

CODE OF ETHICS OF THE AMERICAN ACADEMY OF AUDIOLOGY

PREAMBLE

The Code of Ethics of the American Academy of Audiology specifies professional standards that allow for the proper discharge of audiologists' responsibilities to those served, and that protect the integrity of the profession. The Code of Ethics consists of two parts. The first part, the Statement of Principles and Rules, presents precepts that members (all categories of members including Student Members) effective January 1, 2009 of the Academy agree to uphold. The second part, the Procedures, provides the process that enables enforcement of the Principles and Rules.

PART I. STATEMENT OF PRINCIPLES AND RULES

PRINCIPLE 1: Members shall provide professional services and conduct research with honesty and compassion, and shall respect the dignity, worth, and rights of those served.

Rule 1a: Individuals shall not limit the delivery of professional services on any basis that is unjustifiable or irrelevant to the need for the potential benefit from such services.

Rule 1b: Individuals shall not provide services except in a professional relationship and shall not discriminate in the provision of services to individuals on the basis of sex, race, religion, national origin, sexual orientation, or general health.

PRINCIPLE 2: Members shall maintain the highest standards of professional competence in rendering services.

Rule 2a: Members shall provide only those professional services for which they are qualified by education and experience.

Rule 2b: Individuals shall use available resources, including referrals to other specialists, and shall not give or accept benefits or items of value for receiving or making referrals.

Rule 2c: Individuals shall exercise all reasonable precautions to avoid injury to persons in the delivery of professional services or execution of research.

Rule 2d: Individuals shall provide appropriate supervision and assume full responsibility for services delegated to supportive personnel. Individuals shall not delegate any service requiring professional competence to unqualified persons.

Rule 2e: Individuals shall not knowingly permit personnel under their direct or indirect supervision to engage in any practice that is not in compliance with the Code of Ethics.

Rule 2f: Individuals shall maintain professional competence, including participation in continuing education.

PRINCIPLE 3: Members shall maintain the confidentiality of the information and records of those receiving services or involved in research.

Rule 3a: Individuals shall not reveal to unauthorized persons any professional or personal information obtained from the person served professionally, unless required by law.

PRINCIPLE 4: Members shall provide only services and products that are in the best interest of those served.

Rule 4a: Individuals shall not exploit persons in the delivery of professional services.

Rule 4b: Individuals shall not charge for services not rendered.

Rule 4c: Individuals shall not participate in activities that constitute a conflict of professional interest.

Rule 4d: Individuals using investigational procedures with human participants or prospectively collecting research data from human participants shall obtain full informed consent from the participants or legal representatives. Members conducting research with human participants or animals shall follow accepted standards, such as those promulgated in the current Responsible Conduct of Research by the U.S. Office of Research Integrity.

PRINCIPLE 5: Members shall provide accurate information about the nature and management of communicative disorders and about the services and products offered.

Rule 5a: Individuals shall provide persons served with the information a reasonable person would want to know about the nature and possible effects of services rendered or products provided or research being conducted.

Rule 5b: Individuals may make a statement of prognosis, but shall not guarantee results, mislead, or misinform persons served or studied.

Rule 5c: Individuals shall conduct and report product-related research only according to accepted standards of research practice.

Rule 5d: Individuals shall not carry out teaching or research activities in a manner that constitutes an invasion of privacy or that fails to inform persons fully about the nature and possible effects of these activities, affording all persons informed free choice of participation.

Rule 5e: Individuals shall maintain accurate documentation of services rendered according to accepted medical, legal and professional standards and requirements.

PRINCIPLE 6: Members shall comply with the ethical standards of the Academy with regard to public statements or publication.

Rule 6a: Individuals shall not misrepresent their educational degrees, training, credentials, or competence. Only degrees earned from regionally accredited institutions in which training was obtained in audiology, or a directly related discipline, may be used in public statements concerning professional services.

Rule 6b: Individuals' public statements about professional services, products or research results shall not contain representations or claims that are false, misleading, or deceptive.

PRINCIPLE 7: Members shall honor their responsibilities to the public and to professional colleagues.

Rule 7a: Individuals shall not use professional or commercial affiliations in any way that would limit services to or mislead patients or colleagues.

Rule 7b: Individuals shall inform colleagues and the public in an objective manner consistent with professional standards about products and services they have developed or research they have conducted.

PRINCIPLE 8: Members shall uphold the dignity of the profession and freely accept the Academy's self-imposed standards.

Rule 8a: Individuals shall not violate these Principles and Rules nor attempt to circumvent them.

Rule 8b: Individuals shall not engage in dishonesty or illegal conduct that adversely reflects on the profession.

