

Practice Standard: Ethical Practice and Professional Accountability

Applies to Traditional Chinese Medicine Professionals & Acupuncturists

The College of Complementary Health Professionals of BC was created on June 28, 2024 through the amalgamation of four health regulatory colleges:

- College of Chiropractors of BC
- College of Massage Therapists of BC
- College of Naturopathic Physicians of BC
- College of Traditional Chinese Medicine Practitioners and Acupuncturists of BC

All current requirements for standards of clinical and ethical practice issued by the four colleges remain in place upon amalgamation.

This document was created by the College of Traditional Chinese Medicine Practitioners and Acupuncturists of BC and will be updated to reflect the amalgamation.



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Practice Standard on Ethical Practice and Professional Accountability (Effective: September 14, 2023)

Practice Standards of the College of Traditional Chinese Medicine Practitioners & Acupuncturists of British Columbia (the "College") set out minimum requirements for the professional conduct of TCM professionals practising in British Columbia. Together with the *Jurisprudence Handbook* and relevant legislation and case law, they will be used by the College and its Committees when considering a practitioner's practice or conduct.

For the purposes of this Practice Standard, the term 'must' denotes a mandatory College requirement and the term 'advised' denotes that the registrant can use reasonable professional judgement and discretion when applying this expectation to practice.

Preamble

This Practice Standard is founded on the fundamental principles and values of medical ethics: compassion, beneficence, non-maleficence, respect for persons, justice, and accountability.

It is the responsibility of each registrant to be familiar with and strictly comply with the Bylaws, including **Schedule A Code of Ethics**¹ and **Schedule B Standards of Practice**². Registrants are also expected to be familiar and abide by the CTCMA Jurisprudence Handbook and to comply with the BC Human Rights Code³. This practice standard needs to be read in conjunction with these other documents and all statutory requirements, such as the Health Professions Act.

Ethical Practice and Professional Accountability recognizes that the full scope of TCM practice accountabilities includes all professional interactions during the provision of direct patient care, and professional and administrative activities which support direct patient care.

¹ The Code of Ethics deals with the ethical obligations of practitioners. These ethical principles include being honest at all times, respecting the confidentiality of a patient, treating clients with sensitivity, maintaining one's competence and allowing patients to make informed choices as to their health care.

² Practice standards deal with ways in which to practise safely, effectively and professionally.

³ <u>BC Human Rights Code</u> ensures protection for individuals who are actual or perceived members of certain protected groups. Such groups are classified by characteristics or protected grounds and include race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, and age.

Standards

General Principles

1. The registrant must act in the best interest of the patient and provide safe, professional, quality patient care.

In doing so, the registrant must strive to create and foster an environment in which the rights, autonomy, dignity and diversity of all patients, or those seeking to become patients, are respected.

Ethics

- 2. The registrant must:
 - a. make the patient the primary concern in providing care;
 - b. provide care in a manner that preserves and protects patient dignity;
 - c. demonstrate honesty and integrity;
 - d. clearly and accurately represent self with respect to name, title and role;
 - e. protect patient privacy and confidentiality;
 - f. recognize and respect the patient's right to be informed and make informed choices;
 - g. maintain respectful communication in all professional interactions;
 - h. treat colleagues, students and other health care workers in a respectful manner and address concerns related to disrespectful behaviour in the workplace;
 - i. recognize and respect the contribution of others on the health care team and work collaboratively with them:
 - j. understand the consequences of one's own values, beliefs and experiences and ensure that one's decisions and actions are made with patient consent and that they benefit patient care;
 - k. recognize potential conflicts of interest and take action to prevent or resolve potential or actual conflicts of interest:
 - identify ethical issues and take action to resolve them, consulting an appropriate body or persons where appropriate; and
 - m. initiate, maintain and terminate practitioner-patient relationships in an appropriate manner.

Accountability

- 3. The registrant must:
 - a. adhere to all applicable laws, regulations and standards governing the practice of the profession;
 - b. function within the limits of their own level of competence, and within the legally recognized scope of practice, and in compliance with all relevant legislation;
 - c. assess their own practice and undertake activities to improve and enhance that practice and meet identified learning goals on an ongoing basis;
 - d. take action to promote the provision of safe, appropriate and ethical care to patients;
 - e. report any sexual misconduct perpetrated by any regulated health professional;
 - f. maintain current and proper registration while engaged in practice;
 - g. maintain their own physical, psychological and emotional fitness to practice;
 - h. report situations in which there is a good reason to believe that any regulated health professional is impaired or incompetent to practice and who may pose a significant risk or danger to the public according to the Health Professions Act; and
 - i. understand the role of the regulatory body and the relationship of the regulatory body to one's own practice which is to protect the public.

