



Ethical Standards and Code of Conduct Handbook

Introduction

In the case of the Global Healthcare Travel Council (an Industry Representative Body), the fundamental objective of “Ethical Standards and Code of Conduct” is to:

- Establish, Maintain and Enhance the Credibility and Reputation of the Council and its Members
- Prevent and deal with “Failures and Lapses” amongst its Members

The main criticism leveled against the supply-side stakeholders of the Global Healthcare Travel Sector refers to:

- Misrepresentation
- Failure to clearly articulate “Purpose or Purposes”
- Lapses in terms of Transparency and Disclosure

These issues are explained and addressed in Parts 1 and 2 of this Handbook.

The Ethical Dilemmas encountered during the provision of “Health-related Services” and “Sector-supporting Services”

The task of formulating Ethical Standards and Code of Conduct for the Global Healthcare Travel Council (GHTC) and its Members was motivated by the fact that practically nothing had been documented with regards to the ethical dilemmas encountered in the process of providing Health-related Services and Sector-supporting Services - in the context of Global Healthcare Travel.

At first glance, the key industries seem to be “Healthcare” and “Travel” – for which Ethical Dilemmas had already been identified and documented.

But one also needs to also consider the Ethical Dilemmas in the several other Sector-supporting Industries (and professions) – which are part and parcel of Global Healthcare Travel.

Consequently, the challenge was to identify the contextually relevant ethical dilemmas associated with the Healthcare Sector and the several Supporting Industries and take these into consideration when formulating the rules which the Members of the GHTC need to comply with.

One needs to be reminded that organizations (and indirectly, individuals) eligible for membership of the GHTC belong to several industries and professions, in addition to Health and Travel.

Professional Ethics

...and Ethical Practice

The word “ethics” is derived from the Greek word *ethos* (character).

“Ethics” defines what is good for the individual and for society - and establishes the nature of duties that people owe themselves and one another.

Ethics should be understood to be about “duties and rules”.

In order to ensure that ethical practice is adhered to in the process of providing services in the context of Global Healthcare Travel, it is important to know and understand what ethical behavior involves, how to solve ethical dilemmas and ways to maintain professional boundaries - and improve ethical behavior in professional practices.

It is with this in mind that healthCare cybernetics (the Health Tourism Sector *think and do tank*) undertook the task of compiling this Ethical Standards and Code of Conduct Handbook.

The approach to compiling the Ethical Standards and Code of Conduct – and designing the Handbook

...and the factors considered

Members of the GHTC fall under two broad groupings:

- Providers of Health-related Services
- Providers of Sector-supporting Services

Of course, it goes without saying that the Ethical Standards and Code of Conduct for all Members of the Global Healthcare Travel Council (GHTC) should be based on common principles and set of values.

Nevertheless, Members in these two groupings deal with different aspects of Healthcare Travel.

Consequently, it should be obvious from this fact that the set of Ethical Standards and Code of Conduct needs to be customized for each grouping.

For this reason, the Ethical Standards and Code of Conduct Handbook consists of two Parts:

- Part 1 - Ethics and Compliance for Providers of Health-related Services
- Part 2 - Ethics and Compliance for Providers of Sector-supporting Services

Inevitably, there is considerable overlap and duplication of content. But, it is felt that this approach helps avoid any ambiguity with regards to the Ethical Standards and Code of Conduct expected of Members in each of the groupings.

Purpose of the Ethical Standards and Code of Conduct

The purpose of the Ethical Standards and Code of Conduct is to:

- Enable the Council to clarify to current and future Members, and to those served by the Members, the nature of the ethical responsibilities held in common by the Members of the Council
- Help support the mission of the Council
- Establish principles that define ethical behavior and practices of Council Members
- Serve as a guide to assist Members in adhering to established ethical standards and conduct, when providing services in the context of Healthcare Travel
- Best promote the values of the Professionals involved in Global Healthcare
- Serve as the basis for processing of ethical complaints and inquiries initiated against Members of the Council

Applicability of the Ethical Standards and Code of Conduct

Members of the Global Healthcare Travel Council (GHTC) shall abide by the GHTC's Ethical Standards and Code of Conduct, and other regulations which shall be established by the GHTC.

These codes regulate only those actions related to ones role as a provider of services in the context of Global Healthcare Travel and do not govern ones personal and private civil actions.

