

CAYMAN ISLANDS



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CODE OF ETHICS & STANDARDS OF PRACTICE
Council for Professions Allied with Medicine (CPAM)

CODE OF ETHICS AND STANDARDS OF PRACTICE



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TABLE OF CONTENTS

PREAMBLE	2
PURPOSE OF THE CODE	2
CONTEXT OF THE CODE.....	3
Points 1 – 8b.....	4
Points 8c -18	5
APPENDIX A	7
APPENDIX B	8
REFERENCES	11



CPAM CODE OF ETHICS AND STANDARDS OF PRACTICE

PREAMBLE

The Council for Professions Allied with Medicine has prepared the Code of Ethics and Standards of Practice as a guide that is based on the fundamental and ethical principles of a cross section of Health Care Practitioners. Professional status is maintained and enriched by the willingness of the individual practitioner to uphold and fulfill their obligations to society and other Health Care Professionals.

The Code interprets these principles with respect to the responsibilities of its professionals to individual patients, family and significant other(s), colleagues, and society.

PURPOSE OF THE CODE

The Code of Ethics and Standards of Practice for practitioners licensed by the Council of Professions Allied to Medicine (**CPAM**) sets out the behaviour expected of licensed practitioners in the Cayman Islands. It gives guidance for professional conduct, provides a basis for feedback and for peer review. It informs other professionals and the public, of the responsibilities to which CPAM members commit.

CPAM CODE OF PRACTICE

1. The Cayman Islands Council for Professionals Allied with Medicine accepts this document as its Code of Ethics and Standard of Professional Practice. It is not exhaustive, as new forms of professional misconduct will undoubtedly arise in the future.
2. Serious professional misconduct is a matter, which is a matter to be determined by The Council after considering the evidence in each individual case. It must be emphasized that the categories of misconduct described cannot be regarded as exhaustive. Abuse by a practitioner of any of the privileges and opportunities afforded to him, or any grave dereliction of professional duty or serious breach of ethics will be regarded as misconduct.
3. The public is entitled to expect that a registered practitioner will afford and maintain the highest standard of care. This includes:
 - a) conscientious assessment of the patients/ clients condition;
 - b) sufficiently thorough professional attention, examination, instruction and where necessary/able, diagnostic investigation;
 - c) competent and considerate professional management based on scientific principles and current research;
 - d) appropriate and prompt action upon evidence suggesting the existence of a condition requiring urgent medical intervention; and
 - e) readiness, where the circumstances so warrant, to consult appropriate professional colleagues.
 - f) exercise principles of safety and universal precautions;
 - g) provide sufficient information to allow patients/clients to make informed decisions regarding their care.
4. Practitioners shall only practice services for which they have been trained, deemed qualified by an accredited institution in their field, and registered to perform in the Cayman Islands and shall offer those services at the highest standard.
5. A practitioner shall render services with equal diligence to all patients, regardless of race, creed or economic status.
6. It is required that arrangements shall be made whereby the professional responsibilities of a practitioner be undertaken, during his absence from duty, by a suitably qualified and registered colleague.
7. Those practitioners who sign certificates for a variety of purposes are expected to exercise care and should not certify statements they have not taken appropriate steps to verify.
8. Professional practice depends upon the maintenance of a trusting relationship. In particular, there are three areas in which this trust must never be breached;
 - a) If a practitioner improperly discloses information which he obtained in confidence from or about a patient/client.
 - b) If a practitioner improperly exerts influence upon a patient/client to lend him money or alter the individuals will in their favor