- 4. The registrant must take responsibility for their own:
 - a. clinical practice and the patient care that they provide, including the assessment, diagnosis, treatment, advice given and referral of the patient;
 - b. professional conduct; and
 - c. competence and fitness to practice.
- 5. The registrant must establish and maintain a clinical premise/ work environments that is safe, accessible, and conducive to an ethical practice⁴. The registrant must be responsible for:
 - a. business functions including and not limited to billing, advertising, and promotion;
 - b. quality assurance and quality improvements;
 - c. clinical record documentation and management; and
 - d. infection control and prevention.
- 6. Treatment related tasks not requiring any clinical judgement may be delegated (e.g. staff and unregulated care providers) by the registrant. The registrant must be responsible for:
 - a. ensuring that any delegee has sufficient training, qualifications, and experience to safely and correctly provide those delegated tasks and that they follow relevant legislations⁵;
 - b. ensuring that clear and appropriate tasks and responsibilities are set for the delegee and that their performance is supervised by the registrant⁶; and
 - c. providing appropriate, timely support for any staff and unregulated care providers under their supervision.

Related Documents

College of Traditional Chinese Medicine Practitioners & Acupuncturists of British Columbia

- TCM Bylaws CTCMA (Schedule A Code of Ethics and Schedule B Standards of Practice)
- Jurisprudence Handbook

Relevant Legislation

Health Professions Act

• Human Rights Code - BC Laws

⁴ Section 6 of the Schedule A Code of Ethics addresses "Practice environments conducive to safe, competent, ethical care."

⁵ Relevant legislation examples: For private practices, maintaining confidential information under the <u>Personal Information</u> <u>Protection Act</u> (PIPA). For public bodies, maintaining confidential information under the <u>Freedom of Information and</u> <u>Protection of Privacy Act (FOIPPA)</u>.

⁶ According to section 6 of the Code of Ethics, "registrants have full responsibility for all the care they provide or delegate to persons under their supervision."



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执业准则—道德实践与专业责任

(生效日期: 2023年9月14日)

中文翻译仅供参考, 如与英文文意有出入,则以英文版本为准。

卑诗省中医针灸管理局(简称管理局)的执业准则确立注册成员在提供传统中医治疗服务 前必须达到的最低专业能力水平,管理局与旗下各委员会通过执业准则、法理学课程手册 和其他相关法令,来评断注册学员的执业水平与专业行为。

在执业准则中,"必须"这个词代表管理局的要求,"建议"这个词表示管理局的期望, 注册成员可以自行运用合理判断做决定

前言

执业准则是根据医疗道德的基本原则与价值观而来,包括:同情、仁慈、无恶行、尊重他 人、正义公理和当责。

每一名注册成员都有责任充分了解并严格遵守管理局细则规定,**包括附件A职业道德实践准则**¹与**附件B执业标准**²。此外,注册成员应当熟悉管理局的法理学课程手册,并遵守卑诗省人权守则³。执业准则并非取代其他细则、法令与规定(例如:医疗专业法),而是相辅相成一起搭配阅读。

"道德实践与专业责任"确认中医师执业的责任不仅限于提供病患医疗服务和相关的行政工作,同时也适用于其他情境的专业互动。

¹道德实践准则详列执业人员的道德义务,其中的原则包括时时诚实,尊重病患的隐私保密,以体恤的方式治疗病患,维持自身的专业能力于不坠,以及允许病患针对治疗做出知情决定。

²执业标准的内容都是如何以安全、有效、专业的方式执业

³ <u>卑诗省人权守则</u>确保每个人的人权受到保护,尤其是隶属某些特定群体的人,这类群体之所以受到保护通常与以下特征有关:种族、肤色、祖宗血统、原籍地、宗教、家庭状况、身体缺陷、心理缺陷、性别、性倾向和年龄。

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一般原则

1. 执业人员必须以病患的福祉利益为最高考量,提供安全、专业、高品质的医疗服务。 在此前提下,执业人员必须致力营造适当的治疗环境,尊重所有病患或潜在病患的权利、自 主、尊严和多元背景。

道德

- 2. 执业人员必须
 - a. 将病患做为医疗服务的核心:
 - b. 以维护并保护病患尊严的方式提供治疗;
 - c. 展现诚实与正直风范;
 - d. 清楚正确地介绍自己的姓名、头衔与角色;
 - e. 保护病患隐私与信息机密性;
 - f. 尊重病患知情权利和做知情决定的权利;
 - q. 以尊重的方式进行任何专业沟通;
 - h. 以尊重的方式对待同僚、学生和其他医疗工作人员,并积极处理工作场所出现的 不尊重行为;
 - i. 体认并尊重其他医疗团队成员的贡献,并与他们充分合作;
 - j. 理解个人价值观、理念与经验在临床治疗过程中所能发挥的效果,确定取得患者的同意再做出治疗决定与行动,并且确定所采取的决定能对患者有益;
 - k. 明察可能发生的利益冲突,采取行动预防潜在的利益冲突,或解决具体的利益冲突:
 - I. 明察涉及职业道德的问题并采取行动解决问题,如有必要,可咨询适当的单位或专家;
 - m. 以适当的方式开启、维持或终止与病患的关系。

