



Code of Ethics and Professional Conduct

1. Introduction

The California Association of Ayurvedic Medicine (CAAM) believes that all patients are entitled to expect high standards of practice and ethical conduct from the Ayurveda Professional. Essential elements of these standards are professional competency, good relationships with patients and colleagues, and observance of professional ethical obligations.

This Code of Ethics and Professional Conduct (the “Code”) serves to communicate the high standards under which the Ayurveda Professional is expected to operate, is intended to provide guidance for the Ayurveda Professional, and protection for the patients of the Ayurveda Professional. The Code will be reviewed on a regular basis and updated from time to time. By becoming a Professional Member of CAAM, the Ayurveda Professional agrees to be bound by this Code, as it exists now, and as it may be changed in the future.

CAAM recognizes that this Code cannot list every situation that the Ayurveda Professional may face in the course of practice. Instead, the Code provides guidelines for acceptable minimum standards of ethical professional conduct that should be applied in an Ayurveda based professional practice in California, thus ensuring that the public interest and the needs and safety of the patient come first at all times. In addition to the well-being of the patient and the public, this Code promotes the well-being of the Ayurveda Professional, and the Profession itself. Adherence to the guidelines and principles of the Code demonstrates an adequate level of competence and fitness to practice on the part of the Ayurveda Professional. For additional guidance or clarity regarding a particular matter involving the Ayurveda Professional’s practice, the Ayurveda Professional may contact the CAAM Professional Ethics Committee.

This Code is not intended to substitute for, or serve as professional legal advice or guidance. The Ayurveda Professional is encouraged to seek the advice of an attorney for any matter or question related to the Professional’s particular practice, such as the requirements for practicing in California, the allowable scope of practice and

the documentation, and policies and procedures advisable or necessary to practice in California.

2. General Duties and Responsibilities

The Ayurveda Professional has an obligation to honor the trust a patient places in them as a health care provider with full disclosure of their education, philosophy and recommendations according to the guidelines set in Senate Bill 577 in the state of California. The Ayurveda Professional has a duty to set a high standard of integrity, maintain a high level of care, and show the utmost respect for health and wellbeing in all its aspects towards their patients.

3. Relationship with Patients

The relationship between the Ayurveda Professional and the patient is a professional relationship based on trust. To establish and maintain that trust, the professional must be polite, considerate and honest. Good communication is paramount and involves listening attentively to patients, respecting their point of view, and never allowing personal beliefs and values to adversely influence the therapeutic relationship.

3.1. Consent

The Ayurveda Professional must respect the right of patients to be fully involved in decisions about their care. Patients are entitled to accept or refuse advice and recommended Ayurvedic protocols from professional.

Before an assessment, examination, or protocol is administered, the Ayurveda Professional must ensure that there has been informed consent to such assessment or protocol. Informed consent occurs when communications between the Ayurveda Professional and the patient results in the patient's authorization or agreement to the specific assessment or protocol (or the consent of the patient's health care surrogate if the patient lacks decision-making capacity, or declines to participate in making decisions).

Conversations regarding informed consent and the patient's decision should be documented in some manner in the patient record.

As part of the informed consent, the Ayurveda Professional should assess the patient's ability to understand the information presented and make an independent, voluntary decision.

The Ayurveda Professional must understand and fully comply with the laws of California

in all matters concerning informed consent. Consent of a parent or legal guardian may be required prior to the assessment or treatment of a minor or developmentally disabled individual. Additionally, it may be necessary for the parent or the legally authorized guardian to be present throughout any examination and treatment.

3.2. Maintaining Trust

To establish and maintain trust the **Ayurveda Professional** must:

- Respect the privacy and dignity of the patient according to HIPPA requirements.
- Respect the patient's right to seek a second opinion if necessary.
- Maintain ethical boundaries, confidentiality and good communication with the patient.

3.3 Ethical Boundaries

An Ayurveda Professional must behave in a professional manner with patients at all times, and leave nothing open to misunderstanding or misinterpretation. This includes but not limited to: non-physical gesture, behavior, unnecessary physical contact, verbal suggestion or innuendo that may easily be construed as abusive or harassment. A clear distinction between the social relationship and the professional relationship with patients must be maintained. An Ayurveda Professional must not allow personal relationships to undermine trust as a patient.

It is considered unethical for a professional and their patient/client to concurrently have romantic or sexual relationship/interactions. This may leave the patient vulnerable and divert from an ethical patient/professional relationship that may be considered exploitative and compromise proper well-being services, hamper judgement and may be detrimental to the patient/client health and well-being.