- c) If a practitioner enters into an emotional or sexual relationship with a patient/client (or member of that family) which disrupts the patient's family life or otherwise damages, or causes distress to, the patient/client or their family.
- 9.** Good medical practice depends upon the maintenance of trust between practitioners and patients and their families, and the understanding by both that proper professional relationships will be strictly observed. Practitioners must exercise great care and discretion in order not to damage this crucial relationship. Any action by a practitioner, which breaches this trust, may raise a question of serious professional misconduct for example:
- a. A practitioner may improperly disclose information, which he obtained in confidence from or about a patient.
 - b. A practitioner may improperly exert influence upon a patient to lend him money or to alter the patient's will in his favour.
 - c. A practitioner may enter into an emotional or sexual relationship with a patient (or with a member of the patient's family), which disrupts that patient's family life or otherwise damages, or causes distress to, the patient or his or her family.
- 10.** A practitioner's conviction of a criminal offence may lead to disciplinary proceedings even if the offence is not directly connected with the practitioner's profession. In particular, three areas of personal behaviour can be identified which may occasion disciplinary proceedings:
- i. Personal misuse or abuse of alcohol or other drugs
 - ii. Dishonest behaviour
 - iii. Indecent or violent behaviour.
- 11.** Convictions for drunkenness or other offences arising from misuse of alcohol (such as driving a motor car when under the influence of drink) indicate habits, which are discreditable to the profession and may be a source of danger to the practitioner's patients. After a first conviction for drunkenness a practitioner may expect to receive an official warning letter.
- 12.** A practitioner who treats patients or performs other professional duties while he is under the influence of drink or drugs, or who is unable to perform his professional duties because he is under the influence of drink or drugs, is liable to disciplinary proceeding or to inquiry by CPAM in his/her fitness to practice.
- 13.** Practitioners are liable to disciplinary proceedings if they are convicted of criminal deception (obtaining money or goods by false pretences), forgery, fraud, theft or any other offence involving dishonesty.
- 14.** Practitioners shall maintain at all times the dignity, honour and integrity of their profession, and to conduct themselves as exemplary citizens.
- 15.** Practitioners will be regarded as committing serious professional misconduct if they dispense a product in which they have an improper inducement.
- 16.** Fee splitting, in which a practitioner receives an inducement for referring a patient to another practitioner, is an act of serious professional misconduct.

- 17.** Practitioners have a duty to declare any personal or pecuniary interest, direct or indirect, in any matter under discussion, which could lead to the purchase by the public authority of goods or services in which they, or a member of their immediate family, have an interest. Non-disclosure of such information may amount to serious professional misconduct.
- 18.** It is the duty of all practitioners to satisfy themselves that the content and presentation of any material published about their services, and the manner in which it is distributed, conform to advertising guidelines. This applies whether a practitioner personally arranges for such publication or permits or acquiesces in its publication by others
- 19.** It is improper for a practitioner to disparage (directly or by implication) the professional skills, knowledge, or qualifications of any other practitioner, that may result in his own professional advantage. It is acceptable for a practitioner to express a differing opinion from another practitioner, and to advise or assist the patient in an alternative source of care without the suggestion of substandard care.
- 20.** A practitioner has a duty to inform an appropriate body about a professional colleague whose behavior may raise a question of serious professional misconduct or whose physical fitness to practice may be seriously impaired.

APPENDIX A

ADVERTISING GUIDELINES

These guidelines shall apply to all health practitioners registered with the Council for Professionals Allied with Medicine

The Code of Ethics of the Medical Dental Council was adopted from the Health Practitioners Board on 18th April, 1991. The Code of Ethics was also adopted by the Medical and Dental Council on 15th June, 2004. In 2006 the Code of Ethics was reviewed and amendments made and adopted by the Cayman Islands Council for Professions Allied with Medicine (CPAM), and in December 2006 it approved for publication and distribution to the membership and public, dealing with advertisement by practitioners with in this Council. The following expansions are provided for guidance for the practitioners.

