

## **BOOK II**

### **ON THE PROFESSIONAL PRACTICE**

#### **CHAPTER 13**

#### **ON THE HEALTH TEAM MEMBERS-INSTITUTION RELATIONSHIP**

**Art.-207** Relationships between Health Team members and Health Care Providers (Private, Public, Union-owned, Community-owned, Armed Forces-owned Organizations) shall be ethical and harmonious, and shall avoid any coercion attempt mainly resulting from economical conditioning.

**Art.-208** The Health Team and the Institution shall favor the assistance of the patient who makes a call on the physician's office. The acting doctor shall be responsible for providing the patient with the appropriate physical and psychological assistance as well as with the corresponding explanations to her or his family.

**Art.-209** The Health Team shall not accept any kind or degree of discrimination from the Institution where she or he works.

**Art.-210** The Health Team and the Head of the Team in particular are responsible for the quality of the assistance. It is their obligation to report to and request from the institutional authorities the solution to failures or defects that may endanger the medical act in any manner whatsoever. The Health Team member shall take no part in any health care plan that may restrict her or his capacity to decide what is best for the patient.

**Art.-211** Contractual relationships between the Health Team, on the one hand, and the Institution or Health Care organization, on the other, will guarantee the existence of the honorable respectful ethical framework that both professional and patient deserve. Professional Associations should tend to monitor regulation compliance.

**Art.-212** Hospitals and Institutions hiring Health Team members shall promote a Hospital Medical Career, which shall include entrance through an open selection process involving competitive examinations and interviews, job stability, seniority and retirement programs, among other specific conditions. The organization of professional unions with by-laws protecting medical work are highly recommended provided they do not come into conflict with this Code.

**Art.-213** Health Team members have the right to a decent salary. Salaries and fees shall be paid on the dates duly agreed upon. The professional's claim, even before a court if deemed necessary, is not considered an ethical fault.

**Art.-214** It is a severe ethical fault for Health Care organizations and their managers, directors and administrators to hire professionals or professional teams whose members

do not qualify under this Code. It is also deemed to be serious unethical conduct to force them to perform duties that are outside their functions or professional fields.

**Art.-215** Health Care Institutions shall own resources and buildings having conditions and working environment that comply with the applicable rules, regulations and standards, and biosafety equipment and materials guaranteeing quality health care and protecting the staff from nosocomial infections. For such purpose, accreditation and quality control systems shall be implemented.

**Art.-216** Health Care organizations such as hospitals (public, union-owned or private) and their managers, directors and administrators acting on "captive patient populations" are ethically and legally responsible for complying with quality standards of all medical products they administer to their patients, regardless of the purchase method they use.

**Art.-217** Professional secret and confidentiality are the patient's inalienable rights; the Health Team has the obligation to become a zealous custodian of these rights. Health Care organizations and health care professionals shall act jointly to have report and certification contents regulated so that they do not breach the abovementioned rights; furthermore, they shall monitor the ways in which the professional secret may be violated within the Institution.

**Art.-218** A control over the Health Team member shall only be accepted if it is carried out by her or his peers within the organization where they belong.

**Art.-219** Health Team members connected with health care institutions shall defend their right to free prescription. Moreover, they have the obligation to use diagnostic and therapeutic means in a rational manner, and to avoid excessive or useless indications (unnecessary medicine).

**Art.-220** It is deemed to be serious unethical conduct for Health Team members to be connected with organizations or companies that produce, distribute or sell medicinal substances, disposable items, prostheses and/or technological products. They shall not receive any money or goods in compensation for prescribing certain products or performing practices or procedures that may be a form of economic benefit or promotion for the above organization or company.

**Art.-221** The managers of all the Health Care organizations offering hospitalization services shall tend to create Ethics Committees and Committees of Professional Conduct.

**Art.-222** Health Team members, regardless of the Health Care institution they work in, shall fully comply with their contractual professional and administrative duties.

**Art.-223** Health Care institutions shall not be used for political party struggles. The Health Care professional holding a managing position shall meet all the provisions set forth in this Code.