当责

- 3. 执业人员必须:
 - a. 遵守与中医执业相关的法规定与执业标准;
 - b. 确切在自己的能力范围内提供治疗服务,不超越法定的执业范畴,并遵守所有相关法规;
 - c. 自我评估执业状况,进行学习活动以改进并加强执业能力,持续达到既定的学习目标;

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- d. 采取行动配合管理局的使命,提供安全、高品质并符合道德规范的治疗服务;
- e. 举报任何受监管医疗专业人员的性不当行为;
- f. 执业期间持有适当的牌照并按时续牌:
- g. 照顾自己的身体、心理与情绪健康,确定自己适合执业;
- h. 如果有充足的理由认为任何受监管医疗专业人员执业能力值得存疑,而且可能 造成医疗专业法定义下的公众安全威胁或风险,那么执业人员必须提出举报;
- i. 了解医疗监管机构的角色以及监管单位与自身执业的关系。
- 4. 执业人员必须在下列领域负责:
 - a. 自身的临床执业和提供给病患的治疗服务,其中包括评估、诊断、治疗、咨询和 转诊:
 - b. 自身的专业行为
 - c. 自身的能力与执业适合性。
- 5. 注册成员必须维系诊所的安全,方便患者进出,确定诊所是个无障碍、符合道德规范的工作环境⁴,执业人员必须在以下领域负责:
 - a. 诊所的运营功能,包括但不限于收费、广告和宣传活动:
 - b. 品质保障和品质改善;
 - c. 临床纪录与管理;
 - d. 感染控制与感染预防
- 6. 注册成员可能会将某些与临床诊疗无关的工作交给非执业的工作人员去做,但是 站在管理局立场,注册成员必须负责以下层面:
 - a. 确保受委托工作人员受过足够的培训,具备足够的资格和经验以正确安全的方式 协助诊所工作,并遵循相关法令规定5;
 - b. 分派明确适当的工作和责任给适当的诊所职员,观察受监督工作人员的表现6;
 - c. 及时提供诊所职员适当的支援和反馈。

相关文件

卑诗省中医针灸管理局

- 管理局细则(附件 A 道德实践准则与附件 B 执业标准)
- 法理学课程手册

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相关法令

- 医疗专业法
- 卑诗省人权守则

⁴ 附件A道德实践准则的第六章专门说明如何维系安全、称职、符合道德规范的诊所工作环境。

⁵相关法令范例:私人执业场所应根据<u>个人信息保护法</u>的规定来处理患者机密个人资料;公营医疗单位应根据<u>信息自由与隐私保护法</u>的规定来处理患者机密个人资料。

⁶根据道德实践准则第六章,注册成员对于自身提供的医疗服务,或是旗下监督的工作人员必须负起完全的责任。



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執業準則一道德實踐與專業責任

(生效日期: 2023年9月14日)

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卑詩省中醫針灸管理局(簡稱管理局)的執業準則確立註冊成員在提供傳統中醫治療服務前必須達到的最低專業能力水準,管理局與旗下各委員會通過執業準則、法理學課程手冊和其他相關法令,來評斷註冊學員的執業水平與專業行為。

在執業準則中,「必須」這個詞代表管理局的要求,「建議」這個詞表示管理局的期望,註冊成員可以自行運用合理判斷做決定。

前言

執業準則是根據醫療道德的基本原則與價值觀而來,包括:同情、仁慈、無惡行、尊重他 人、正義公理和當責。

每一名註冊成員都有責任充分瞭解並嚴格遵守管理局細則規定,包括附件A職業道德實踐 準則1與附件B執業標準2。此外,註冊成員應當熟悉管理局的法理學課程手冊,並遵守卑 詩省人權守則3。執業準則並非取代其他細則、法令與規定(例如:醫療專業法),而是 相輔相成一起搭配閱讀。

"道德實踐與專業責任"確認中醫師執業的責任不僅限於提供病患醫療服務和相關的行政工作,同時也適用於其他情境的專業互動。

¹道德實踐準則詳列執業人員的道德義務,其中的原則包括時時誠實,尊重病患的隱私保密,以體恤的方式治療病患,維持自身的專業能力於不墜,以及允許病患針對治療做出知情決定。

