

## Why Ethics Remediation?

Ethics remediation is appropriate when a healthcare professional fails his or her professional obligations in these ways:

- Unknown obligations: *What I should have known*
- Unfulfilled or ignored obligations: *What I should have done*

Listed below are examples of professional ethical infractions that occur among healthcare professionals.

### Misrepresentation

#### *Omitting Information*

- Omitting information on licensure, privileging or other applications
- Failure to disclose practice or privilege restrictions
- Failure to disclose previous disciplinary action or sister-state actions

#### *Credentials Deception*

- Misrepresentation of professional credentials or specialty certification
- Practicing outside one's appropriate scope of practice
- Calling oneself a specialist in a field without adequate training

#### *Falsification*

- Falsifying clinic attendance records to disguise pattern of tardiness and/or absenteeism
- Forging supervisory signatures
- Cheating on examinations, including sharing items from licensing or certification examinations with others who have yet to take those examinations

#### *Unlicensed Practice*

- Practicing prior to licensure or with an expired license
- Advertising oneself as duly licensed when that is not true

### Boundary Issues

#### *Dual Relationships*

- Favored treatment of some patients over others
- Favored treatment of colleagues, friends, family
- Borrowing money from or lending money to patients
- Providing prescriptions for controlled substances to family, friends, colleagues

#### *Privacy and Respect Violations*

- Taking photographs/videos of patients without consent
- Posting patients' information on social networking sites
- Harassment or physical abuse of patients or colleagues/co-workers
- Accessing privileged information of non-patients or colleagues/co-workers

#### *Sexual Misconduct*

- Harassment
- Prescriptions or drugs for sex
- Inappropriate conduct towards other professionals
- Sexual relations with patients or family/friends of patients
- Texting, sexting, or suggestive emails or social networking

#### *Failure in Supervisory Responsibilities*

- Allowing unlicensed individuals to render care
- Inadequate supervision of clinical subordinates
- Inadequate supervision of support staff

#### *Drug Diversion*

- Writing prescriptions for friends, family, non-patients, or existing patients without medical record documentation
- Inappropriately prescribing controlled substances or certifying medical marijuana
- Allowing prescription pad to be used by others
- Self-medication of chronic conditions or addiction



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## Financial Issues

### *Billing Issues*

- Billing for services not provided
- Unnecessary testing or treatment
- Up-coding, fee-splitting, accepting kick-backs

### *Criminal Fraud*

- Health insurance fraud
- Failure to file income taxes or filing inaccurate returns

### *Failure to Maintain Adequate Records*

- Failure to document properly
- Failure to provide medical records when requested

### *Internet Drug Violations*

- Prescribing without maintaining a medical record
- Prescribing without established clinician-patient relationship
- Prescribing enhancement drugs

### *Self-referral*

- Referral to a diagnostic or treatment facility where the clinician has a financial interest
- In-office selling or recommending use of proprietary medications
- Misleading and deceptive advertising

## Other Issues

### *Civil and Criminal Violations*

- Shop-lifting
- Disorderly conduct
- Spouse/partner abuse

### *Medical Errors in Record Keeping Due to Communication Lapses*

- Failure to inform patients or other healthcare professionals
- Medical record deficiencies
- Informed consent issues

### *OSHA Violations*

### *Abandonment of Patients*

- Failure to give notice
- Failure to provide referrals
- Refusal to treat on non-clinical grounds
- Refusal to treat patients with communicable diseases
- Clinical negligence

### *Breach of Clinician-Patient Confidentiality or Privacy*

- Using medical information for personal reasons
- Gossip

### *Impairment*

- Alcohol or other drug addiction
- Impairment due to aging or illness
- Impairment due to burnout or personal problems

### *Clinical Practice that Fails to Meet the Standard of Care*

### *Professional Accountability*

- Inadequate or untimely response to organization's or board's requests
- Violation of terms of agreement with organization or board

