

# 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 all categories of members of the Academy agree to uphold. The second part, the Procedures, provides the process that enables compliance with and 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 Practices 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.

The [Ethical Practices Committee's](#) primary role is to educate and increase member awareness of the Academy's [Code of Ethics](#) and the practical application of the Code, rules, and advisory opinions. As such, its objective is to help members who are unknowingly not in compliance to become compliant through education. In cases of blatant disregard of the Code of Ethics the Committee may revoke membership.

### **PROCEDURES**

1. Suspected noncompliance with the Code of Ethics shall be reported using the Academy's "Complaint Form for Alleged Noncompliance with The AAA Code of Ethics", giving documentation sufficient to support the alleged noncompliance. The form must include the specific section of the Code of Ethics of the alleged violation. The form should be addressed to:

American Academy of Audiology  
Chair, Ethical Practices Committee  
11480 Commerce Park Dr. Suite 220  
Reston, Virginia 20191
2. Following receipt of a report of suspected noncompliance, the Ethical Practice Committee will convene to evaluate the merit of the alleged noncompliance as it relates to the Code of Ethics. The Committee will use established criteria to evaluate whether it can or should proceed including: (1) noncompliance with a specific Code of Ethics principle or rule; (2) no current or pending litigation; and, (3) the evidence provided supports the allegation.
  - a. The Ethical Practices Committee shall meet to discuss the case, either in person or by electronic means, at its regularly scheduled quarterly meeting.

- b. The Committee will determine if, based on the allegation, a specific principle or rule of the Code of Ethics has potentially been violated. If not, the complaint will not be acted upon.
        - c. If a complaint is already being acted upon or may potentially be acted upon through legal action or licensing board or other regulatory body review, the Ethical Practices Committee will decline further deliberation to avoid influencing those actions/ proceedings.
3. For cases that proceed, 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 Practices Committee to disclose his/her name and complaint details should this become necessary during investigation of the allegation. 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.
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" including.
  - a. The specific Code of Ethics principle(s) and/or rule(s) that may conflict with the member's behavior.
  - b. The circumstances of the alleged noncompliance will be described, and all evidence intended to support the allegation provided.
  - c. Supporting AAA documents that may serve to further educate the member about the ethical implications of his/her alleged actions will be included, as appropriate.
  - d. A list of potential sanctions for ethical violations.
  - e. The member's right to present a defense to the allegations including the right to a hearing, in person or by teleconference, before the Ethical Practices Committee.
5. The member will be asked to respond fully to the allegation and submit all supporting evidence within 30 calendar days. 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.
6. The Ethical Practices Committee will meet either in person or by electronic means:
  - a. at its next regularly scheduled quarterly meeting after 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. at its next regularly scheduled quarterly meeting after the deadline to respond to the "Notification of Potential Ethics Concern" if no response is received from the member to review the information received from the complainant.
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. When 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 ethical noncompliance. A simple majority of voting Ethical Practices Committee members is required to institute a sanction unless otherwise noted. Sanctions may include one or more of the following:
  - a. Education
    1. Educative Letter. This sanction alone is appropriate when:
      - I. The ethics noncompliance appears to have been inadvertent.
      - II. The member's response to Notification of Potential Ethics Concern indicates a credible, new awareness of the problem and the member resolves to refrain from future ethical noncompliance.
    2. Mandatory Continuing Education. This sanction is appropriate when the member is aware of the ethical practice(s) in question but is not following it appropriately.
      - I. The Ethical Practices Committee will determine the type of education needed to reduce chances of recurrence of noncompliance and identify an end date for the member to complete the education.
      - II. The member will be responsible for submitting documentation of continuing education within the period designated by the Ethical Practices Committee.
      - III. All costs associated with compliance will be borne by the member.
      - IV. Failure to demonstrate achievement of the identified education may result in the Ethical Practices Committee revisiting the case to determine if further action is required.
  - b. Revocation of Membership. Revocation of membership is the maximum consequence for noncompliance with the Code of Ethics. This sanction is appropriate when the member displayed a clear disregard for the ethical practice(s) in question.

1. Revocation requires a two-thirds majority of the voting members of the Ethical Practices Committee.
  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. All final findings, decisions, sanctions, and durations will be communicated to the member in writing. The Board liaison to the Ethical Practices Committee will report to the Board any new or concluded cases.
  10. The member may appeal the Final Finding and Decision of the Ethical Practices Committee to the Academy Board of Directors. The route of Appeal is by letter format through the Ethical Practices Committee to the Board of Directors of the Academy. Requests for Appeal must:
    - a. be received by the Chair of the Ethical Practices Committee within 30 days of the Ethical Practices 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 Practices Committee should be changed; and,
    - c. not offer new documentation.
  11. 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.
    - a. The Board of Directors will review the documents and written summaries and deliberate the case.
    - b. The decision of the Board of Directors regarding the member's appeal shall be final.
  12. In order to educate the Academy membership, upon majority vote of the Ethical Practices Committee, the general circumstances and nature of cases and associated principles and rules violated may be used as a basis for education in *Audiology Today* and on the Ethics page of the AAA website. The member's identity will not be made public (see Confidentiality and Records below).
  13. No Ethical Practices Committee member nor Academy staff shall give access to records, act or speak independently, or on behalf of the Ethical Practices Committee, without the expressed permission of the committee members then active. No member may impose the sanction of the Ethical Practices Committee or interpret the findings of the Ethical Practices Committee in any manner that may place members of the Ethical Practices Committee or Board of Directors, collectively or singly, at financial, professional, or personal risk.
  14. The Ethical Practices 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 Practices Committee discussion, correspondence, communication, deliberation, and records pertaining to members reviewed by the Ethical Practices Committee.

The Academy will not disclose member compliance or noncompliance with the Academy's Code of Ethics. All information concerning investigations or complaints against Academy members, historical and current, shall be confidential and may only be shared with the Ethical Practices Committee and other Academy members involved in the review of ethics complaints, the complainant and respondent and their legal representative, if any. Non-disclosure will extend to members who have never been alleged to have violated the Code of Ethics.

Notwithstanding the foregoing, the Executive Director may disclose such information when compelled by a valid subpoena, in response to a request from a state or local board or similar entity, when otherwise required by law, to protect the interests of the Association, or as otherwise provided in these Rules and Procedures.

**Patient Identifiable Information.** Under no circumstances shall either complainants or respondents submit any individually identifiable patient information to the Association without a valid patient authorization, except for documents that are in the public domain, such as news articles or court documents that are not subject to a protective order. Any individually identifiable patient information (including but not limited to name, social security number, address, telephone number, or email address) submitted without a patient authorization must be redacted from non-public documents that are submitted as part of an ethics proceeding, including court documents that are subject to a protective order. The Association will return or destroy any non-public documents that it receives as part of an investigation or complaint that contain patient identifiable information without an accompanying patient authorization.

The Academy is not liable for third party disclosure of individually identifiable patient information.