

順勢療法專業守則
Code of Ethics and Practice

August 2010

Hong Kong Association of Homeopathy

Introduction

The aim of the Code of Ethics and Practice is to encourage integrity and responsibility in the practice of homeopathy.

Homeopaths should conduct themselves with truthfulness and dignity at all times in relation to their dealings with patients, and colleagues.

The Code describes the standards of conduct and practice The Hong Kong Association of Homeopathy (The Association) expects of its registered, and student members. A homeopath has, by becoming a registered or student member of The Association, agreed to observe and be bound by the Code of Ethics and Practice; to abide by the regulations of The Association in respect of their professional practice.

This Code will form the basis upon which the conduct of any registered and student members will be assessed in the event of a complaint, although it cannot be regarded as exhaustive. The purpose of The Association's professional conduct procedures is to ensure that any complaint made against a registered or student member of The Association is processed in a fair, transparent and impartial manner. The Code is intended to act as guidance and assistance to its registered and student members and to protect the interests of the public. The first concern of registered and student members are the needs of the patient within the context of ethical professional conduct. Patients are entitled to rely upon and trust their healthcare practitioners. Registered and student members are expected to maintain high standards of care, competence and conduct. Cases of violation of the Code may lead to a suspension or removal of a registered and student member from the register.

Homeopaths should recognise that communication is a two-way process which is the basis of a good patient/homeopath relationship. It is misunderstandings in this relationship that form the basis of a significant number of complaints. The Association encourages, where possible, the resolution of differences between registered and student members and potential complainants through informal mediation before entering into a formal complaint procedure. It is the nature of professional practice that many decisions fall into areas where there is no absolute right and wrong and where a series of conflicting obligations may have to be considered. The Code offers sound guidance on these issues and indicates areas where particular challenges may arise. When in doubt, registered and student members are encouraged to seek advice from Hong Kong Association of Homeopathy.

It is the responsibility of every homeopath and student member registered with The Association to be familiar with the content of this Code and to be able to explain its requirements satisfactorily to their patients. Throughout this Code, references to specific legislation or laws shall include every modification, consolidation, and re-enactment, and extension of them for the time being in force. Where written, the singular also includes the plural.

Section 1 - Key principles for practice

These principles are for guidance and are not intended to be exhaustive. It is expected that the relationship between homeopathy and patient is one of mutual respect. Every homeopath registered with The Association is expected to:

- 1.1 Put the individual needs of the patient first.
- 1.2 Respect the privacy and dignity of patients.
- 1.3 Treat everyone fairly, respectfully, sensitively and appropriately without discrimination.
- 1.4 Work to foster and maintain the trust of individual patients and the public.
- 1.5 Listen actively and respect the individual patient's views and their right to personal choice.
- 1.6 Encourage patients to take responsibility for their own health, through discussion and provision of information.
- 1.7 Comprehensively record any history the patient may give and the advice and treatment the registered or student member has provided.
- 1.8 Provide comprehensive clear and balanced information to allow patients to make informed choices.
- 1.9 Respect and protect patient confidentiality.
- 1.10 Disclose confidential information only in clearly defined circumstances in 14.
- 1.11 Maintain and develop professional knowledge and skills.
- 1.12 Practise only within the boundaries of their own competence.
- 1.13 Respond promptly and constructively to concerns, criticisms and complaints.
- 1.14 Respect the skills of other health care professionals and where possible work in cooperation with them.
- 1.15 Comply with the current legislation of the country, state or territory where they are practising.

Section 2 - The Patient/Homeopath Relationship

Clarity of Contract

- 1 To ensure that the patient is always able to make informed choices with regard to their

healthcare, registered and student members must give full and clear information about their services when commencing homeopathic treatment. This will include information about the nature of the treatment, charges, availability for advice, confidentiality and security of records.

Informed consent

- 2 To ensure that the patient or their authorised representative is able to give informed consent with regard to healthcare, registered and student members must give clear and sufficient information about the nature of homeopathic treatment, its scope and its limitations, before treatment begins and as appropriate during treatment.
- 3 Registered and student members may also be in a position to offer other complementary therapies. Where another therapy is offered, they must inform the patient prior to treatment about the other therapy and indicate their relevant qualifications, registration with any relevant registering body and adherence to a separate Code of Conduct. And gain informed consent prior to this treatment being commenced.

