

The Society of Neurosurgeons of South Africa (SNSA) Code of Ethics

This document is based on the American Association of Neurological Surgeons Code of Ethics.

A) General Statement of Purpose and Applicability

The Code of Ethics of the SNSA establishes standards of conduct that define the essentials of honourable behavior for the neurosurgeon. 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. Members of the SNSA should, by their deeds and actions, comply with all aspects of the SNSA 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 7.3 of the SNSA constitution, and to evaluate qualifications for membership by applicants.

B) Ethics as they relate to the SNSA Member

(1) The SNSA 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 SNSA Member who is in the Full, Registrar, Honorary or Life classification of membership shall provide patient care within the standards of knowledge, competence and diligence expected and practiced by a specialists registered as a Neurosurgeon with the Health Professions Council of South Africa.

(3) The SNSA Member shall practice only within the scope of his or her personal education, training and/or experience.

(4) The SNSA 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 neurosurgeon's responsibility for the patient's life and future welfare, substance abuse is a pronounced threat that must be recognized and stopped. The SNSA Member must avoid substance abuse and, when necessary, seek treatment. It is ethical for a SNSA Member to take actions to encourage colleagues who are chemically dependent to seek treatment.

C) Ethics of SNSA Member-Colleague Relationships

(1) The SNSA Member should be attuned to evolving mental or physical impairment in their colleagues. In those instances where a colleague is impaired, the SNSA 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 SNSA Member shall maintain fairness, respect and appropriate confidentiality in relationships with colleagues and other health care professionals. The SNSA 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 SNSA Member shall, when appropriate, use consultants and other health care providers with recognized records of excellence in patient care.

(4) The SNSA 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 SNSA Member shall be responsible for helping 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 SNSA Member-Patient Relationships

(1) The SNSA 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 SNSA 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 SNSA Member shall safeguard patient confidentiality and privacy within the constraints of the law.

(4) The SNSA Member shall respect a patient's request for additional opinions.

(5) The SNSA Member shall at all times maintain appropriate relations with patients.

(6) The SNSA Member shall be an advocate for and act in the best interests of the terminally or severely ill patient. The SNSA shall respect and abide by the lawful wishes of the competent patient or the legal surrogate of the patient. The SNSA Member shall also serve as an active resource for the family of a terminally or severely ill patient.

E) Ethics Related to the SNSA 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 SNSA Member's interests conflict so greatly with the patient's interests as to be incompatible, the SNSA 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 SNSA 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 SNSA 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 SNSA 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 SNSA 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 SNSA Member has a financial or ownership interest in an enterprise owned by medical practitioners, 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 neurosurgeon's financial interest is not immediately obvious, the SNSA 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 SNSA Member has an obligation to be aware of the applicable laws regarding physician ownership, compensation and control of these entities.

(5) The SNSA 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 SNSA Member shall be aware of the applicable laws regarding such relationships. The SNSA 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 SNSA Member's compensation for consulting services is consistent with fair market value; and
- The SNSA 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 SNSA Member and the Legal Profession

(1) The SNSA 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) Neurosurgeons are frequently called upon to provide expert medical testimony in courts of law and other proceedings. It is essential that expert testimony given by SNSA Members be nonpartisan, scientifically correct and clinically accurate. In providing expert opinion services, the SNSA Member shall provide impartial testimony based on the standard of care in South Africa. The neurosurgical expert witness should have sufficient knowledge and experience in the field to warrant the designation as an expert.

(3) The SNSA Member shall cooperate with members of the legal profession in order that justice with mercy and compassion shall prevail.

G) Ethics Related to the SNSA Member and Insurance, Compensation and the Public

(1) The SNSA 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 SNSA 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 SNSA 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 SNSA Member shall not publicize himself or herself through any form of public communication in an untruthful or misleading manner.

H) Ethics Related to Research and Academic Responsibilities

(1) The SNSA Members must conduct all research and academic activities in full compliance with ethical, institutional, and government guidelines.

(2) The SNSA 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 SNSA Member shall comply in all respects with the HPCSA Ethical rules, regulations and policies (booklet 6 and 7).

I) Ethics Related to Community and World Affairs

(1) The SNSA Member, in addition to providing patient care, has a social obligation to be involved in community and world activities, especially those matters affecting health.

Permission granted July 2015

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