Rule 8c: Individuals shall inform the Ethical Practices Committee when there are reasons to believe that a member of the Academy may have been in noncompliance with the Code of Ethics.

Rule 8d: Individuals shall fully cooperate with reviews being conducted by the Ethical Practices Committee in any matter related to the Code of Ethics.

Signature: _____ Date: _____

PART II.
PROCEDURES FOR THE MANAGEMENT OF ALLEGED NONCOMPLIANCE

INTRODUCTION

Members of the American Academy of Audiology are obligated to uphold the Code of Ethics of the Academy in their personal conduct and in the performance of their professional duties. To this end, it is the responsibility of each Academy member to inform the Ethical Practice Committee of possible noncompliance with the Ethics Code. The processing of alleged noncompliance with the Code of Ethics will follow the procedures specified below in an expeditious manner to ensure that behaviors of noncompliant ethical conduct by members of the Academy are halted in the shortest time possible.

PROCEDURES

1. Suspected noncompliance with the Code of Ethics shall be reported in letter format, giving documentation sufficient to support the alleged noncompliance. Letters must be addressed to:

American Academy of Audiology
Chair, Ethical Practices Committee
11480 Commerce Park Dr. Suite 220
Reston, VA 20191
2. Following receipt of a report of suspected noncompliance, at the discretion of the Chair, the Ethical Practices Committee will request a signed Waiver of Confidentiality from the complainant indicating that the complainant will allow the Ethical Practice Board to disclose his/her name and complaint details should this become necessary during investigation of the allegation.
 - a. The Committee may, under special circumstances, act in the absence of a signed Waiver of Confidentiality. For example, in cases where the Ethical Practice Committee has received information from a state licensure board of a member having his or her license suspended or revoked, then the Ethical Practice Committee will proceed without a complainant.
 - b. The Chair may communicate with other individuals, agencies, and/or programs for additional information as may be required for Committee review at any time during the deliberation.
3. The Ethical Practice Committee will convene to review the merit of the alleged noncompliance as it relates to the Code of Ethics
 - a. The Ethical Practice Committee shall meet to discuss the case, either in person, by electronic means, or by teleconference. The meeting will occur within 60 days of receipt of the Waiver of Confidentiality, or of notification by the complainant of refusal to sign the waiver. In cases where another form of notification brings the complaint to the attention of the Ethical Practice Committee, the Committee will convene within 60 days of notification.
 - b. If the alleged noncompliance has a high probability of being legally actionable, the case may be referred to the appropriate agency. The Ethical Practice Committee will postpone member notification and further deliberation until the legal process has been completed.
4. If there is sufficient evidence that indicates noncompliance with the Code of Ethics has occurred, upon majority vote, the member will be forwarded a Notification of Potential Ethics Concern.
 - a. The circumstances of the alleged noncompliance will be described.
 - b. The member will be informed of the specific Code of Ethics principle(s) and/or rule(s) that may conflict with member behavior.
 - c. Supporting AAA documents that may serve to further educate the member about the ethical implications will be included, as appropriate.
 - d. The member will be asked to respond fully to the allegation and submit all supporting evidence within 30 calendar days.
5. The Ethical Practices Committee will meet either in person or by teleconference:
 - a. within 60 calendar days of receiving a response from the member to the Notification of Potential Ethics Concern to review the response and all information pertaining to the alleged noncompliance, or
 - b. within sixty (60) calendar days of notification to member if no response is received from the member to review the information received from the complainant.
6. If the Ethical Practice Committee determines that the evidence supports the allegation of noncompliance, the member will be provided written notice containing the following information:
 - a. The right to a hearing in person or by teleconference before the Ethical Practice Committee;

- b. The date, time, and place of the hearing;
- c. The ethical noncompliance being charged and the potential sanction
- d. The right to present a defense to the charges.

At this time the member should provide any additional relevant information. As this is the final opportunity for a member to provide new information, the member should carefully prepare all documentation.

7. Potential Rulings.

- a. When the Ethical Practices Committee determines there is insufficient evidence of ethical noncompliance, the parties to the complaint will be notified that the case will be closed.
- b. If the evidence supports the allegation of Code noncompliance, the Code(s)/Rule(s) will be cited and the sanction(s) will be specified.

