

CODE OF ETHICS 2020 Guidance Notes:

This document is designed to elaborate on certain comments made in the Code of Ethics. It is the responsibility of individual members that they will be able to withhold the remit of the Code of Ethics, this applies when working for yourself or assuming a position of employment; whether working for a CAI chiropractor or a private individual. Likewise, members need to be able to ensure the chiropractors they hire will adhere to the CAI's standards, as it reflects on their practice. The CAI recommends you hire only chiropractors that are CAI members.

Section A: Knowledge Skills and Performance

Item 5 may be brief; however, it is all encompassing. Everything from GDPR compliance to advertising can fall under the umbrella of legislation.

The CAI does not have advertising guidelines, the key to remember is that you shall not state anything in print that cannot be supported by evidence. This falls under article 46 as well. The Advertising Standards Authority of Ireland are the watchdogs for unscrupulous advertising.

<https://www.asai.ie/>

Items 5 & 12: General Data Protection Registration (GDPR), refers to the many facets of data protection in Europe; that must be adhered to. If setting up for the first-time, contact CAI admin for information and or see the following: <https://www.dataprotection.ie/>

Item 8: Informed consent, currently the CAI recommends you receive a signed written informed consent from patients. In the case of a minor the parent or guardian must sign the consent; however, once the individual reaches the age of maturity (18) they must sign a new consent. A separate informed consent must be signed, for specialty treatments that carry a potentially higher risk e.g. dry needling.

Item 9: The National Consent Policy by the HSE V.1.3 states:

The Child Care Act 1991, the Children Act 2001 and the Mental Health Act 2001 define a child as a service user under the age of 18 years of age, other than a service user who is or has been married.

Section 23 of the Non-Fatal Offences against the Person Act 1997 provides that a person over the age of 16 years can give consent to surgical, medical or dental treatment and it is not necessary to obtain consent for it from his or her parent(s) or legal guardian(s). The section covers any procedure undertaken for the purposes of diagnosis and any procedure, such as administration of anaesthetic; which is ancillary to treatment.

<https://www.hse.ie/eng/about/who/qid/other-quality-improvement-programmes/consent/national-consent-policy-hse-v1-3-june-2019.pdf>

The CAI recommends parents or guardians are to give consent to examination and treatment to anyone under the age of 18. This would remove any ambiguity of 17-year olds being competent. To be on the safe side, a good rule to follow is to have a parent present for all following visits in the office for under 16's. A solicitor may argue consent needs to be given for every adjustment.

Item 10 covers note taking. Some additional guidance includes:

1. Information written after the date of the patient visit shall be dated and initialled.
2. If there is an error in the notes – a single strike through the erroneous words is sufficient with the reason for the strikethrough and initialled. Whiteout shall not be used in patient records.
3. All entries must be in pen, not pencil.

Section C: Communication, Partnership and Teamwork

Item 27: shall also include: patients must be advised well in advance of any transfer of care to a colleague (in the practice).

Item 42: Members are to maintain the level of Professional Indemnity Insurance dictated by the Executive at all times. The CAI recommends you use the policy the Executive have recommended to members in March of each year. Failure to maintain cover whether by letting it lapse or not following through with premiums may mean immediate loss of membership.

Item 47: This pertains to third party health insurance companies too. Each member shall have a stamp with their name and address of practice for the purpose of receipts. Receipts shall reflect the name of the chiropractor that rendered the service.

Miscellaneous notes:

Dialogue with accountants is paramount to ensure proper business procedures in Ireland. Filing the correct returns and employee regulations must be adhered to. Hired chiropractors are generally employees, careful consideration and advice is needed before assuming any other status.

If you have any further questions regarding the Code of Ethics 2020, please contact a member of the Executive Council or admin.

Executive Council of CAI

March 2020