

Ethical Practices

2016 Case Summaries

To aid in the understanding of how the Academy's Code of Ethics (COE) is applied and interpreted, the Ethical Practices Committee (EPC) periodically publishes a summary of cases. Following is a summary of cases reviewed by the EPC from June–December 2016. Identifying information has been removed. In addition to these published summaries, the EPC also reviewed and responded to numerous general inquiries by members during this time.

14-02: A consumer complaint by parents was filed against a member, questioning accuracy and thoroughness of pediatric test results, hearing aid selection and verification, intervention, and follow-up recommendations. A second opinion was sought by the parents, with different test results and additional follow-up recommendations not offered by the respondent. The EPC communicated with the respondent for additional information regarding potential non-compliance with the Academy's COE. The case is still open, pending outcome of legal resolution by a governmental consumer protection agency.

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A M E R I C A N A C A D E M Y O F A U D I O L O G Y

14-03: A complaint was filed by the parents of a severely disabled child who was seen by a member for the purposes of audiological evaluation and treatment. The complainants reported that the member violated their privacy, inflicted emotional distress, and retaliated against them for disagreeing with the member's recommendations regarding hearing aids, medical intervention, and educational programs, and by reporting false information in contradiction to the child's other medical providers. Because of the rigorous investigation and legal closure of this case by the state's consumer protection agency, the case was closed without action.

14-04: A member requested an opinion regarding the potential conflicts between the Academy's COE and contractual requirements of a specific buying group and its contracted members, including those who

might be members of the Academy. Inasmuch as this case did not name a specific member, and given the more global issues of this case and the inability of the EPC to sanction non-members of the Academy (including individuals and organizations), this case was originally referred to the Board of Directors in 2014. After reviewing the original complaint again in 2016 under new EPC structuring, the case is pending EPC response, to include reference to EPC Advisory Opinions regarding buying groups and guidelines regarding relationships with industry.

15-01: A complaint was filed against a member regarding reported use of ethnically offensive language during testing. The member denied the details of the accusation and has filed suit against the complainant, who had also posted a negative review on social media. The case is

still open, pending outcome of legal action filed by the member.

15-02: A complaint was filed that questioned the honesty of a member regarding charges for hearing aid parts replacement. After extensive review of the case, the EPC determined that the fees charged were reasonable for the time, expertise, and services that were rendered, and that the member complied with ethical standards of practice. An explanatory letter was sent to the complainant, as well as recommendations to the member to consider providing additional written material to patients that review the specific services and parts provided and their costs, including a request for patient signature to confirm understanding. The case was closed without violation.

15-03: A complaint was filed alleging discriminatory, abusive, demeaning and insulting behavior of a member, noting that the member provider refused to see patient for testing and hearing aid adjustment because his hearing aids were purchased from an internet company (unknown by the providing office at the time of appointment booking). The complainant subsequently billed the member for travel time to the office, wait time in the office, mileage, and late payment penalty. The complainant also posted derogatory remarks on the web regarding the member. After review of communications with both the complainant and respondent, this case was referred to the Academy's BODs for guidance and is still pending.

For more information about the Ethical Practices Committee or these case summaries, please contact the committee at ethics@audiology.org.