8. The Committee shall sanction members based on the severity of the noncompliance and history of prior ethical noncompliance. A simple majority of voting members is required to institute a sanction unless otherwise noted. Sanctions may include one or more of the following:

- a. Educative Letter. This sanction alone is appropriate when:
 - 1. The ethics noncompliance appears to have been inadvertent.
 - 2. The member's response to Notification of Potential Ethics Concern indicates a new awareness of the problem and the member resolves to refrain from future ethical noncompliance.
- b. Cease and Desist Order. The member signs a consent agreement to immediately halt the practice(s) that were found to be in noncompliance with the Code of Ethics
- c. Reprimand. The member will be formally reprimanded for the noncompliance with of the Code of Ethics.
- d. Mandatory continuing education
 - 1. The EPC will determine the type of education needed to reduce chances of recurrence of noncompliance.
 - 2. The member will be responsible for submitting documentation of continuing education within the period of time designated by the Ethical Practices Committee.
 - 3. All costs associated with compliance will be borne by the member.
- e. Probation of Suspension. The member signs a consent agreement in acknowledgement of the Ethical Practice Committee decision and is allowed to retain membership benefits during a defined probationary period.
 - 1. The duration of probation and the terms for avoiding suspension will be determined by the Ethical Practice Committee.
 - 2. Failure of the member to meet the terms for probation will result in the suspension of membership.
- f. Suspension of Membership.
 - 1. The duration of suspension will be determined by the Ethical Practice Committee.
 - 2. The member may not receive membership benefits during the period of suspension.
 - 3. Members suspended are not entitled to a refund of dues or fees.
- g. Revocation of Membership. Revocation of membership is considered the maximum consequence for noncompliance with the Code of Ethics.
 - 1. Revocation requires a two-thirds majority of the voting members of the EPC.
 - 2. Individuals whose memberships are revoked are not entitled to a refund of dues or fees.
 - 3. One year following the date of membership revocation the individual may reapply for, but is not guaranteed, membership through normal channels, and must meet the membership qualifications in effect at the time of reapplication.

9. The member may appeal the Final Finding and Decision of the Ethical Practice Committee to the Academy Board of Directors. The route of Appeal is by letter format through the Ethical Practice Committee to the Board of Directors of the Academy. Requests for Appeal must:

- a. be received by the Chair of the Ethical Practice Committee within 30 days of the Ethical Practice Committee notification of the Final Finding and Decision,
- b. state the basis for the appeal and the reason(s) that the Final Finding and Decision of the Ethical Practice Committee should be changed,
- c. not offer new documentation.

The EPC chair will communicate with the Executive Director of the Academy to schedule the appeal at the earliest feasible Board of Director's meeting.

The Board of Directors will review the documents and written summaries and deliberate the case.

The decision of the Board of Directors regarding the member's appeal shall be final.

10. In order to educate the membership, upon majority vote of the Ethical Practice Committee, the circumstances and nature of cases shall be presented in Audiology Today and in the Professional Resource area of the AAA website. The member's identity will not be made public.
11. No Ethical Practice Committee member shall give access to records, act or speak independently, or on behalf of the Ethical Practice Committee, without the expressed permission of the members then active. No member may impose the sanction of the Ethical Practice Committee or interpret the findings of the EPC in any manner that may place members of the Ethical Practice Committee or Board of Directors, collectively or singly, at financial, professional, or personal risk
12. The Ethical Practice Committee Chair and Staff Liaison shall maintain electronic records that shall form the basis for future findings of the Committee.

CONFIDENTIALITY AND RECORDS

Confidentiality shall be maintained in all Ethical Practice Committee discussion, correspondence, communication, deliberation, and records pertaining to members reviewed by the Ethical Practice Committee.

1. Complaints and suspected noncompliance with the Code of Ethics are assigned a case number.
2. Identity of members involved in complaints and suspected noncompliance cases and access to EPC files is restricted to the following:
 - a. EPC members
 - b. Executive Director
 - c. Agent/s of the Executive Director
 - d. Other/s, following majority vote of EPC
3. Original records shall be maintained at the Central Records Repository at the Academy office in a locked cabinet.
 - a. One copy will be sent to the Ethical Practice Committee Chair or member designated by the Chair.
 - b. Redacted copies will be sent to members.
4. Communications shall be sent to the members involved in complaints by the Academy office via certified or registered mail, after review by Legal Counsel, as needed.
5. When a case is closed,
 - a. The Chair will forward all documentation to the Staff Liaison to be maintained at the Academy Central Records Repository.
 - b. Members shall destroy all material pertaining to the case.
6. Complete records generally shall be maintained at the Academy Central Records Repository for a period of 5 years.
 - a. Records will be destroyed five years after a member receives a sanction less than suspension, or five years after the end of a suspension, or after membership is reinstated.
 - b. Records of membership revocations for persons who have not returned to membership status will be maintained indefinitely.