

BOOK VI
ON THE RESOLUTION OF ETHICAL DISPUTES

CHAPTER 37
ON THE ETHICAL DISPUTE AGENTS,
HOW TO REPORT - REQUIREMENTS AND PROCEDURES

Art.-598 Any public or private person considered or demonstrated to be affected by any action or omission to the ethical principles described in this Code of Ethics, arising from the conduct of any health agent or agents as are comprised herein, may -within the term of one year of such fact having taken place- report same by fulfilling the applicable requirements and procedures and presenting himself before the Body described in this Book.

Art.-599 Such report shall be entered by the Secretary of the Argentine Medical Association and shall be made in writing, be signed and include any public or private instrument in support thereof. Both the report and any supporting instrument thereof shall be submitted with as many sets of copies as parties are being denounced in the report, and the reporting person shall specify her or his full name, Identity Card number and occupation, and shall make a brief statement of the facts that have given rise to this report, specifically stating the health agents involved in the ethical dispute as well as -if applicable- indicating their names and addresses and the names and addresses of any witnesses -up to a maximum of three- who might contribute to elucidate such dispute. The reporting person -at his own expense- shall be entitled to submit its report via her or his legal counsel.

Art.-600 The Administrative Secretary of the Argentine Medical Association shall enter the report by recording it on the Registration Book, on which numbered pages the date of such report shall be stated, as well as the sequential number, the name of the reporter and of the reported parties. A Dossier shall thus be opened which title shall include the above information.

Art.-601 Within 5 (five) business days of entry, the Proceedings so initiated shall be sent to the Secretary of the "Health Ethics Court" -TEPLAS- that seats at the Argentine Medical Association and the date when said Proceedings are received shall be recorded on the Registration Book above.

Art.-602 TEPLAS shall examine any supporting information submitted and shall decide on initiating a Preliminary Investigation if it deems that the reported facts are ethically relevant to the purposes of this Code.

Art.-603 No later than 10 (ten) business days after the Secretary of the Ethics Court has opened the Preliminary Investigation, the Argentine Medical Association shall serve notice by authentic means to the persons being reported, attaching thereto the copies of the supporting instruments. The reported person or persons shall have 15 (fifteen) business days to answer the charges and provide any supporting evidence, with as many sets of copies as parties have entered the report, including their names, addresses, identity card numbers and occupation. The dates of issuance and reception shall be authentically recorded on the preliminary investigation proceedings. The reported person or persons may –at their own expense- seek legal counsel for submitting their answer to the report. The absence of an answer by the reported person or persons shall be deemed as background evidence to be considered at the time of the Final Decision on the contested issues.

Art.-604 The Preliminary Investigation proceedings shall be secret and may only be disclosed to the parties, their designated legal counsels and any persons authorized by the parties.

Art.-605 Having met all the requirements and once the terms hereinabove have elapsed, the Health Ethics Court of the **Asociación Médica Argentina** shall summon the parties by any authentic means to a Settlement Conference to be held at the Argentine Medical Association premises or wherever else such Association may state. The summons shall specify the date and time of the Settlement Conference and shall be served no later than (15) fifteen business days before the date of such Conference.

Art.-606 Notwithstanding the effective compliance with the provisions of this Chapter and for the purpose of ensuring due process for the parties, TEPLAS, at its sole discretion, may extend any terms or take any steps as it may deem necessary to solve the ethical dispute as best suits. For the purpose and intent described hereinabove, TEPLAS shall be entitled to passing any procedure rules TEPLAS considers convenient or appropriate to comply with its assigned duty.