

# The American Board of Plastic Surgery, Inc.®



## ABPS CODE OF ETHICS

### Section 1. Preamble

Ethical behavior is required of all Candidates, Diplomates, Advisory Council members, Examiners, consultant question writers, and Directors of the American Board of Plastic Surgery, Inc.®. Unethical or illegal physician behavior that rises to the attention of the Board will be reviewed and a judgment rendered regarding compliance with these ethical standards. Should a violation be judged to have occurred, the individual involved may choose to appeal this decision. If the judgement results in a letter of reprimand, that letter shall be private. Other disciplinary actions of the Board, including delaying one's progression through the examination process, or the suspension or revocation of a diplomate's certification shall be in the public domain.

Diplomates (or Candidates, where applicable) of the Board shall act in accordance with the principles of the Code of Ethics. Further, Candidates and Diplomates are personally responsible and accountable for their own actions and words, as well as the use of their names in any public media communication. Candidates and Diplomates may be subject to disciplinary action if any words, deeds, or actions are deemed a violation of these principles.

- I. The purposes for which The American Board of Plastic Surgery, Inc.® was founded and organized are:
  - A. To establish requirements for the certification of Candidates in the field of plastic surgery.
  - B. To conduct qualifying examinations of Candidates who seek certification by the Board.
  - C. To issue certificates of qualification to those who satisfy the requirements and pass the respective examinations.
  - D. To defend and protect the independence and integrity of the Board.
  - E. To engage in lawful activities related to the foregoing purposes, and to exercise the power and authority conferred upon nonprofit corporations by the State of Illinois.

- II. Mission statement of the Board:

The mission of The American Board of Plastic Surgery, Inc.® is to promote safe, ethical, and efficacious plastic surgery to the public by maintaining high standards for the education, examination, certification, and maintenance of certification of plastic surgeons as specialists and subspecialists.

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## Section 2. General Principles

- I. Medical professionals shall provide their services with respect for human dignity. Physicians should merit the confidence of patients entrusted to their care, and render to each a full measure of service and devotion.
- II. Physicians shall strive to improve their medical knowledge and skills, and avail their patients and colleagues of the benefit of their professional attainments. Physicians have an affirmative duty to disclose new medical advances to patients and colleagues.
- III. The honored ideals of the medical profession imply that the responsibility of the physician extends both to the individual patient and to society. Activities which improve the health and well being of the individual, as well as the community, deserve the interest and participation of the physician.
- IV. Plastic surgeons shall provide competent and scientifically sound medical and surgical services, while respecting the rights and privacy of their patients.

## Section 3. Examinations

Candidates for examination, and Diplomates participating in the Continuous Certification program of The American Board of Plastic Surgery, Inc.® pledge themselves to the highest ethical standards in the practice of medicine and plastic surgery, and can attest that they are in good ethical standing in their community. Candidates and Diplomates making such an attestation understand the Board may make inquiries, as deemed appropriate, regarding the Candidate's or Diplomate's ethical and professional qualifications. Any information obtained by the Board in connection with such inquiries shall remain confidential.

- I. Candidates for examination or Diplomates participating in the Continuous Certification program of The American Board of Plastic Surgery, Inc.® acknowledge by signature on the Application that the following may be sufficient cause to bar the Candidate or Diplomate permanently from examination, to terminate the Candidate's or Diplomate's current participation in the examination, to invalidate the Candidate's or Diplomate's examination, to withhold the Candidate's or Diplomate's certificate, to revoke, suspend or place on probation, the Diplomate's certification, or to take other appropriate actions:
  - A. Failing to maintain satisfactory moral, ethical, and professional standing; or
  - B. Falsifying any portion of the Application or the Resident Registration and Evaluation of Training Form; or
  - C. Submitting any falsified documents or untruthful information to the Board; or

