

Osteopathic Medical Board of California-Code of Ethics

The Osteopathic Medical Board of California Code of Ethics is adapted from the American Osteopathic Association Code of Ethics annotated with references to the California Business and Professions Code (B&P Code) and the California Code of Regulations (CCR) specific to healthcare regulation. The code of ethics of the American Osteopathic Association was not adopted in its entirety due to conflicts with current state law or inability to enforce such provisions under California state law.

1. Section 1- A physician shall keep in confidence whatever he/she may learn about a patient in the discharge of professional duties. Information shall be divulged by the physician when required by law or when authorized by the patient. (See B&P Code, §2263.)

2. Section 2- A physician shall give a candid account of the patient's condition to the patient or to those responsible for the patient's care. (See B&P Code, §2262, §2266.)

3. Section 3- A physician-patient relationship must be founded on mutual trust, cooperation, and respect. The patient, therefore, must have complete freedom to choose his/her physician. The physician must have complete freedom to choose patients whom he/she will serve. However, the physician should not refuse to accept patients for reasons of discrimination, including, but not limited to, the patient's race, creed, color, sex, national origin, sexual orientation, gender identity, or handicap. In emergencies, a physician should make his/her services available. (See B&P Code, §125.6.)

4. Section 4- A physician is never justified in abandoning a patient. A physician should give a written notice to patients or to those responsible for the patient's care by certified-return receipt mail 30 days before he/she withdraws from the case to afford the patient a reasonable amount of time to procure another physician.

5. Section 5- A physician shall practice in accordance with the body of systemized and scientific knowledge related to the healing arts.

Section 5a- A physician shall maintain continuing competence in such systemized and scientific knowledge through study and clinical applications. (See B&P Code, §2190.5, §2454.5; CCR Title. 16, §1635.)

6. Section 6- Under the law a physician may advertise, but no physician shall advertise or solicit patients directly or indirectly through the use of matters or activities that are false or misleading. (See B&P Code §651.)
7. Section 7- A physician shall not hold forth or indicate possession of any degree recognized as the basis for licensure to practice the healing arts unless he is actually licensed on the basis of that degree. A physician shall designate his/her osteopathic physician's & surgeon's degree and all professional uses of his/her name. Indications of specialty practice, membership in professional societies, and related matters shall be governed by the rules promulgated by the American Osteopathic Association. (See B&P Code §2235.)
8. Section 8- A physician should not hesitate to seek consultation whenever he/she believes it is advisable for the care of the patient.
9. Section 9- In any dispute between or among physicians regarding the diagnosis and treatment of a patient, the attending physician would have the responsibility for the final decisions, consistent with any applicable hospital rules or regulations.
10. Section 10- Any fee charged by a physician shall compensate the physician for services actually rendered. There shall be no division of professional fees for referrals of patients. (See B&P Code §650, §2284.)
11. Section 11- A physician shall abide by the law. When necessary, a physician may assist in the promulgation of laws that would improve patient care and public health.
12. Section 12- It is considered sexual misconduct for a physician to have sexual contact with any current patient. (See B&P Code, §726 - §729.)
13. Section 13- Sexual-harassment by a physician is considered unethical. Sexual harassment is defined as physical or verbal intimidation of a sexual nature involving a colleague or subordinate in the workplace or academic setting, when such conduct creates an unreasonable, intimidating, hostile or offensive workplace or academic setting. (See B&P Code, §726 - §729.)