Referrals

- 4 Referrals can only be made to other practitioners with the patient's consent. The practitioner should ensure that to the best of their knowledge, the practitioner to whom they refer is fully qualified to practice.
- 5 Patients may refer themselves, in which case the homeopath should discuss with their patients the importance of informing their GP and other healthcare professionals if appropriate. The responsibility for altering any prescribed medication lies with the patient and the prescribing practitioner.
- 6 Patients may be referred by a GP, in which case the GP will retain overall clinical responsibility for that patient.
- 7 Patients may be referred by another homeopath or health care practitioner, in which case details of such referrals may be recorded in writing in the notes.
- 8 If at any time the patient declines to give consent for the registered, and studentn clinical member to make contact with their GP or other healthcare practitioner, their wishes are to be respected, and recorded in the notes. Confidentiality will be maintained at all times except where

- the practitioner has serious concerns that the patient may harm themselves or others in which case they should inform the appropriate authority,
 - they are obliged by law to disclose information.
- 9 Continuity of care is important. If a new patient has received treatment within the last six months from another homeopath, the patient's permission should be sought to contact the previous homeopath to obtain details of that treatment. If the patient does not agree to this, a note of their refusal should be recorded and the patient should be made aware that this may adversely affect the continuity of their care.

Hospital Treatment

- 10 Where a patient requests homeopathic treatment to be initiated or continued within a clinical setting, e.g. hospital or hospice, the registered or student member will inform the patient or their representative of the need to notify the person with overall clinical responsibility. The homeopath may offer to write to this person on their behalf before commencing treatment. If the patient does not agree to this, a note of their refusal should be recorded and the patient should be made aware that this may adversely affect the integrity of their care.

Records and record keeping

- 11 All case notes must be clear, legible, current and kept up to date and contain all the relevant information relating to the progress of the case, for example, treatment and any advice that has been given, whether the patient's condition has improved, been maintained or deteriorated since they were last seen. This is important for patient care and essential should the registered or student member at any time be involved in complaints or legal proceedings. The notes should be kept for seven years after the patient was last treated and in the case of children, seven years from their eighteenth birthday.
- 12 For any advice given by telephone or electronic communication, written details should be recorded and included with the notes.
- 13 Where a patient requests the record of their treatment in writing, or asks that the record be forwarded to another homeopath or other practitioner, it is important to send relevant information from that patient's case notes as quickly as possible. The full original notes should be retained in accordance with requirements of the law.

Confidentiality and Disclosure

- 14 Registered and student members must ensure that patient information is kept secure and confidential unless the patient agrees otherwise in writing or where required to disclose by law.

Confidentiality will be maintained at all times except where

- the practitioner has serious concerns that the patient may harm themselves or others in which case they should inform the appropriate authority,
- they are obliged by law to disclose information.

- 15 A registered or student member must be accurate and factual when writing reports, completing or signing forms or certificates or if required to give evidence in court or a tribunal.

Section 3 - Professional obligations

Competence and Continuing Professional Development

- 16 Registered and student members will be aware of the limits of their professional competence and where appropriate, will refer to other practitioners ensuring that the practitioner to whom they refer is suitably qualified.
- 17 Registered and student members should regularly monitor and evaluate their clinical skills and actively extend their knowledge base and their own personal development through continuing professional development.
- 18 Evidence of continuing professional development will be taken into account when hearing allegations regarding a registered or student members' professional conduct or competence.

Professional practice

- 19 The patient has the right to know and the homeopath is obliged to offer, the name of any prescribed remedies.
- 20 Clear instructions for taking the medication must be given for each prescription made.
- 21 It is recommended that another person be present during a physical examination and that

the patient's or representative's permission be obtained before any physical examination is undertaken.

A physical examination of a child under 16 should not be undertaken other than in the presence of a parent or patient's representative and with the child's consent.

- 22 To be aware that the responsibility for adjusting prescribed medication lies with the patient and the prescriber of that medication.
- 23 The homeopath is responsible for making clear arrangements for patient care if they are absent from practice for any length of time. If a locum is used then the registered or student member is responsible for ensuring that they are suitably qualified.

