed choice. Chiropractors who misrepresent unnecessary chiropractic care as necessary and recommend or perform unnecessary services on this basis are engaged in unethical conduct.

A chiropractor shall also inform the patient if the proposed chiropractic health care involves treatment or products which are not generally recognized or accepted by the chiropractic profession, and why. Chiropractors have a duty to refuse to provide treatment that is not generally recognized or accepted by the profession.

Informed choice implies that a chiropractor has fully advised the patient of the above before obtaining written informed consent for services and that the patient fully understands the information being provided (i.e. considering issues such as cultural diversity and literacy).

Article A6: Provision of Full and Accurate Information

A chiropractor is obligated to provide to the patient complete and accurate comment and opinion concerning their presenting health issues. When giving a second opinion, chiropractors must ensure that they have the necessary information to give an opinion that can fully inform patient choice. Chiropractors must fully inform the patient of their opinion of assessment and treatment options, even if that opinion differs from or disagrees with an opinion given by another chiropractor.

Article A7: Confidentiality and Release of Patient Information

Patient information, verbally, written or electronically acquired and kept by the chiropractor, shall be held in strict confidence as per the Health Information Act and any other applicable privacy legislation; except as required by law or as authorized by the patient. The information in chiropractic records or reports must be released to the patient or to whomever the patient directs, including other professionals and insurance carriers, when authorized by the patient. This obligation exists regardless of the state of

the patient's account.

An authorization by a patient allowing a chiropractor to provide information to a health plan carrier or another third party is acceptable. A separate authorization is not required for each release of information provided the information is shared for the purposes described in the authorization and the authorization allows the release of information on an ongoing basis.

Article A8: Guarantees and Expectations

Chiropractors are responsible to provide a high standard of professional services and are accountable for all aspects of treatment rendered. A chiropractor must not, either by statement or implication, make unsupportable statements as to the likely success of treatments, supports or supplements for a particular patient. Chiropractors will discuss with patients what appropriate expectations might be, regarding treatment they provide, fees, or products and supports used in their services.

Article A9: Discrimination (from - Provision of Care)

A chiropractor shall not discriminate against or refuse to treat patients in a manner which is contrary to applicable human rights laws. A chiropractor has the right to decline to accept an individual as a patient if, in their professional judgement, there is an inability to provide the appropriate treatment, to meet the expectations of the patient, or to develop an effective patient/practitioner relationship.

Article A10: Arrangements for Continuity of Care

A chiropractor having undertaken the care of a patient shall not discontinue that care without first having given sufficient notice of that intention to the patient, and shall endeavor to arrange for continuity of care with another chiropractor. In the event of referrals, both referring and consulting chiropractors should ensure the patient understands the importance of continuity of care with either or both of the respective chiropractors. The responsibility for transfer of patient records remains with the custodian of the file.

Article A11: Delegation of Duties

Currently under review

Article A12: Reporting Suspected Abuse

A chiropractor is obliged to become familiar with the signs of patient abuse and to report suspected patient abuse cases to the proper authorities in compliance with Alberta laws.

Article A13: Product Marketing in the Chiropractic Office

A chiropractor who sells or markets professional products to their patients must

- ensure that they do not exploit the trust inherent in the chiropractor-patient relationship
- not misrepresent or exaggerate the value of the products
- prior to the sale of the product, have thoroughly evaluated the information related to the product and must be satisfied that the therapeutic value represented is rational
- make available to patients all information necessary for the patients to make an informed choice as to whether to purchase the products, including whether the product is available elsewhere.

Article A14: Disclosure of Potential Conflict of Interest

A chiropractor who refers patients to laboratory, radiological, diagnostic or other professional service facilities separate and apart from the chiropractor's office and who has a direct or indirect financial interest in such facilities, shall disclose that interest to their patients.

B. Responsibilities to the Public

Article B1: Representation of Qualifications, Experience, and Registration

A chiropractor shall represent themselves in a manner that contributes to the public's trust and confidence in the profession and are within the Standard of Practice of the ACAC related to public information. A chiropractor shall not represent their education, qualifications or competence in any way that would be false or misleading.