Part 1

Ethics and Compliance for Providers of Health-related Services

Failures and Lapses to guard against

At the very minimum, Members of the GHTC who are Providers of Health-related Services need to avoid and guard against:

- Misrepresentation
- Failure to clearly articulate “Purpose or Purposes”
- Lapses in terms of Transparency and Disclosure

These failures and lapses are explained below.

Misrepresentation

...claiming to be something which you are not

Members need to ensure they do not misrepresent themselves or their enterprise / business.

The “sector” is plagued by instances where there is misrepresentation (i.e., an assertion or manifestation by words or conduct that is not in accord with the facts) regarding the Legal Entity or its Principals (i.e., the people behind – and responsible for - the Legal Entity).

In addition to being unethical, a misrepresentation can create civil liability if it results in financial loss.

Failure to clearly articulate “Purpose or Purposes”

...clearly state what the “business” or “enterprise” is about

Members need to clearly state what their “business” or “enterprise” is about.

Contemporary Business Practices require that companies and enterprises clearly articulate their purposes – and that directors be held to account for the delivery of these purposes.

The Purpose or Purposes of the business / enterprise should be included as part of the information provided on the corporate website and in informational documents.

Lapses in terms of Transparency and Disclosure

...what needs to be transparent and disclosed

Members – and their enterprise / business - need to be transparent (honest and open) and disclose “material” (practically relevant) information and facts.

Some of the information which needs to be disclosed, includes:

- Who is behind and responsible for the business / enterprise
- Qualifications of those involved in providing Health-related Services - proving suitability and competence to provide the stated services
- Disclosure of the nature of their business relationship with any Facilitators or Agents who refer Patients
- True - and preferably unsolicited - Testimonials
- Proof that they are operating within the law (local or international)

The Ethical Principles

Competence

Qualifications

Members of the GHTC shall accurately and objectively represent their professional qualifications, affiliations, as well as the institutions and organizations for which they work or are affiliated in any respect.

Accurate Representation

Members of the GHTC shall represent themselves accurately according to the degree for which they are qualified to practice. Members of the GHTC should not provide any service for which they are not adequately trained, experienced and competent.

Responsibility

Informed Consent

Members of the GHTC have a responsibility to directly inform clients about the principles regarding confidentiality and the duty to warn at the onset of treatment.

Conditions and comprehension of the contract should be unambiguous and specific. General conditions of the contract should include comprehension of and agreement to the probable length of therapy, goals of therapy, payment schedules, and the right to end therapy including termination procedures.

Ethical Objectives

Members of the GHTC shall, in the pursuit of the Ethical Principles, subscribe to the Principles of Ethical Standards presented in the Ethical Standards and Code of Conduct Handbook.

Integrity

Service Provision

Members of the GHTC shall provide all aspects of their work with integrity.

Harassment

Members of the GHTC shall not engage in harassment, of a physical, emotional, or sexual nature while providing services or in conjunction with providing services.

Dual Relationships

Members of the GHTC shall exercise all possible precautions regarding "dual-relations" of any kind, and should avoid social contact with clients in order to avoid actual or apparent exploitation.

When, due to unanticipated circumstances, the GHTC Member discovers that a dual-relationship exists, the Member exercises all possible care within the guidelines set forth in these ethical principles.

Members of the GHTC should also abstain from entering into dual-relationships within business relationships, which might violate these ethical principles or establish an unethical atmosphere.

Third Party Obligations

Members of the GHTC shall, when involved in treating third party individuals or providing services to an individual at the request of a third party, shall accurately, clearly and explicitly discuss, at the onset of therapy, the attributes of the therapeutic setting and what the decisive relations between the therapist and third party clients will be.

Observing Legal Procedures Governing Practice

Members of the GHTC shall make every effort to be familiar with and to comply with government statutes. Members of the GHTC shall be familiar with relevant legal issues that will affect their ability to provide any proposed services.

Confidentiality, Privacy, and Privileged Communication

Maintenance of Confidential Information

Members of the GHTC shall maintain current knowledge regarding the laws and regulations on local, regional and national levels pertaining to confidentiality, privacy, and privileged communication.

Members of the GHTC have a basic responsibility to regard and protect clients' confidentiality, even after the client is deceased.

Record Maintenance

Members of the GHTC shall maintain current as well as accurate and applicable records of the type and purpose of the services provided. Records include any data (regardless of the medium used to record information base), which should at least include the dates of any service, types of service(s) provided, fees and payments, any assessment results, and future treatment plans.