Contact with relatives/other interested parties

- 24 Where a member of a patient's family or a friend or other person connected with a patient, initiates contact with the registered and student members, it is the responsibility of the registered and student members to listen carefully to their concerns without breaching confidentiality or contradicting the wishes of the patient. No instructions in relation to treatment should be taken on behalf of a patient unless that person has power of attorney.

Child Protection

- 25 When there is evidence or strong suspicion of a young person being at risk, the registered or student member is required to contact the appropriate officer at relevant department.

Inappropriate use of patient related materials

- 26 Registered and student members must obtain permission for recording any part of the consultation. They should avoid recording on film, video or through digital techniques, any material or imagery concerning a patient which might be regarded as explicit, indecent or pornographic.
- 27 Registered and student members will only use film, tape recording or digital imagery of material concerning a patient with that patient's clear, informed consent to the precise use of the material. The material may only be used in a confidential setting. The patient will be given explicit information as to the purpose the material is to be used for. Permission may be revoked at any time. The patient should not feel pressured to give

consent. If the registered or student member wishes to use the material for a different purpose than the one given, a supplementary permission must be obtained.

Professional boundaries

- 28 It is never appropriate for a registered or student member to pursue or enter into an intimate relationship with a patient. Such a relationship is potentially abusive of the person concerned and undermines the relationship of trust. Registered and student members should ensure that a professional relationship is maintained at all times.
- 29 Where a registered or student member needs support to manage a potentially difficult situation of this nature, guidance should be sought from supervision, or from The Association.

Research

- 30 Registered and student members intending to undertake research must be familiar with and abide by current research ethics requirements, research governance and all relevant statutory obligations.
- 31 For any homeopathic proving, provers will be entitled to the same level of care and supervision as patients.

Section 4 - Legal Obligations

Criminal and civil law

- 32 Registered and student members are required to comply with the criminal and relevant civil law of the country, state or territory where they are practising.
- 33 Registered and student members must observe and are responsible for keeping up to date with all legislation and regulations relating directly or indirectly relating to the practice of homeopathy.
- 34 References to any legislation or regulations throughout this code shall include any amendments or other alterations, repeals or replacements made in law since the date they came into force. Any reference to the singular shall include the plural and references to the feminine shall include the masculine.

Data Protection

- 35 Where any patient records are stored electronically registered and student members must comply with Chapter 486 Personal Data (privacy) Ordinance.
- 36 In order to comply with the Personal Data (privacy) Ordinance and other relevant legislation, full and clear records of all treatments of patients are taken, kept and stored for at least seven years from the date of the last appointment and in the case of children, at least seven years from their eighteenth birthday.
- 37 Patients have rights of access to their health records in accordance with the requirements of the law. Registered and student members are entitled to make an administrative charge if a patient wishes to have a copy of their notes.

The original notes are the property of the homeopath.

Advertising and Media

- 38 All advertising must be published in a way that conforms to the law.
- 39 Professional advertising must be factual and not seek to mislead or deceive, or make unrealistic or extravagant claims. Advertising may indicate special interests but must not make claims of superiority or disparage professional colleagues or other professionals. No promise of cure, either implicit or explicit, should be made of any named disease. All research should be presented clearly honestly and without distortion, all speculative theories will be stated as such and clearly distinguished.
- 40 Advertising content and the way it is distributed must not put prospective patients under pressure to consult or seek treatment from a registered or student clinical member.
- 41 No registered or student member may use their registration status in the advertisement or promotion of any product or remedy.
- 42 Registered or student member should not join or partner with any pyramid selling or direct selling companies, to avoid possible negative impact to the reputation of the professional of homeopathy
- 43 Registered or student member should not participate, promote, expand, present, purchase, sell, transfer or study any non-orthodox homeopathic products, remedies, publications, conferences, associations, seminars, forums, enrollment meetings and

courses disguised in the name of homeopathy.

- 44 Registered or student member should not recommend any unqualified homeopath and homeopathic veterinarian to diagnose for oneself, others, animals and plants
- 45 No registered or student member may deliver any presentation, advertisement, interview in public or virtual platforms before the agreement letter issued by the Association. Invitation letter from the organizing unit should be handed in at least 7 days in advanced.