²執業標準的內容都是如何以安全、有效、專業的方式執業。

³ <u>卑詩省人權守則</u>確保每個人的人權受到保護,尤其是隸屬某些特定群體的人,這類群體之所以受到保護通常與以下特徵有關:種族、膚色、祖宗血統、原籍地、宗教、家庭狀況、身體缺陷、心理缺陷、性別、性傾向和年齡。

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一般原則

1. 執業人員必須以病患的福祉利益為最高考量,提供安全、專業、高品質的醫療服務。

在此前提下,執業人員必須致力營造適當的治療環境,尊重所有病患或潛在病患的權利、自主、尊嚴和多元背景。

道德

- 2. 執業人員必須
 - a. 將病患做為醫療服務的核心;
 - b. 以維護並保護病患尊嚴的方式提供治療;
 - c. 展現誠實與正直風範;
 - d. 清楚正確地介紹自己的姓名、頭銜與角色;
 - e. 保護病患隱私與資訊機密性;
 - f. 尊重病患知情權利和做知情決定的權利;
 - g. 以尊重的方式進行任何專業溝通;
 - h. 以尊重的方式對待同僚、學生和其他醫療工作人員,並積極處理工作場所出現的 不尊重行為;
 - i. 體認並尊重其他醫療團隊成員的貢獻,並與他們充分合作;
 - j. 理解個人價值觀、理念與經驗在臨床治療過程中所能發揮的效果,確定取得患者 的同意再做出治療決定與行動,並且確定所採取的決定能對患者有益;
 - k. 明察可能發生的利益衝突,採取行動預防潛在的利益衝突,或解決具體的利益衝突;
 - I. 明察涉及職業道德的問題並採取行動解決問題,如有必要,可諮詢適當的單位或專家;
 - m. 以適當的方式開啟、維持或終止與病患的關係。

當責

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3. 執業人員必須:

- a. 遵守與中醫執業相關的法規定與執業標準;
- b. 確切在自己的能力範圍內提供治療服務,不超越法定的執業範疇,並遵守所有相關法規;
- c. 自我評估執業狀況,進行學習活動以改進並加強執業能力·持續達到既定的學習目標;
- d. 採取行動配合管理局的使命,提供安全、高品質並符合道德規範的治療服務;
- e. 舉報任何受監管醫療專業人員的性不當行為;
- f. 執業期間持有適當的牌照並按時續牌;
- g. 照顧自己的身體、心理與情緒健康,確定自己適合執業;
- h. 如果有充足的理由認為任何受監管醫療專業人員執業能力值得存疑,而且可能 造成醫療專業法定義下的公眾安全威脅或風險,那麼執業人員必須提出舉報;
- i. 瞭解醫療監管機構的角色以及監管單位與自身執業的關係。
- 4. 執業人員必須在下列領域負責:
 - a. 自身的臨床執業和提供給病患的治療服務,其中包括評估、診斷、治療、諮詢和轉診;
 - b. 自身的專業行為
 - c. 自身的能力與執業適合性。
- 5. 註冊成員必須維繫診所的安全,方便患者進出,確定診所是個無障礙、符合道德規 節的工作環境4,執業人員必須在以下領域負責:
 - a. 診所的運營功能,包括但不限於收費、廣告和宣傳活動;
 - b. 品質保障和品質改善;
 - c. 臨床紀錄與管理;
 - d. 感染控制與感染預防
- 6. 註冊成員可能會將某些與臨床診療無關的工作交給非執業的工作人員去做,但是

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站在管理局立場,註冊成員必須負責以下層面:

- a. 確保受委託工作人員受過足夠的培訓,具備足夠的資格和經驗以正確安全的方式協助診所工作,並遵循相關法令規定⁵;
- b. 分派明確適當的工作和責任給適當的診所職員, 觀察受監督工作人員的表現6;
- c. 及時提供診所職員適當的支援和回饋。

相關檔

卑詩省中醫針灸管理局

- 管理局細則(附件 A 道德實踐準則與附件 B 執業標準)
- 法理學課程手冊

相關法令

- 醫療專業法
- 卑詩省人權守則

⁴ 附件A道德實踐準則的第六章專門說明如何維係安全、職稱、符合道德規範的診所工作環境。

⁵相關法令範例:私人執業場所應根據<u>個人資訊保護法</u>的規定來處理患者機密個人資料;公營醫療單位應根據<u>資訊自</u>由與隱私保護法的規定來處理患者機密個人資料。

⁶根據道德實踐準則第六章,註冊成員對於自身提供的醫療服務,或是旗下監督的工作人員必須負起完全的責任。