- (1) Although the Code of Ethics and Standards of Practice refers to advertisements by medical and dental practitioners, they are responsible for the advertisements relating to their work that may appear through their employers or from the institutions where they work.
- (2) Any **institution/medical centre/health centre** may prepare a brochure outlining the services available. The brochure may be made available to the public, at their offices. It is not to be distributed outside their offices, nor inserted in the print media. They may have a detailed "write up" in any publication and/or media coverage initially whenever a new service is initiated.
- (4) Any promotion of any service offered at any institution/medical centre/health centre, **claiming superiority, is not acceptable**. The health care worker providing the service is liable for disciplinary proceedings by the Board.
- (5) Professional qualifications of all health practitioners can be entered in any directory, e.g. Telephone, Chamber of Commerce, CIMDS, etc.
- (6) Announcements in relation to change of location of health care institutions or providers should only state their names, addresses and telephone numbers.
- (7) Any announcements in relation to closure of institutions for short periods should only be by the name, address and telephone number of the institution.
- (8) Announcements relating to the visiting specialists through the media, regarding dates and times, along with address and telephone numbers are acceptable, but limited to two advertisements to announce the arrival or impending visit of the specialist.
- (9) Resident practitioners' announcements regarding their absences should just include their name and address but should not indicate their specialty, phone number, and address as this is an indirect way of promotion. Name, address and telephone number of practitioner covering in your absence is to be included.
- (10) Announcements in print media, as per items 6, 7, 8 and 9 should not exceed **3" x 2"**.

APPENDIX B

Health practice Law (2005 Revision)

COUNCIL FOR PROFESSIONS ALLIED WITH MEDICINE General Guidelines and Information for Registration

- (1) In order for an application to be considered by the Council for Professions Allied with Medicine, the following items should be submitted:
 - (i) Completed application form (HPL - Form A)
 - (ii) Letter stating reasons for applying for registration in the Cayman Islands
 - (iii) Original or certified copies of Diplomas, Certificates, etc. *
 - (iv) Original or Certified copy of Current Licensure *
 - (v) Original Letter/Certificate of Good Standing (**LOGS/COGS**) from current Board of Registration must be mailed directly to Registrar from the issuing body in an official, sealed envelope. E-mails or faxes will be accepted from the issuing body for processing only. Receipt of Original **LOGS/COGS** is required before commencement of duties.
 - (vi) Two original letters of professional reference from someone within the profession (someone who would be in a position to evaluate you professionally) directed to the Registrar, made no earlier than six months prior to application for registration. References must bear the license number of the referee below their signature, a return address, phone number and / or email contact.
 - (vii) A police certificate (within six months of application) from the jurisdiction in which the applicant lives.
 - (viii) A reference as to good character directed to the Registrar, (made no earlier than six months prior to application) from a person **unrelated** to the applicant by birth or marriage, being a person of good standing in the community who has known the applicant for at **least four years** and who is acceptable to the Registrar (including an attorney-at-law, a notary public, justice of the peace or a minister of religion, policeman) letters must include a return address, phone number and / or email contact. **NB: Notary public who certifies any document for the applicant or a physician who does a medical is NOT acceptable as a referee**
 - (ix) A copy of the immigration medical report which **must** state that the applicant is of sound physical and mental health given by a applicant's medical practitioner (who must not be related to the applicant by birth or marriage and must have known the applicant for a period of at least two years) and made no earlier than six months prior to application for registration. The **practitioner's license number** must be clearly written following his/her signature.
 - (x) One full-face passport-size photograph certified* as taken no earlier than six months prior to application for registration. Photograph must have date & photo studio's name stamped at the back.
 - (xi) Indicate Resident or Visiting on Number 12 of registration application form.
 - (xii) Application fee for first registration of CI \$250.00 (US \$305.00). Cheque or bank drafts are to be drawn in favour of **"Cayman Islands Government"**. (**Non-refundable**) Overseas personal cheques are not acceptable.
 - (xiii) A Coloured copy of Passport of page(s) with photograph and personal information.

