

CANADIAN MEDICAL ASSOCIATION

CODE OF ETHICS

1982

Transcribed from the original by

A Keith W Brownell MD, FRCPC and Elizabeth "Libby" Brownell RN, BA

April 2001

THE CANADIAN MEDICAL ASSOCIATION

CODE OF ETHICS

Principles of Ethical Behaviour for all physicians,
including those who may not be engaged
directly in clinical practice.

I

Consider first
the well-being of the patient.

II

Honour your profession
and its traditions.

III

Recognize your limitations
and the special skills of others in the prevention
and treatment of disease.

IV

Protect the patient's secrets.

V

Teach and be taught.

VI

Remember that integrity
and professional ability should be
your only advertisement.

VII

Be responsible in
setting a value on your services.

GUIDE TO THE ETHICAL BEHAVIOUR OF PHYSICIANS

A physician should be aware of the traditional standards established by his forebears and act within the general principles which have governed their conduct.

The Oath of Hippocrates represented the desire of the members of that day to establish for themselves standards of conduct in living and in the practice of their art. Since then the principles established have been retained as our basic guidelines for ethical living with the profession of medicine.

The International Code of Ethics and the Declaration of Geneva (1948), developed and approved by The World Medical Association, have modernized the ancient codes. They have been endorsed by each member organization, including The Canadian Medical Association, as a general guide having worldwide application.

The Canadian Medical Association accepts the responsibility of delineating the standard of ethical behaviour expected of Canadian physicians.

An interpretation of these principles is developed in the ensuing pages, as a guide for individual physicians and provincial authorities.

RESPONSIBILITIES TO THE PATIENT

An Ethical Physician:

Standard of care

1. will practice the art and science of medicine to the best of his ability;
2. will continue his education to improve his standard of medical care;

Respect for patient

3. will ensure that his conduct in the practice of his profession is above reproach, and that he will take neither physical, emotional nor financial advantage of his patient;

Patient's rights

4. will recognize his limitations and, when indicated, recommend to the patient that additional opinions and services be obtained;
5. will recognize that the patient has the right to accept or reject any physician and any medical care recommended to him. The patient, having chosen his physician, has the right to request of that physician opinions from other physicians of the patient's choice;
6. will keep in confidence information derived from his patient, or from a colleague, regarding a patient and divulge it only with the permission of the patient except when the law requires him to do so;
7. when acting on behalf of a third party will assure himself that the patient understands the physician's legal responsibility to the third party before proceeding with the examination;
8. will recommend only those diagnostic procedures which he believes necessary to assist him in the care of the patient, and therapy which he believes necessary for the well-being of the patient. He will recognize his responsibility in advising the patient of his findings and recommendations;
9. will on the patient's request, assist him by supplying the information required to enable the patient to receive any benefits to which the patient may be entitled;
10. will be considerate of the anxiety of the patient's next-of-kin and cooperate with him in the patient's interest;

Choice of patient

11. will recognize that he has a responsibility to render medical service to any person regardless of colour, religion or political belief;
12. shall, except in an emergency, have the right to refuse to accept a patient;
13. will render all assistance in his power to any patient, where an urgent need for medical care exists;
14. will, when the patient is unable, and an agent unavailable, to give consent, render such therapy as he believes to be in the patient's interests;

Continuity of care

15. will, when he has accepted professional responsibility for an acutely ill patient, continue to provide his services until they are no longer required, or until he has arranged for the services of another suitable physician. In any other situation, he may withdraw from his responsibility for the care of any patient provided that he gives the patient adequate notice of his intention;

Personal morality

16. when his personal morality prevents him from recommending some form of therapy which might benefit his patient will so acquaint the patient;

Clinical research

17. will, before initiating any clinical research involving human beings, ensure that such clinical research is appraised scientifically and ethically, and approved by a responsible committee, and is sufficiently planned and supervised that the individuals are unlikely to suffer any harm. He will ascertain that the previous research and the purpose of the experiment justify this additional method of investigation. Before proceeding he will obtain the consent of those individuals or their agents, and will do so only after explaining the purpose of the clinical research and any possible health hazard which he can foresee;

The dying patient

18. will allow death to occur with dignity and comfort when death of the body appears to be inevitable;
19. may support the body when clinical death of the mind has occurred, but need not prolong life by unusual or heroic means;

