



ATMS Code of Conduct

2006

Preamble

Complementary medicine is a holistic approach to the prevention, diagnosis and therapeutic management of a wide range of disorders in the community. Complementary medicine practice is founded on the development of a therapeutic relationship and the implementation of therapeutic strategies based on holistic principles. Complementary medicine encompasses a diversity of practices to improve the health status of the individual and community for the common good.

The aim of the Code of Conduct is to make it easier for members to understand the conduct which is acceptable to ATMS, the complementary medicine profession, to the larger community and to identify unacceptable behaviour. The Ethical Principles underpin the standards of professional conduct as set out in the Code of Conduct. The intention of the Code of Conduct is to identify ethical dilemmas and assist ATMS members in resolving them. ATMS members are accountable for their clinical decision making and have moral and legal obligations for the provision of safe and competent practice.

Where an ATMS member encounters an ethical quandary, it is advisable to seek appropriate advice. If this action does not solve the matter, the advice of ATMS should be sought.

The purpose of the Code of Conduct is to:

- identify the minimum requirements for practice in the complementary medicine profession,
- identify the fundamental professional commitments of ATMS members,
- act as a guide for ethical and proper practice,

- clarify what constitutes unprofessional conduct, and
- indicate to the community the values which are expected of ATMS members.

Therefore, the Code of Conduct was established as the basis for ethical and professional conduct in order to meet community expectations and justify community trust in the judgement and integrity of ATMS members.

While the Code of Conduct is not underpinned in statute, adoption and adherence to it by ATMS members is a condition of ATMS membership. A breach of the Code of Conduct may render an ATMS member liable for removal from the Register of Members.

1. Ethical Principles

1.1 Practitioners conduct themselves ethically and professionally at all times.

1.2 Practitioners render their professional services in accordance with holistic principles for the benefit and wellbeing of patients.

1.3 Practitioners do no harm to patients.

1.4 Practitioners have a commitment to continuing professional education to maintain and improve their professional knowledge, skills and attitudes.

1.5 Practitioners respect an individual's autonomy, needs, values, culture and vulnerability in the provision of complementary medicine treatment.

1.6 Practitioners accept the rights of individuals and encourage them to make informed choices in relation to their healthcare, and support patients in their search for solutions to their health problems.

1.7 Practitioners recognise their limitations and the competence of other healthcare professionals, and when indicated, recommend that additional opinions and services be sought.

1.8 Practitioners treat all patients with respect, and do not engage in any form of exploitation for personal advantage whether financial, physical, sexual, emotional, religious or for any other reason.

2. Duty of Care

- 2.1 The highest level of professional and ethical care shall be given to patients.
- 2.2 The practitioner will exercise utmost care to avoid unconscionable behaviour.
- 2.3 The patient has the right to receive treatment that is provided with skill, competence, diligence and care.
- 2.4 In the exercise of care of the patient, the practitioner shall not misrepresent or misuse their skill, ability or qualification.

3. Professional Conduct

- 3.1 Practitioner members must adhere to all of the requirements of this Code of Conduct and State, Territory and Federal law within the scope of their practice.
- 3.2 ATMS requires practitioners (who are not registered medical practitioners) who choose to adopt the title “Dr” in advertising, whether or not they hold a Doctorate or PhD, to make it clear that they do not hold a registration as a medical practitioner. In their advertising the title of “Doctor” or “Dr” will not be used, unless registered with an Australian medical registration board. In advertising they should include a reference to their health profession whenever the title is used.
- 3.3 Under no circumstances may a student, staff member or another practitioner use someone else’s membership number or tax invoice book for purposes of issuing a health fund rebate tax invoice. The member is responsible for the issue of their own tax invoices.
- 3.4 The practitioner shall not provide false, misleading or incorrect information regarding health fund rebates, WorkCover, ATMS or any other documents.
- 3.5 The practitioner shall not advertise under the ATMS logo any discipline/s for which they are not accredited with ATMS.
- 3.6 The practitioner shall not denigrate other members of the healthcare profession.
- 3.7 The practitioner shall be responsible for the actions of all persons under their employ, whether under contract or not.
- 3.8 The practitioner shall not engage in activity, whether written or verbal, that will reflect improperly on the profession or ATMS.
- 3.9 In the conveying of scientific or empirical knowledge to a patient, the practitioner shall act responsibly, and all personal opinions shall be highlighted as such.

3.10 Students shall not engage in clinical practise other than as part of supervised training. In all other student obligations, students must identify themselves as such and not charge a fee.

3.11 In the clinical setting, the practitioner shall not be under the influence of any substance capable of impairing professional judgement.

3.12 The medicines and medical devices used by the practitioner must be in accordance with therapeutic goods law.

3.13 Telephone or Internet consultations, without a prior face-to-face consultation, must not be conducted.

3.14 The fee for service and medicines charged by the practitioner must be reasonable, avoiding any excess or exploitation.

4. Relationship Between Practitioner and Patient

4.1 The practitioner shall not discriminate on the basis of race, age, religion, gender, ethnicity, sexual preference, political views, medical condition, socioeconomic status, culture, marital status, physical or mental disability.

4.2 The practitioner must behave with courtesy, respect, dignity and discretion towards the patient, at all times respecting the diversity of individuals and honouring the trust in the therapeutic relationship.

4.3 The practitioner should assist the patient find another healthcare professional if required.

4.4 Should a conflict of interest or bias arise, the practitioner shall declare it to the patient, whether the conflict or bias is actual or potential, financial or personal.

5. Professional Boundary

5.1 The practitioner will not enter into an intimate or sexual relationship with a patient.

5.2 The practitioner will not engage in contact or gestures of a sexual nature to a patient.

5.3 Mammary glands and genitalia of a patient will not be touched or massaged and only professional techniques applied to surrounding tissue.

5.4 Any internal examination of a patient, even with the consent of the patient, is regarded as indecent assault which is a criminal offence.

5.5 Any approaches of a sexual nature by a patient must be declined and a note made in the patient's record.

6. Personal Information and Confidentiality

6.1 The practitioner will abide by the requirements of State, Territory and Federal privacy and patient record law.

6.2 The practitioner shall honour the information given by a patient in the therapeutic relationship.

6.3 The practitioner shall ensure that there will be no wrongful disclosure, either directly or indirectly, of a patient's personal information.

6.4 Patient records must be securely stored, archived, passed on or disposed of in accordance with State, Territory and Federal patient record law.

6.5 Appropriate measures shall be in place to ensure that patient information provided by facsimile, email, mobile telephone or other media shall be secure.

6.6 Patient records must be properly maintained with adequate information of a professional standard.

6.7 The practitioner must act with due care and obtain consent when conveying a patient's information to another healthcare professional.

6.8 The patient has a right to be adequately informed as to their treatment plan and medicines, and access to their information as far as the law permits.

7. Advertising

7.1 Advertisements, in any form of printed or electronic media, must not :

- a. Be false, misleading or deceptive,
- b. Abuse the trust or exploit the lack of knowledge of consumers,
- c. Make claims of treatment that cannot be substantiated,
- d. Make claims of cure,
- e. Use the title of Doctor, unless registered with an Australian medical registration board,

- f. Encourage excessive or inappropriate use of medicines or services,
- g. List therapies for which the practitioner does not have ATMS accreditation if the ATMS logo or name is used.