3.4 Confidentiality

The Ayurveda Professional shall maintain patient privacy and confidentiality, in full compliance with the health care privacy laws of the United States and California. Those laws protect the confidentiality of individually identifiable medical information. California's Confidentiality of Medical Information Act (CMIA) defines "medical information" to include any individually identifiable information, in electronic or physical form, in possession of or derived from a provider of health care, regarding a patient's medical history, mental or physical condition, or treatment. "Individually identifiable" means that the medical information includes or contains any element of personal identifying information sufficient to allow identification of the individual, such as the patient's name, address, electronic mail

address, telephone number, social security number, or other information that reveals the individual's identity. Individuals suffering damage due to the release of confidential information or records may recover monetary damages. Additional fines may also be assessed for knowing and willful violations of CMIA.

Ayurveda Professionals should not disclose a patient's records, or any other individually identifiable information regarding the patient, to any other party (including, but not limited to, a spouse, partner, relative, employer, etc.) without the patient's prior written consent. Additionally, the Ayurveda Professional should utilize confidentiality and business associate agreements to protect the confidentiality of patient information.

3.5 Good Communication

Good communication between the Ayurveda Professional and patient is essential for effective care and to build a relationship based on trust.

Good communication involves:

- Listening attentively to the patient communication while respecting their views and beliefs.
- Communicating with patients in a language they understand. ● Prior to providing any service or product to a patient, the Ayurveda Professional should clearly disclose fees to the patient, any additional costs associated with the service or product, and the expected duration of service/use.
- The Ayurveda Professional should provide the patient written instructions regarding the use of any product provided by or through the Ayurveda Professional. The instructions should include ingredients, how the product is to be used, the recommended serving size or dosage, when and how often it is to be taken, include any other details that must be explained to the patient - e.g, risks associated with use, who to call if there is an adverse reaction, etc. Product labels are required for all products provided by the Ayurveda Professional to the patient. If the product is manufactured by the Ayurveda Professional, the label must include a list of ingredients, the patient's name, and the Ayurveda Professional's name, telephone number and address.

3.6 Patient Care and Protocols

The Ayurveda Professional must keep accurate, comprehensive, easily understood and legible case notes including the following details:

- Patient's name, address, date of birth and telephone number ● Date of each

consultation

- Presenting symptoms
- Past medical history
- Relevant medical and family history
- Clinical findings
- Protocols and advice recommended on initial and subsequent visits
- Details of patient's progress

The Ayurveda Professional serves as custodian of the patient's records. In communal practice with other colleagues, if the AP works for another business, that business may "own" the records. It is wise to contract for ownership of the records and to specify whether the patient is considered a patient of the AP or the company employing the AP. On no account should records be transferred to another practice or professional without the written authorization of the patient.

If a patient has suffered an adverse reaction as a result of a protocol or recommendation, the professional should act immediately to take responsibility, provide an explanation, and do everything necessary to safeguard the well-being of the patient and avert a crisis.

As explained in Section 3.4 above, The Ayurveda Professional shall maintain patient privacy and confidentiality, in full compliance with the health care privacy laws of the United States and California. This duty of privacy and confidentiality extends to patient medical records. CMIA requires a health care provider who creates, maintains, preserves, stores, abandons, destroys, or disposes of medical records to do so in a manner that preserves the confidentiality of the information contained within those records.

In California, under specific conditions and/or requirements, patients have a right to see and receive copies of their medical records, and the provider may charge certain fees for making the records available. See California Health and Safety Code, Section 123100 et seq. The Ayurveda Professional is expected to understand and follow the California State laws concerning the release of medical records.

3.7. Financial Dealings

As indicated in Section 3.5 above, prior to providing any service or product to a patient, The Ayurveda Professional should clearly disclose fees to the patient, any other costs associated with the service or product, and the expected duration of service/use. The Ayurveda Professional has a duty and obligation to provide the same standard and quality of care to non-paying patients as they provide to paying patients.

The Ayurveda Professional should not exploit a patient's vulnerability or lack of medical knowledge when charging for products or services.

The Ayurveda Professional must be honest in financial and commercial dealings with employers, insurers, and other individuals and entities. The Ayurveda Professional must keep accurate financial records and comply with all Local, State and Federal legislative requirements.

3.8 Commercial Activities

The Ayurveda Professional must ensure that personal business affairs do not influence patient care. It is unethical and a conflict of interest to promote a product or service to a patient (or the patient's health care surrogate) merely for profit, self dealing, kickbacks and fee splitting when there is no health-related reason for the patient to utilize such product or service. The Ayurveda Professional must disclose such a relationship to the product or service to the patient and allow the patient to decide whether to proceed. If the Ayurveda Professional sells or recommends any product or service to the patient, it must be for the well-being of the patient and the Ayurveda Professional must be qualified to offer such product or service.