Transplantation

20. may, when death of the brain has occurred, support cellular life in the body when some parts of the body might be used to prolong or improve the health of others;
21. will recognize his responsibility to a donor of organs to be transplanted and will give to the donor or his relatives full disclosure of his intent and the purpose of the procedure; in the case of a living donor, he will also explain the risks of the procedure;
22. will refrain from determining the time of death of the donor patient when he will be a participant in the performance of the transplant procedure or when his association with any proposed recipient might influence his judgment;
23. who determined the time of death of the donor may, subsequent to the transplant procedure, treat the recipient;

Fees to patients

24. in determining his fee to the patient, will consider his personal service and the patient's ability to pay and will be prepared to discuss his fee with his patient.

RESPONSIBILITIES TO THE PROFESSION

An Ethical Physician:

Personal conduct

1. will recognize that the profession demands of him integrity and dedication to its search for truth and its service to mankind;
2. will recognize that self discipline of the profession is a privilege and that he has a responsibility to merit the retention of this privilege;
3. will conduct himself beyond reproach and will report to the appropriate body of his peers, conduct by a confrere, which he considers unbecoming to the profession;
4. will conduct himself in such a manner as to merit the respect of the public for members of the medical profession;
5. will avoid impugning the reputations of his confreres;

Contracts

6. will, when aligning himself in the practice with other physicians, insist that they maintain the standards enunciated in this Code of Ethics and the Guide to the Ethical Behaviour of Physicians;
7. will only enter into a contract, regarding his professional services, which allows fees derived from physicians' services to be controlled by the physicians rendering the service;
8. will enter into a contract with an organization only if it will allow him to maintain his professional integrity;
9. will only offer to a confrere a contract which has terms and conditions equitable to both parties;

Reporting medical research

10. will first communicate to his confreres, through recognized scientific channels, the results of any medical research, in order that those confreres may establish an opinion of its merits, before he or they present it to the public;

Addressing the public

11. will recognize his responsibility to give the generally held opinions of the profession when interpreting scientific knowledge to the public and in presenting any personal opinion which is contrary to the generally held

opinion of the profession, he will indicate he is doing so, and will avoid any attempt to enhance his own professional reputation;

Advertising

12. will build a professional reputation based upon his ability and integrity, and will only advertise professional services or make professional announcements according to local custom;
13. will avoid advocacy of any product when he is identified as a member of the medical profession;
14. will avoid the use of secret remedies;

Consultation

15. will request the opinion of an appropriate confrere acceptable to the patient when diagnosis or treatment is difficult or obscure, or when the patient requests it. Having requested the opinion of a confrere, he will make available all relevant information and indicate clearly whether he wishes his confrere to assume the continuing care of the patient during this illness;
16. will, when his opinion has been requested by a confrere, report in detail his findings and recommendations to the attending physician, and may outline his opinion to the patient. He will continue with the care of the patient only at the specific request of the attending physician, and with the consent of the patient;

Patient care

17. will co-operate with those individuals who, in the opinion of the physician, may assist in the care of that patient;
18. will make available to a confrere, on the request of the patient, a report of his findings and treatment of that patient;
19. will provide medical services to a confrere and his dependent family without fee, unless specifically requested to render an account;
20. will provide only minor or emergency services to himself or his immediate family and these without payment;

Financial arrangements

21. will avoid any personal profit motive in ordering drugs, appliances or diagnostic procedures from any facility in which he has a financial interest;
22. will refuse to accept any commission or payment, direct or indirect, for any service rendered to his patient by other persons excepting only by his employees and professional colleagues with whom he has a formal partnership or similar agreement.

RESPONSIBILITIES TO SOCIETY

An ethical physician who acts under the principles of this Guide to the Ethical Behaviour for Physicians will find that he has fulfilled many of his responsibilities to society.

An Ethical Physician:

1. will strive to improve the standards of medical services in the community.

He will accept his share of the profession's responsibility to society in matters relating to the health, and safety of the public, health education, and legislation affecting the health or well-being of the community;

2. when a witness, will recognize his responsibility to assist the court in arriving at a just decision;

3. will, in the interest of providing good and adequate medical care support the opportunity of his confreres to obtain hospital privileges in his community appropriate to their personal and professional qualifications.

"The complete physician is not a man apart and cannot content himself with the practice of medicine alone, but should make his contribution, as does any other good citizen, towards the well-being and betterment of the community in which he lives."