

## **AANS Code of Ethics**

### A) General Statement of Purpose and Applicability

The Code of Ethics of the American Association of Neurological Surgeons and its affiliated entities, NeuroPoint Alliance, Inc. and the Neurosurgery Research and Education Foundation (collectively, the "AANS"), establishes standards of conduct that define the essentials of honorable behavior for the neurological surgeon. This Code of Ethics, while taking into account the legal requirements of medical practice, calls for and espouses a standard of ethical behavior that is often higher than that required by law. Fellows and all other Members of the AANS should, by their deeds and actions, comply with all aspects of the AANS Code of Ethics. Compliance with this Code of Ethics will be considered as one of the measures used to evaluate a Member's maintenance of good professional standing under Article II of the AANS Bylaws, and to evaluate qualifications for membership by applicants.

### B) Ethics as they relate to the AANS Member

- (1) The AANS Member shall be dedicated to the principle, first and foremost, of providing the best patient care that available resources and circumstances can provide and shall treat the patient's best interests as paramount.
- (2) The AANS Member who is in the Fellow, Provisional, Lifetime or Candidate classification of membership shall provide patient care within the standards of knowledge, competence and diligence expected and practiced by Diplomates of the American Board of Neurological Surgery (ABNS). The AANS Member in any other classification of membership is expected to provide or participate in patient care within the standards of knowledge, competence and diligence expected by his or her respective certifying entity.
- (3) The AANS Member shall practice only within the scope of his or her personal education, training and/or experience.
- (4) The AANS Member shall continually strive to maintain satisfactory, up-to-date knowledge and skills through the span of his or her career and shall maintain certification.
- (5) Because of the neurological surgeon's responsibility for the patient's life and future welfare, substance abuse is a pronounced threat that must be recognized and stopped. The AANS Member must avoid substance abuse and, when necessary, seek treatment. It is ethical for a AANS Member to take actions to encourage colleagues who are chemically dependent to seek treatment.

### C) Ethics of AANS Member-Physician Relationships

- (1) The AANS Member should be attuned to evolving mental or physical impairment in their colleagues. In those instances where a colleague is impaired, the AANS Member shall take necessary measures to ensure patient safety. Such measures may include medical intervention, professional counseling, or, if necessary, reporting the impairment to the appropriate authorities.
- (2) The AANS Member shall maintain fairness, respect and appropriate confidentiality in relationships with colleagues and other health care professionals. The AANS Member shall work collaboratively with colleagues and other health care providers to reduce medical errors, increase patient safety, and optimize the outcomes of patient care.
- (3) In order to ensure a high standard of care for patients, the AANS Member shall, when appropriate, use consultants and other health care providers with recognized records of excellence in patient care.

- (4) The AANS Member who transfers care of a patient to another neurological surgeon or other health care provider shall facilitate the transfer of care for the welfare of the patient and cooperate with those receiving the patient.
- (5) The AANS Member shall be responsible for helping his medical colleagues maintain a high level of performance and integrity in the practice of medicine and shall refrain from repeating false charges about another health care professional.

D) Ethics Related to AANS Member-Patient Relationships

- (1) The AANS Member, 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.
- (2) The AANS member 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.
- (3) The AANS Member shall safeguard patient confidentiality and privacy within the constraints of the law.
- (4) The AANS Member shall respect a patient's request for additional opinions.
- (5) The AANS Member shall at all times maintain appropriate relations with patients.
- (6) The AANS Member shall be an advocate for and act in the best interests of the terminally or severely ill patient. The AANS shall respect and abide by the lawful wishes of the competent patient or the legal surrogate of the patient. The AANS Member shall also serve as an active resource for the family of a terminally or severely ill patient.

E) Ethics Related to the AANS Member and Conflicts of Interest

Preamble

The practice of medicine may present potential conflicts of interest, including but not limited to economic interest in or potential benefit from professionally related commercial enterprises. When a conflict of interest arises, it must be resolved in the best interests of the patient. Disclosure of professionally-related commercial interests and any other interests that may influence clinical decision-making is required in communications to patients, the public and colleagues. When the AANS Member's interests conflict so greatly with the patient's interests as to be incompatible, the AANS Member shall make alternative arrangements for the care of the patient.