Article B2: Contractual Services/Practice Arrangements

A chiropractor, by entering into a contract with an organization or other party

involving the practice of chiropractic, neither reduces personal and/or professional responsibilities nor transfers any part of those ethical or legal responsibilities to that organization or other party. A chiropractor may enter into an agreement with individuals and/or organizations to provide chiropractic care and services provided that the agreement is not contrary to the Health Professions Act, Regulations, By-laws, Code of Ethics, or Standards of Practice of the Alberta College and Association of Chiropractors.

Article B3: Choice of Chiropractor

A chiropractor shall at all times respect and support the patient's right to choose their own chiropractor.

Article B4: Advertising and Promotional Activities

Chiropractors shall build their reputation on their professional competence and integrity. A chiropractor shall conduct any advertising and promotional activity in accordance with applicable Standards of Practice, legislation, this Code of Ethics, and acceptable professional standards. Chiropractors shall not engage in advertising or any sort of promotional activities that tend to harm the dignity and honour of the profession.

Objectively Verifiable

A chiropractor may not make statements which are not objectively verifiable. Subjective statements about the quality of chiropractic services and/or patient care may raise ethical concerns.

Objectively verifiable statements are capable of being proven by facts; independent of personal feelings, beliefs, opinions or interpretations. Express or implied representations that the advertised services are superior in quality to those of other chiropractors are usually not objectively verifiable. In particular, patients may misinterpret statements of opinion as implied statements of fact. The onus is on the chiropractor to be able to provide, upon request, objective verification of any statements in advertising or promotional activities.

Article B5: Fees and Compensation for Service

A chiropractor is responsible for establishing usual and customary fees for professional

services performed in their own practice. Fee advertising by a chiropractor shall be primarily to provide information for the public and must conform to the principles applicable to all advertising and promotional activities.

Claims submitted to third party payers

A chiropractor who submits a claim form to a third party reporting incorrect treatment dates, procedure codes, and/or fees charged is engaging in inappropriate billing.

A chiropractor who submits a claim form to a third party reporting incorrect treatment dates for the purpose of assisting a patient in obtaining benefits under a health care plan, which benefits would otherwise be disallowed, is engaging in making false or misleading representation to such third party.

C. Responsibilities to the Profession

Article C1: Support of Self-Regulation of the Profession

The Government of Alberta has granted the chiropractic profession the privilege of self-regulation for the purpose of protecting the public and promoting the public interest. This responsibility is borne by all chiropractors, and governed on their behalf by the Council of the Alberta College and Association of Chiropractors, and its delegates (officers and committees). A chiropractor has an obligation to participate in the protection of the public and promotion of the public interest with the ACAC, thereby increasing the public trust of chiropractors, and strengthening the profession.

Article C2: Co-operation with the Alberta College and Association of Chiropractors

All chiropractors must co-operate with the requests and directions of the Alberta College and Association of Chiropractors, its officials and committees, to enable them to fulfill their legislated responsibilities.

Article C3: Unprofessional Conduct

If a chiropractor has reasonable grounds to believe that another chiropractor has engaged in unprofessional conduct, including breach of this Code of Ethics, then the

chiropractor has an obligation to report the conduct to the Complaints Director of the ACAC.

Article C4: Alberta College and Association of Chiropractors Official Spokespersons

The President, Council, Chief Executive Officer, and Registrar; or their designates are the official spokespersons for the organization. As such, they are the only individuals authorized to communicate with the press and broadcasting media on legal, policy, organizational, and all other matters relating to the Alberta College and Association of Chiropractors.

Article C5: Inter-professional Behaviour

Chiropractors will maintain professional behaviour and be respectful of their responsibility to reflect the high standards of the chiropractic profession in their interactions with members of all health care professions. Chiropractors will not be derogatory of other professions, and will be respectful of the ethical activities of their health care colleagues.

Article C6: Intra-professional Behaviour

Chiropractors will maintain professional behaviour and be respectful of their responsibility to reflect the high standards of the chiropractic profession in their interactions with their chiropractic colleagues.

D. Responsibilities to Society

Article D1: Recognition of responsibilities to Society

Chiropractors will recognize that as health care professionals, a responsibility to society is an integral part of professional obligations. As professionals, chiropractors have an obligation to recognize that community, society and the environment are important factors in the health of individual patients. It is equally essential to recognize that the profession has a responsibility to society in matters relating to public health, health education, environmental protection and legislation affecting the health or well-being of

the community and public. Chiropractors will recognize their responsibility to use health care resources prudently and to promote equitable access to these resources.