

FPMA CODE OF ETHICS

A. Obligation to the Profession.

The prime object of the profession of Podiatric Medicine is the service it can render humanity. In choosing this profession, the individual assumes the obligation to conduct himself or herself according to its ideals.

1. He or she should ever strive to advance the art of Podiatric Medicine by availing himself or herself to all its courses, symposia and literature that will aid in his or her advancement.

2. He or she should use meticulous care in the exercise of his or her learning and experience.

3. He or she should thoroughly acquaint himself or herself with all the laws governing his or her practice and meticulously observe these laws, never treating conditions beyond the legal province in his or her field, but always referring such cases to competent practitioners in whose field the case belongs.

B. Safeguarding the Profession.

Every Podiatric Physician shall guard and protect this profession against those who are morally unfit or professionally inept as professional associates. Corrupt or dishonest members of the profession, or those of rank incompetence, or those whose abuse of alcohol or drugs endanger the public welfare or reflect upon the profession should be exposed before the Executive Board as provided in the Bylaws.

C. Guarding the Patient's Confidences.

The confidences entrusted by a patient to a Podiatric Physician concerning the patient's individual or domestic life, or flaws, physical, mental or of the patient's character, shall be held in trust and never revealed to anyone, except governmental authorities when specifically required by law.

D. Commissions or Bonuses.

Paying or receiving any commission, bonus, kickback, rebate or engaging in any split-fee arrangement in any form whatsoever with a physician, organization, department or person, either directly or indirectly, for patients referred to providers of health care goods and services, including but not limited to hospitals, nursing homes, clinical laboratories, ambulatory surgical centers or pharmacies is prohibited.

E. Rebates on Remedies, Etc.

A Podiatric Physician shall not request, solicit, accept or receive any rebates or commissions for prescribing

or

recommending any clinical laboratory tests, footwear, drug, medicine or any other article.

F. Secret Remedies and Guarantees.

1. A Podiatric Physician shall not prescribe, dispense, or pretend to use in treatment any secret remedial agent or manufacture or promote their use in any way.

2. A Podiatric Physician shall not guarantee or be implied to guarantee any treatment or therapy or remedy whatsoever.

G. Compensation for Services.

A Podiatric Physician shall not impose unreasonable charges for professional services.

H. Self Aggrandizement.

A Podiatric Physician, whether by direct statement or inference, shall not represent himself or herself, nor shall he or she knowingly allow himself or herself to be represented as possessing exceptional skill, qualifications, achievements, attainments, associations, affiliations, or honors, which statement, inference, or representation would tend to place him on a professional plane superior to that of his or her Podiatric Medical associates. Furthermore, he or she shall not boast of his or her cases, operations, cures or remedies, or permit or aid in the dissemination of reports thereof. However, the normal newsworthy items of an individual Podiatric Physician attending bona fide scientific seminars, post-graduate courses, or the receiving of honors when related to Podiatric Medicine or civic endeavors are permitted.

I. Public Education.

1. The profession has the obligation to furnish the public necessary and desirable information for the promotion and preservation of foot health; thus, addresses before lay audiences, radio broadcasts, and articles in lay publications are valuable and proper channels of presentation.

2. A Podiatric Physician may, in accordance with 1. above, allow his or her name to be announced in connection with such addresses, broadcasts or printed articles, together with announcements of such position as held by the speaker or author, when this information will serve to add the "weight of authority" to the address or article. However, the speaker or author shall not refer, or allow to be referred, either directly or by implication, to his or her accomplishments.

3. When such articles or broadcasts are presented, scrupulous care shall be exercised in assuring that accuracy

and correctness of all statements in accordance with current knowledge and opinion rather than personal opinion of the individual Podiatric Physician.

4. Scrupulous care shall always be exercised to assure that the dictates of good taste are observed.

J. Advertising.

The following Rules Governing Advertising and Solicitation are the Rules and Regulations of the Florida Board of Podiatric Medicine, pursuant to Section L, as of this date.

1. It is the policy of the ASSOCIATION that advertising by licensed practitioners of the profession of Podiatric Medicine in this state should be regulated so as to effectuate the duty of the State of Florida to protect the health, safety, and welfare of its residents, while not abridging any rights guaranteed to such practitioners or to the public by the Constitution of the United States and the State of Florida, as construed by the United States Supreme Court and the Florida Supreme Court. To that end, the ASSOCIATION encourages the dissemination to the public of legitimate information, in accordance with the ASSOCIATION'S rules, regarding Podiatric Medicine and where and from whom services may be obtained, so long as such information is in no way false, deceptive, or misleading.

2. Definition. For purposes of these rules "advertising" or "advertisement" means any statement, oral or written, disseminated to or before the public or any portion thereof, with the intent or purpose, either directly or indirectly of selling professional services, or offering to perform professional services, or inducing members of the public to enter into any obligation relating to such professional services. The terms "advertising" or "advertisement" shall include the name under which professional services are performed.

3. Any advertisement or advertising shall be deemed by the ASSOCIATION to be false, deceptive or misleading, and shall be prohibited, if it:

- (a) Contains a misrepresentation of facts; or
- (b) Is misleading or deceptive because in its content or in the context in which it is presented it makes only a partial disclosure of relevant facts; or
- (c) Creates false or unjustified expectations of beneficial treatment of successful cures; or
- (d) Contains representations relating to the quality of the Podiatric medical services offered; or
- (e) Conveys the impression that the Podiatric Physician disseminating the advertising or referred to

therein possesses qualifications, skills, or other attributes, which are superior to other Podiatric Physicians; or

(f) Fails to conspicuously identify the Podiatric Physician or Podiatric Physicians by name in the advertisement or fails to conspicuously identify the Podiatric Physician or Podiatric Physicians referred to in the advertising as a Podiatric Physician; or

(g) Contains any representations or claims to which the Podiatric Physician, referred to in the advertising, fails to perform; or

(h) Otherwise, contains any representation, statement, or claim which is misleading or deceptive.

(i) Solicitation.

(1) Solicitation shall mean any oral recommendation by a Podiatric Physician or agent of a Podiatric Physician to a layman that he requires the services of a Podiatric Physician, made for the purpose of procuring the employment of the Podiatric Physician making said recommendation.

(2) Solicitation as defined in subsection (1), either personally or through an agent, is prohibited.

K. Enforcement and Discipline.

Any violation of this Code of Ethics, hereby adopted, by any member of the FLORIDA PODIATRIC MEDICAL ASSOCIATION shall subject that member to the Grievance Procedures provided in these Bylaws.

L. The provisions of the Article XV are consistent and in conformance with those Rules and Regulations of the Florida Board of Podiatric Medicine (hereafter referred to as the State Board), where applicable to the same subject matter and fact circumstances. In the event the State Board or its successor agency adopts new rules, or amends existing rules affecting the same subject matter and fact circumstances addressed by this Article XV so as to cause conflict or inconsistency between the two sets of rules, then the provisions of the Rules of the State Board or its successor agency shall be deemed adopted as the Rules of the ASSOCIATION and shall continue to govern the activity of the members of the ASSOCIATION until said rules are addressed and otherwise modified or amended at such time and in such manner as is provided by these Bylaws.