



AMERICAN ASSOCIATION OF
ORTHOPAEDIC SURGEONS

Professional Compliance
Program

Dear Colleague:

Welcome to the Professional Compliance Program (PCP) webpages, which include information on the mandatory Standards of Professionalism, the grievance process and the Expert Witness Program. We encourage you to learn more about the PCP, a program developed at the behest of the AAOS Fellowship more than 10 years ago.

In 2004, the AAOS' compliance efforts began with the Expert Witness Program, a voluntary program for AAOS Fellows and Members. By completing an affirmation statement, a Fellow or Member could affirm that he or she has relevant expertise in the subject matter and will provide true and impartial testimony based on generally accepted standards of care. During litigation, the Affirmation Statement has been used to examine the expert witness: witnesses who have signed the affirmation have used it to bolster their qualifications on direct examination; conversely, witnesses who chose not to sign it can be cross-examined about their failure to do so. Presently, more than 7,000 Fellows and Members have completed Affirmation Statements which are fully searchable on the AAOS website at <http://www3.aaos.org/member/expwit/ewmain.cfm>.

In 2005, the PCP began at the request of AAOS Fellows who strongly desired a program of this type to hold AAOS Fellows and Members accountable for meeting a minimum level of ethical behavior. The concept was thoroughly vetted by two Board-appointed workgroups and ultimately adopted by the AAOS Fellowship in April 2005. Ten years after it began, AAOS Fellows continue to overwhelmingly support the program and AAOS has aggressively and successfully defended it through extensive litigation.

The AAOS does not take its responsibility in reviewing grievances lightly. Each grievance undergoes an intensive review beginning with the Committee on Professionalism. This committee reviews materials submitted by both grievance parties and makes a *prima facie* (preliminary) determination whether there is sufficient evidence to warrant a hearing on allegations. Grievances may be based on the six Standards of Professionalism:

- Advertising by Orthopaedic Surgeons;
- Orthopaedic Expert Opinion and Testimony;
- Orthopaedic Surgeon-Industry Relationships;
- Providing Musculoskeletal Services to Patients;
- Professional Relationships; and
- Research and Academic Responsibilities.

The Committee on Professionalism holds grievance hearings and then issues a written report and recommendation the AAOS Board of Directors.

If either grievance party disagrees with the committee's conclusions, he or she has the option of requesting that the matter be reviewed again. The Judiciary Committee will then hold an appellate hearing to review the initial findings and recommendations. The AAOS Board of Directors makes the final decision on all compliance matters which are available to members and the public on the AAOS website, as required by the AAOS Bylaws.

As of November 2015, the Board of Directors has taken official compliance action in 41 grievances, including censures (a public notice that a Fellow or Member has violated one or more Standards of Professionalism), suspensions or expulsions from AAOS membership.

In 2008, the PCP was expanded to aid the Board of Directors in its consideration of membership matters that are based on medical licensure actions and felony convictions. The Judiciary Committee reviews these matters in depth and makes a recommendation for action, if any, to be taken by the Board of Directors. Again, the Board of Directors makes the final decision on membership matters.

This is a program that is only available to AAOS Fellows and Members and grievances may only be filed against AAOS Fellows and Members. If you have questions about the AAOS' compliance efforts, contact AAOS at professionalcompliance@aaos.org.

Sincerely,

American Association of Orthopaedic Surgeons



Murray J. Goodman, MD
Chair, Committee on Professionalism



Robert Sandmeier, MD
Chair, Judiciary Committee