4. Relationship with Colleagues

4.1. Communication with other Health Care Professionals

If the patient's condition is outside the competence level of the Ayurveda Professional, The Ayurveda Professional must disclose this to the Patient and suggest they find another healthcare Provider.

Under no circumstances should any prescriptions or protocols issued by a medical doctor be changed, altered, or discontinued.

When communication with another health care provider is indicated, the Ayurveda Professional should inform the patient of the reasons for communication, get patient consent and document this in the patient file. A copy of such correspondence should be made available to the patient upon request.

If a transfer of care to another health care professional is desired by the patient, upon a signed written request from the patient, the Ayurveda Professional must share a copy of all written records with the new health care professional.

If the Ayurveda Professional treats the patient of another health care professional

because of holiday, illness or any other reason, the Ayurveda Professional should not attempt to solicit the patient directly to continue treatment with the Ayurveda Professional.

5. Relationship with the Public

5.1. Honorable Conduct

The Ayurveda Professional must act in an honorable manner in relationship with the public. Public communication may include advertising, contact through the media (e.g., newspapers, magazines or other publications, television, radio, world-wide web, social media, public talks and discussions with inquirers etc.). In all public communications, the Ayurveda Professional should act in a manner consistent with this Code. The Ayurveda Professional must avoid making misleading claims about curing disease or in any way implying abilities beyond the professional's competence, training, and scope of practice.

5.2. Advertising

The Ayurveda Professional should be accurate and truthful in all communications concerning the professional's practice, education, skills and experience.

The Ayurveda Professional should not mislead a patient into believing the professional is a medical doctor or other health care professional licensed to practice in California. They need to follow the protocols set by California Senate Bill 577. If the Ayurveda Professional is not a medical doctor or another health care professional licensed to practice in California, the Ayurveda Professional should disclose this fact to the patient. The Ayurveda Professional should not use the title "Doctor" or the abbreviation "Dr." unless the professional is a physician licensed to practice in California.

6. Ayurveda Professional's Health

The interests and safety of patients must come first at all times. If an Ayurveda Professional has knowledge that s/he has or may have a communicable disease which could be transmitted to patients, or any condition that hinders judgment or performance that could affect patient care (e.g., alcoholism, prescription or illegal drug addiction, etc.) the Ayurveda Professional should immediately consult with a physician, other licensed healthcare practitioner, or a consultant in occupational health, for a recommendation regarding whether the practice should be terminated or modified in order to best protect the interests and safety of patients. In circumstances warrant, the Ayurveda Practitioner shall immediately cease and desist from seeing

patients and/or working in the Ayurveda Professionals practice, until such time as the professional no longer presents a risk to patients. In such cases, the Ayurvedic Professional should notify CAAM within 30 days of receiving their practitioner's recommendation to cease practice.

7. Practice Management and Safety

The Ayurveda Professional should comply with all applicable laws, federal, state and local. The professional should obtain all permits and pay all taxes required for the professional to operate legally from that location.

California is one of the few states that has a Health Freedom Law, which under certain conditions exempts a person from penalties for practicing medicine without a license. The law provides protection as long as the person avoids certain prohibited activities, provides mandatory disclosures to the client, and obtains a written acknowledgment from the client stating that s/he received the mandatory disclosure. CAAM recommends that the Ayurveda Professional understands and strictly follows the requirements of California's Health Freedom Law. See Cal. Bus. & Prof. Code §§ 2053.5 and 2053.6.

It is recommended that the Ayurveda Professional carry professional malpractice insurance.

The Ayurveda Professional should maintain patient records as discussed in Section 3.6 above.

All employees, independent contractors and other individuals (e.g., students, volunteers, etc.) assisting the Ayurveda Professional in his/her practice (the "Staff") must have the proper training, education and experience reasonably necessary to perform their required tasks. CAAM recommends that the Ayurveda Professional provide their Staff notice of Code provisions that may be relevant to the services provided by the Staff. CAAM also recommends that the Ayurveda Professional utilize confidentiality and business associate agreements as discussed in Section 3.4 above.

8. Infringement of the Code of Ethics and Professional Conduct

Violation of this Code may subject the Ayurveda Professional to disciplinary action, up to and including termination of their membership in CAAM, and loss of the related privileges and benefits of CAAM membership. By accepting professional membership in CAAM, the Ayurveda Professional agrees to abide by this Code.

*Thanks to the Ayurvedic Professional Association in UK and National Ayurvedic Medical Association (NAMA) upon whose work this Code of Ethics and Professional Conduct is based**

I have read, understand, and agree to be bound by CAAM's Code of Ethics and Professional Conduct, as it exists now, and as it may be changed at any time, and from time to time, in the future, with no advance notice to me.

[Signature]

[Print Name]

[Date]

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