- (xiv) Such other documents and information as the Registrar considers necessary in determining the application.
- (2) **PROVISIONAL REGISTRATION:** Applicants requiring Provisional Registration may be exempted from producing a letter of good standing as mentioned in section 1. (v). Application should be accompanied by documentation that employment as an intern in a health care facility in the Islands has been approved by relevant universities or institutions.
- (3) An applicant shall pay a registration fee within **60** days of the date of the approval of his registration the registrar shall only enter the applicant's name in the register on payment of such fee.
- (4) An applicant who defaults in payment of the registration fee within 60 days shall incur a penalty of **\$250**.
- (5) Where an applicant is a non-Caymanian health practitioner (full-time resident or visiting) he "**shall provide written evidence at the date of application that he is or will be affiliated with a registered health practitioner in the Islands or with one of the registered health care facilities in the Islands**".
- (6) Proof of Cayman Status/Citizenship is required for Caymanian Health Practitioners (i.e. *Certified / original Birth Certificate, Caymanian Status or Naturalisation certificate).
- (7) Applications must be received **two weeks prior** to the Council meeting, to be placed on the agenda of the Council for Professions Allied with Medicine's next meeting. The Council meets monthly.
- (8) On approval of registration, the Certificate of Registration shall be issued by the Registrar of the Health Practice Councils of the Cayman Islands on payment of Registration Fees. The Regulations of the Health Practice Law allows the registration of Health Practitioners who are fully registered or eligible for full registration either in **Australia, Canada, Jamaica, New Zealand, South Africa, UK, USA, Medical Graduates of the University of the West Indies** or those who have met the **Caribbean Regional Registration Requirements**. It is the responsibility of the Health Practitioner to provide the Council with evidence of such registration or eligibility.
- (9)(a) **The Annual Registration Fee to practice (Principal List):**

Chiropractors, Optometrists, & Osteopaths (trained in the USA) CI\$800.00
US\$976.00)

Other Health Practitioners, CI\$400.00 (US\$488.00)

Acupuncturists, Audiologists, Chiropodists, Clinical Psychologists, Dieticians, Emergency Medical Technicians, Homeopaths, Medical Herbalists, Medical Laboratory Technicians (including Medical Technologists, Mental Health Counselors, Nutritionists, Occupational Therapists, Opticians, Optometrists, Orthoptists, Paramedics, Physiotherapists, Psychotherapists, Radiographers, Speech Therapists, Respirator Therapists, Substance Abuse Counselors, Therapeutic Massage Practitioners

(b) **Registration Fee to practice (Visiting List)**

Chiropractors, Optometrists, & Osteopaths (trained in the USA) CI\$200/month (US\$250.00)

Other Health Practitioners, CI\$100.00 (US\$125.00)/month

Acupuncturists, Audiologists, Chiropodists, Clinical Psychologists, Dieticians, Emergency Medical Technicians, Homeopaths, Medical Herbalists, Medical Laboratory Technicians (including Medical Technologists, Mental Health Counselors, Nutritionists, Occupational Therapists, Opticians, Optometrists, Orthoptists, Paramedics, Physiotherapists, Psychotherapists, Radiographers, Speech Therapists, Respirator Therapists, Substance Abuse Counselors, Therapeutic Massage Practitioners

- (10) **Non-Caymanian Health Practitioners**, in addition to being registered by the Council for Professions Allied with Medicine are required to obtain a Gainful Occupation License, for which application has to be made to the Work Permit Board, P.O. Box 1098 GT, Grand Cayman, Cayman Islands.
- (11) Renewal applications should be submitted in the specified format (HPL - Form B) along with the prescribed annual fee by October 31, each year. Continuing Education requirements need to be met for renewal of registration, every two years.
- (12) Incomplete applications will **not** be accepted, and if received by mail will be returned by ordinary mail, within ten (**10**) days of its receipt. The Council accepts no responsibility for loss of documents that may occur in the mailing process.
- (13) Any applicant once registered, must provide legal documentation for any requested name change to be affixed to the Register.

ALL Documents are required in **ENGLISH**, translated versions must be certified * as listed in point 1 (viii).

For full details of the Regulations and all other fees, please consult the second schedule of the Health Practice Registration Regulations, 2005 revision.

REFERENCES

- 1) Cayman Islands Medical and Dental Society Code of Ethics: March **1991**
- 2) Cayman Islands Nursing and Midwifery Council Code of Ethics (**2007**)
- 3) Medical & Dental Council Code of Ethics (**2007**)
- 4) USA - The National Association of Emergency Medical Technicians, 1978. Charles Gillespie M.D.

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