Limits of Confidentiality

Clients must be made aware that any information contained within records may be legally required to be disclosed in a court of law under certain conditions no matter what the therapist or client may petition.

Members of the GHTC should dissent any court petition which infringes on patient confidentiality.

Use of Records

Clients should be informed of any action(s) taken with respect to information contained within their records.

Members of the GHTC may not withhold record data because of any unpaid financial balance due the provider.

A reasonable fee is allowed to cover expenses related to consultations, duplications and transfer of client data.

Duty to Warn

Clients must also be made aware that the Member of the GHTC has a duty to use reasonable care to "Warn and Protect" any potential victim if a client threatens harm or serious injury against a specific or identifiable individual(s).

Release of Records to a Third Party

Members of the GHTC shall not release or discuss any client information without specific written permission of the client or the client's legal guardian.

Record Preservation

Records should be maintained a minimum of ten years.

Appropriate adjustments must be made if the client is a minor or judged to be “at the time” unfit to comprehend their rights concerning the use and release of recorded data.

Members of the GHTC must assiduously attend to the protection and maintenance of records to protect the confidentiality of clients, especially concerning electronically stored data.

Welfare and Respect for Client's Right and Dignity

Individual Rights and Dignity

Members of the GHTC shall be committed to understanding of their own and others sociocultural orientation.

Members of the GHTC need knowledge about and skills for multicultural assessment and treatment.

They should comprehend the interactions that culture, gender, and sexual orientation can have on behavior and appreciate how sociocultural roles of the majority culture, ethnicity and or race, and varied political factors play in the development of ethnic and culturally diverse groups.

Referrals and Consultations

Members of the GHTC shall, when appropriate, refer clients to applicable supplementary specialists or other medical providers of requisite assessment and / or treatment techniques and services. When required, Members of the GHTC shall consult and collaborate with professionals from various fields, or use supervisory support from appropriate professional(s), in planning the best program of services to furnish clients with the best alternative(s) of qualified treatment.

Right of referral

Members of the GHTC shall make certain that clients have a clear understanding of their right to referral as well as the right to discontinue therapeutic services at any time.

Misapplication of Professional Skills

Members of the GHTC shall use their skills only for purposes consistent with the values associated with the prescribed Ethical Standards and Code of Conduct and do not knowingly permit misuse of these skills by themselves or others. Members of the GHTC shall strive to remain objective in the applications of professional skills, while maintaining concern for the best interest of their clients.

Welfare of Client

Members of the GHTC shall pursue professional endeavors while making every reasonable effort to protect the welfare of those they provide services to.

Respectful of Human Rights

Members of the GHTC shall observe the human rights of individuals and shall not violate the legal civil rights of anyone who receives any type of therapeutic services. Members of the GHTC are answerable for any treatment they provide and are responsive to the unique individual needs of their clients.

Respecting Others

In their work-related activities, Members of the GHTC shall respect the rights of others to hold values, attitudes, and opinions that differ from their own.

Respect for People's Right and Dignity

Members of the GHTC accord appropriate respect to the fundamental rights, dignity and worth of all people. They respect the rights of individuals to privacy, confidentiality, self-determination, and autonomy, mindful that legal and other obligations may lead to inconsistency and conflict with the exercise of these rights.

Nondiscrimination

In their work-related activities, Members of the GHTC shall not engage in unfair discrimination based on age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, socioeconomic status, or any basic characteristic regulated by law.

Assessment / Diagnostic Techniques and Therapy / Treatment

Assessment Confidentiality

Members of the GHTC shall make all assessment / diagnostic results confidential, as provided by law, while at the same time respecting the client's right to know about aspects concerning the interpretation of assessment / diagnostic results.

Assessment Use and Interpretation

Members of the GHTC shall take care to administer and interpret only those assessment / diagnostic modalities for which they have received appropriate training, and for which they hold an appropriate license or credential.

Explanation of Interpretations

Members of the GHTC shall provide an explanation of assessment / diagnostic results in a verbal manner that can be easily comprehended by the individual being assessed.

Public Statements

Representation of Self

Members of the GHTC will be accurate when submitting degrees, certification, specialization qualifications, and affiliations.

Public Statement

Members of the GHTC should conscientiously consider how their public statements and public presentations-of-self will be perceived before such statements are made.

Advertising

Advertising is acceptable as long as such advertisements are accurate and provide information necessary for potential clients to make informed decisions and avoid anxiety-inducing claims or statements.

