

Standards of Professionalism

Providing Musculoskeletal Services to Patients

Adopted April 18, 2005. Amended April 24, 2008

AAOS Standards of Professionalism (SOPs) establish the minimum standards of acceptable conduct for orthopaedic surgeons. Violations of any SOP may result in professional compliance actions against an AAOS Fellow or Member found in violation. Not prepared using a systematic review, SOPs are developed through a consensus process and are ultimately adopted as official AAOS statements by the two-thirds vote of the AAOS Fellowship casting ballots.

The orthopaedic profession exists for the primary purpose of caring for the patient. As a member of this profession, an orthopaedic surgeon should be dedicated to providing competent musculoskeletal service with compassion and respect.

The Standards of Professionalism draw from the **aspirational** *Code of Medical Ethics and Professionalism* that appears in bold italics. The statements that follow the aspirational *Code* establish the minimum standard of acceptable conduct for orthopaedic surgeons when providing musculoskeletal services to patients. Violations of these **mandatory** standards may serve as grounds for a formal complaint to and action by the AAOS as outlined in the AAOS Bylaws Article VIII.

These Standards of Professionalism apply to all AAOS Fellows and Members in their interactions as healers and as professionals valued for their knowledge and expertise. Only an AAOS Fellow or Member may file complaints of an alleged violation of these Standards of Professionalism regarding another AAOS Fellow or Member.

Aspirational: AAOS Code of Medical Ethics and Professionalism for Orthopaedic Surgeons, I. A.:

The orthopaedic profession exists for the primary purpose of caring for the patient. The physician-patient relationship is the central focus of all ethical concerns.

Mandatory Standard:

1. An orthopaedic surgeon shall, while caring for and treating a patient, regard his or her responsibility to the patient as paramount.

Aspirational: AAOS Code of Medical Ethics and Professionalism for Orthopaedic Surgeons, I. C.:

The orthopaedic surgeon shall not decline to accept patients solely on the basis of race, color, gender, sexual orientation, religion, or national origin or any basis that would constitute illegal discrimination.

Mandatory Standard:

2. An orthopaedic surgeon shall treat patients equally and shall not decline to accept patients solely on the basis of race, color, ethnicity, gender, sexual orientation, religion or national origin.

Aspirational: AAOS Code of Medical Ethics and Professionalism for Orthopaedic Surgeons, I. D.:

The orthopaedic surgeon may choose whom he or she will serve. An orthopaedic surgeon should render services to the best of his or her ability. Having undertaken the care of a patient, the orthopaedic surgeon may not neglect that person. Unless discharged by the patient, the orthopaedic surgeon may discontinue service only after giving adequate notice to the patient so that the patient can secure alternative care. Both orthopaedic surgeons and patients may have contracts with managed care organizations, and these agreements may contain provisions which alter the method by which patients are discharged. If the enrollment of a physician or patient is discontinued in a managed care plan, the physician will have an ethical responsibility to assist the patient in obtaining follow-up care.

Mandatory Standard:

3. An orthopaedic surgeon, or his or her qualified designee, shall be available to provide needed and appropriate care of a patient.

Aspirational: AAOS Code of Medical Ethics and Professionalism for Orthopaedic Surgeons, I. F.:

When obtaining informed consent for treatment, the orthopaedic surgeon is obligated to present to the patient or to the person responsible for the patient, in understandable terms, pertinent medical facts and recommendations consistent with good medical practice. Such information should include alternative modes of treatment, the objectives, risk and possible complications of such treatment, and the complications and consequences of no treatment.

Mandatory Standard:

4. An orthopaedic surgeon, or his or her qualified designee, shall present pertinent medical facts and recommendations to and obtain informed consent from the patient or the person responsible for the patient.

Aspirational: AAOS Code of Medical Ethics and Professionalism for Orthopaedic Surgeons, II. B.:

The orthopaedic surgeon should conduct himself or herself morally and ethically, so as to merit the confidence of patients entrusted to the orthopaedic surgeon's care, rendering to each a full measure of service and devotion.

Mandatory Standards:

5. An orthopaedic surgeon shall serve as the patient's advocate for treatment needs and exercise all reasonable means to ensure that the most appropriate care is provided to the patient.
6. An orthopaedic surgeon shall safeguard patient confidentiality and privacy within the constraints of the law.
7. An orthopaedic surgeon shall maintain appropriate relations with patients.
8. An orthopaedic surgeon shall respect a patient's request for additional opinions.

Aspirational: AAOS Code of Medical Ethics and Professionalism for Orthopaedic Surgeons, IV. A.:

The orthopaedic surgeon continually should strive to maintain and improve medical knowledge and skill, and should make available to patients and colleagues the benefits of his or her professional attainments. Each orthopaedic surgeon should participate in relevant continuing medical educational activities.

Mandatory Standards:

9. An orthopaedic surgeon shall commit to life-long medical and scientific learning.
10. An orthopaedic surgeon shall provide only those services and use only those techniques for which he or she is qualified by personal education, training, or experience.

Aspirational: AAOS Code of Medical Ethics and Professionalism for Orthopaedic Surgeons, II. D.:

Because of the orthopaedic surgeon's responsibility for the patient's life and future welfare, substance abuse is a special threat that must be recognized and stopped. The orthopaedic surgeon must avoid substance abuse and, when necessary, seek rehabilitation. It is ethical for an orthopaedic surgeon to take actions to encourage colleagues who are chemically dependent to seek rehabilitation.

Mandatory Standards:

11. An orthopaedic surgeon with a temporary or permanent impairment due to substance abuse (alcohol and/or drugs) shall seek professional evaluation and treatment in order not to jeopardize patient care and safety. He or she shall limit or cease his or her practice as recommended by his or her physician(s) or health care professional(s).
12. An orthopaedic surgeon with a temporary or permanent physical or mental disability shall seek professional evaluation and treatment in order not to jeopardize patient care and safety. He or she shall limit or cease his or her practice as recommended by his or her physician(s) or health care professional(s).

Aspirational: AAOS Code of Medical Ethics and Professionalism for Orthopaedic Surgeons, III. A.:

The practice of medicine inherently presents potential conflicts of interest. When a conflict of interest arises, it must be resolved in the best interest of the patient. The orthopaedic surgeon should exercise all reasonable alternatives to ensure that the most appropriate care is provided to the patient. If the conflict of interest cannot be resolved, the orthopaedic surgeon should notify the patient of his or her intention to withdraw from the relationship.

Mandatory Standard:

13. An orthopaedic surgeon shall disclose to the patient any conflict of interest, financial or otherwise, that may influence his or her ability to provide appropriate care.

Aspirational: AAOS Code of Medical Ethics and Professionalism for Orthopaedic Surgeons, III. B.:

If the orthopaedic surgeon has a financial or ownership interest in a durable medical goods provider, imaging center, surgery center or other health care facility where the orthopaedic surgeon's financial interest is not immediately obvious, the orthopaedic surgeon must disclose this interest to the patient.

Mandatory Standards:

14. An orthopaedic surgeon shall not enter into any contractual relationship whereby the orthopaedic surgeon pays for the right to care for patients with musculoskeletal conditions.
15. An orthopaedic surgeon shall make a reasonable effort to ensure that his or her academic institution, hospital or employer shall not enter into any contractual relationship whereby such institution pays for the right to care for patients with musculoskeletal conditions.
16. An orthopaedic surgeon or his or her professional corporation shall not couple a marketing agreement or the provision of medical services, supplies, equipment or personnel with required referrals to that orthopaedic surgeon or his or her professional corporation.