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- D. Using any falsified Board documents, or the submission of such falsified documents to other persons or entities; or
- E. Determined to be cheating during the examinations as evidenced either by direct observation or by analysis of test results; or
- F. Possessing, reproducing, or disclosing any examination material; or
- G. Offering a financial or other benefit to any Board representative for the purpose of obtaining a favorable outcome to an examination or inquiry; or
- H. Attempting to influence the decision of the Board by correspondence with or enticing current or former Directors, Board office staff, examiners or anyone connected with the Board. All communications from any interested party concerning any matter before the Board SHALL ONLY be addressed to the Executive Director at the Board office; or
- I. Failing to participate in a Board investigation, or failing to respond to a written inquiry from the Board.

## **Section 4. Practice Related**

- I. The actions of any Diplomate or Candidate may be investigated by the Ethics Committee and the Board. Disciplinary action can include suspension, revocation or probation of certification. Just and sufficient reasons for such disciplinary action may include, but are not limited to:
  - A. Did not possess the necessary qualifications and requirements to receive the certificate at the time it was issued;
  - B. Demonstrating unethical behavior in providing false, fraudulent, or deceptive communications that fail to maintain the dignity and professionalism appropriate to a plastic surgeon certified by The American Board of Plastic Surgery, Inc.®;
  - C. Failing to maintain appropriate personal boundaries within his or her physician/patient relationships;
  - D. Failing to maintain appropriate physician/patient relationships in public communications (verbal, print, online, social media, etc.);
  - E. Conviction of a felony;
  - F. Misrepresenting his or her status with regard to Board certification or training;

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- G. Having been disciplined by any medical licensing authority resulting in license revocation, suspension, or other limitation to practice medicine;
- H. Having been expelled, suspended, disqualified or otherwise limited from membership on a hospital medical staff, or from any organization of professional peers;
- I. Resigning from any organization while under investigation;
- J. Failing to inform the Board in a timely manner that the individual's right to practice medicine has been limited, suspended, terminated, or otherwise affected in any state, province, or country for violation of a medical practice act, other statute or governmental regulation or, that the candidate or diplomate has been disciplined by any medical licensing authority, professional organization or by a plastic surgery specialty society;
- K. Failing to establish an appropriate physician/patient relationship during the perioperative period, or failing to obtain an informed consent prior to a surgical procedure;
- L. Failing to obtain appropriate consent for the use of patient information and/or images in any educational manuscripts or presentations, in any public communication including social media, or in any marketing of the plastic surgeon or practice;
- M. Failing to monitor and approve any and all public communications/marketing. The Diplomate or Candidate is accountable for any violation of the ABPS Code of Ethics incurred by a staff member, or by any media, public relations, marketing, or other firm advertising on behalf of the Diplomate or Candidate;
- N. Engaging in unethical financial behaviors. These behaviors may include, but are not limited to payment referrals, charges for unnecessary or services not performed, deceptive or inappropriate coding or up-coding of services, and charging exorbitant fees. Fees will be considered exorbitant when they do not appropriately reflect the level of complexity of services provided and/or the time required performing said service, and/or when fees diverge significantly from the usual and customary fees of that Diplomate or Candidate or fees charged by other similarly situated plastic surgeons. When providing emergency services as an out-of-network provider or to an uninsured patient, fees should be clearly stated and agreed upon in advance, if feasible;
- O. Attempting to influence the decision of the Board by corresponding with or enticing current or former Directors, Board office staff, examiners or anyone

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connected with the Board. All communications from any interested party concerning any matter before the Board SHALL ONLY be addressed to the Executive Director at the Board office.

## **Section 5. Enforcement**

Any Candidate, Diplomate, Board Director, Examiner, Advisory Council member or consultant question writer charged with a violation of any ethical standard established by the Board herein may be subject to review by the Ethics Committee and the Board. Disciplinary measures may include: revocation or suspension of certification, public reporting of license action, and public or private letter of reprimand.

Revisions Approved: April 28, 2020