In particular, Members of the GHTC should avoid employing testimonials or claims of competence by clients, false or deceptive statements, direct supplication of clients, claims of comparative services, or engaging clients' fears if services are not obtained.

Supervision

Proper Supervision

Members of the GHTC shall maintain proper supervision of their employees, subordinates and supervisees in the delegation of duties and shall make every ethically appropriate effort to ensure that only those individuals competent to perform such services do so.

Resolving Ethical Conflicts

Familiarity with Ethical Guidelines

Members of the GHTC shall be familiar with the ethical rules and guidelines stated in the Ethical Standards and Code of Conduct Handbook and ignorance of these principles are therefore not grounds for defense against charges of unethical conduct.

Ethical Behavior

Members of the GHTC, being familiar with these guidelines, shall when confronted with possible and or potential unethical conduct, or ethically conflictual situations, act on the side of these ethical codes and conclude the situations, in accordance with the law, along the guidelines set forth in these standards.

Complaints Reporting, Investigation, Adjudication and Appeals

Providers of Services in the context of Healthcare Travel should have in place a standard procedure for complaints reporting, investigation, adjudication and appeal.

All complaints regarding Ethical Standards should be sent to the Administrator of the Ethics and Compliance Policy.

Ideally, administration of the Ethics and Compliance Policy should be outsourced to an independent organization (to ensure impartiality).

The Special Ethical Principles

The Providers of Health-related Services are morally bound by an additional set of "Special Ethical Principles", which are listed below:

- Adoption and Implementation of a Consistent System for reporting of Outcomes
- Adoption and Implementation of Evidence-based Clinical Practices
- Provision of Patient-centered / Consumer-centered Care

NOTE: Patient-centered care supports active involvement of patients and their families in decision-making about individual options for treatment. The IOM (Institute of Medicine) defines patient-centered care as: "Providing care that is respectful of and responsive to individual patient preferences, needs, and values, and ensuring that patient values guide all clinical decisions."

Part 2

Ethics and Compliance for Providers of Sector-supporting Services

Definition and Scope of “Providers of Sector-supporting Services”

...and the Complementary “Sector-supporting” Industries

To complement means to make something complete. And the Global Healthcare Travel Sector is not complete without the Sector-supporting Industries (and the corresponding Industry Players and Professionals).

The “Sector-supporting Industries” are those which do not provide health-related services – but rather provide services (and maybe even and products) which support the health-related services providers.

Several industries contribute to and support the “Sector” (hence “sector” rather than “industry”).

The main ones (alphabetically) are:

- Branding and Reputation Management
- Certification, Accreditation and Credentialing
- Consulting
- Education - Training
- Facilitation – Brokering (as in Medical Tourism Facilitation)
- Health-Sector-Equipment-Manufacture and Distribution
- Hospitality
- Information and Communication Technology
- Insurance
- Journalism
- Media
- Meeting, Incentives, Conferences and Exhibitions (MICE)
- Promotion and Marketing
- Publishing
- Sector-specific Recruitment
- Research (Industry and Market)
- Tour Operation and Travel Agency

Failures and Lapses to guard against

At the very minimum, Members of the GHTC who are Providers of Sector-supporting Services (or even products) need to avoid and guard against:

- Misrepresentation
- Failure to clearly articulate “Purpose or Purposes”
- Lapses in terms of Transparency and Disclosure

These failures and lapses are explained below.

Misrepresentation

...claiming to be something which you are not

Members need to ensure they do not misrepresent themselves or their enterprise / business.

The “sector” is plagued by instances where there is misrepresentation (i.e., an assertion or manifestation by words or conduct that is not in accord with the facts) regarding the Legal Entity or its Principals (i.e., the people behind – and responsible for - the Legal Entity).

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Lapses in terms of Transparency and Disclosure

...what needs to be transparent and disclosed

Members – and their enterprise / business - need to be transparent (honest and open) and disclose “material” (practically relevant) information and facts.

Some of the information which needs to be disclosed, includes:

- Who is behind and responsible for the business / enterprise
- Qualifications of the “Principal” (the most important or senior person in the organization) - proving suitability and competence to provide the stated services
- Clear indication of where the Business / Enterprise is “really” located / headquartered (and registered as a Legal Entity)
- Disclose how they generate their revenue from the profession
- Disclose the nature of their business relationship with the providers they recommend, refer to or merely “list”
- True and preferably unsolicited Testimonials
- Proof that they are operating within the law (local or international)

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