Potential misrepresentation

- 46 The use of the title 'Homeopath' should be used, and the title 'Doctor' should be avoided, when the use of 'Doctor' may create confusion that the individual concerned is a medical practitioner or entitled to be a medical practitioner in Hong Kong.
- 47 Reference to assistants as 'Nurse' is not acceptable unless the individual concerned is professional with the Nursing Council of Hong Kong.

Notifiable diseases

- 48 Registered and student members should be aware of those diseases which are notifiable under the First Schedule to the Prevention and Control of Disease Ordinance (Cap 599), and take appropriate action in these cases, referring the patient to their Primary Health Care Professional.

Treatment of animals

- 49 Registered and student members should be aware of and observe the law with regard to the treatment of animals with homeopathy.

Section 5 - Organisational Issues

Premises

- 50 Registered and student members must comply with national and local legal obligations and regulations regarding premises and the safety of staff. Premises and remedies are to be kept in a serviceable, hygienic and secure condition.
- 51 A regular review of facilities and working practices must be undertaken to ensure they comply with current standards. Registered and student members should be aware of

their responsibilities whether employer, employee or self-employed.

Insurance

- 52 Practising registered and student members shall have appropriate professional indemnity insurance cover at if available.

Section 6 - Practice Issues

Problems with health

- 53 If the mental, emotional or physical health of a registered or student member is impaired for any reason, and patients may be put at risk, the registered or student member must seek and follow professional advice on whether, and how, to modify their practice so as to safeguard the interests of their patients.

It may be necessary to stop practising or to receive professional supervision in order to establish fitness to practise. The registered or student member should inform the Association, if this is the case. If a registered or student member has any concerns about another registered or student members' mental, emotional or physical health, they should seek appropriate advice from the Association

- 54 Registered or student member should not be addicted to cigarette, alcohol or other recreational medications. If a registered or student member has any concerns about another registered or student members' condition, they should seek appropriate advice from the Association.
- 55 In the event of the retirement, illness or death of a registered or student member, arrangements must be made to ensure that patients are notified and their notes are, with their consent, passed to any successor practitioner.

When trust is compromised

- 56 Where, for whatever reason, the necessary relationship of mutual trust breaks down, either the registered or student member or the patient may terminate the professional relationship. If this happens, the registered or student member should ensure that the patient has an alternative source of homeopathic care if they want it. With the patient's permission, the new practitioner should be provided with sufficient information to take over responsibility for the patient's care without delay.

Complaints

- 57 Homeopaths trained to The Association standards and who follow the guidance in this Code are able to practise homeopathy safely, competently and ethically.

However, if for whatever reason, their practice is brought into doubt and the matter cannot be resolved by mediation between the registered or student member and the complainant, the matter should be referred to The Association.

- 58 Patients, members of the public, other professionals and those professional with The Association have the right to complain to the The Association if they perceive that a registered or student member has not treated them, or conducted themselves, in accordance with this Code.
- 59 Registered and student members should ensure that a patient has clear information about how to express any concern they may have about their treatment. In handling any complaint directly, the registered or student member should act promptly and constructively, putting the interests of the patient first, and co-operating fully with any external investigation.
- 60 Any patient bringing an apparent failure in care, as described within this Code, to the registered or student members' attention is entitled to proper investigation and a sensitive explanation of what has occurred. The registered or student member will take the initiative to put things right, and, where appropriate, offer a suitable apology and assurance that steps have been taken to prevent reoccurrence.
- 61 Registered and student members are encouraged at an early stage to ensure that any steps taken are in conjunction with The Association's Professional Conduct processes.
- 62 The procedures and powers of The Association provide a mechanism for patients, members of the public, other professionals or registered and student members of The Association to raise allegations of professional misconduct and for registered and student members involved to have the right to respond to any such allegations.
- 63 The conduct of any registered or student member may have an impact on their reputation and the reputation of homeopathy. Such conduct may occur within or outside their professional practice and it may be necessary for such matters to be brought to the attention of The Association for consideration.

It may also be necessary in certain circumstances, including but not limited to criminal or other legal proceedings being implemented, to suspend or remove a registered and student member from the register.