- (1) The practice of medicine inherently presents potential conflicts of interest. When a conflict of interest arises, it must be resolved in the best interests of the patient. The AANS Member shall 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 AANS Member should notify the patient of his or her intention to withdraw from the relationship or make alternative arrangements for the care of the patient.
- (2) The AANS Member shall prescribe drugs, devices and other treatments primarily on the basis of medical considerations and patient needs, regardless of any direct or indirect commercial interests.
- (3) The AANS Member who has influence in selecting a particular device, product or service for an entity shall disclose any relationship(s) with industry to colleagues, the institution and other affected entities prior to the entity's selection or purchase

of the device, product or service.

- (4) If a AANS Member has a financial or ownership interest in a physician-owned enterprise, or any other entity that sells, or arranges to sell, implantable medical devices, and/or in a durable medical goods provider, imaging center, surgery center or other health care facility where the neurological surgeon's financial interest is not immediately obvious, the AANS Member must disclose that financial interest to the patient and the institution where the patient is being treated. The financial or ownership interest must be disclosed on a timely basis so as to allow the patient to take the interest(s) into account when making his or her health care decisions. The AANS Member has an obligation to be aware of the applicable laws regarding physician ownership, compensation and control of these entities.
- (5) The AANS Member shall timely disclose to the patient, and the institution where the patient is being treated, any financial arrangements with industry that relate to the patient's treatment, including the receipt of investor royalties, stock options or paid consulting arrangements with industry.
- (6) Prior to providing any consulting services to an industry participant, the AANS Member shall be aware of the applicable laws regarding such relationships. The AANS Member shall enter into a written consulting agreement with the industry participant that includes evidence of the following:
  - Documentation of an actual need for the service;
  - Proof that the service was provided;
  - The AANS Member's compensation for consulting services is consistent with fair market value; and
  - The AANS Member's compensation is based on, and commensurate with, the provision of tangible services and not on the decision to use a specific device, implant, or drug in a patient.

F) Ethics Related to the AANS Member and the Legal Profession

- (1) The AANS Member shall respect the confidentiality of the doctor-patient relationship and shall not release information unless the patient has knowingly consented except as required by law.
- (2) Neurological surgeons are frequently called upon to provide expert medical testimony in courts of law and other proceedings. It is essential that expert testimony given by AANS Members be nonpartisan, scientifically correct and clinically accurate. In providing expert opinion services, the AANS Member shall comply with, in all respects, the AANS Rules for Neurosurgical Medical/Legal Opinion Services.
- (3) The AANS Member shall cooperate with members of the legal profession in order that justice with mercy and compassion shall prevail.

- G) Ethics Related to the AANS Member and Insurance, Compensation and the Public
- (1) The AANS Member shall be honest in financial dealings with the patient's insurance and health care financing agencies, and shall provide accurate, complete and timely information to those agencies.
  - (2) The AANS Member shall respond appropriately to requests for medical reports from private and governmental agencies involved in reimbursement and compensation for medically related services with the consent of the patient or the patient's agent, or as otherwise provided by the law.
  - (3) In connection with the provision of patient care, the AANS Member shall only charge fees for services he or she actually delivers or supervises. The division of income among members of an organized group, based on the value of the services performed by each member, as determined by the group members, is appropriate.
  - (4) The AANS Member shall not publicize himself or herself through any form of public communication in an untruthful or misleading manner. Competition between and among neurological surgeons and other health care professionals is ethical and acceptable.
- H) Ethics Related to Research and Academic Responsibilities
- (1) All research and academic activities must be conducted by AANS Members in full compliance with ethical, institutional, and government guidelines.
  - (2) The AANS Member shall not claim as his or her own intellectual property that belongs to others. Plagiarism or the use of others' work without attribution is unethical.
  - (3) When conducting scientific research, the AANS Member shall comply in all respects with the AANS Policy on Ethics Related to Research in Neurosurgery.
- I) Ethics Related to Community and World Affairs
- (1) The AANS Member, in addition to providing patient care, has a social obligation to be involved in community and world activities, especially those matters affecting health.