

Fellowship Standards

The following Interpretative Statements are based on the Standards of Conduct contained in Article IV of the By-Laws of the American Academy of Optometry. These have been designed to assist Academy members in promoting and protecting the public good by establishing criteria by which each member may determine the propriety of relationships with patients, with colleagues, with members of allied professions and with the public.

Requirements of the Academy may often exceed state and national laws and regulations. While violations of the law may subject the optometrist to civil or criminal liability, the American Academy of Optometry may reprimand, censure, suspend, or expel a member, after due process hearings, or deny membership to an applicant, on the basis of violations of the Standards of Conduct.

ACCEPTANCE OF MEMBERSHIP COMMITS THE INDIVIDUAL TO ADHERENCE TO THESE STANDARDS.

BY-LAWS: ARTICLE IV

SECTION 1

MEMBERS OF THE ACADEMY SHALL BE OF GOOD MORAL CHARACTER AND MAINTAIN THE HIGHEST STANDARDS OF THE PROFESSION.

Members of the American Academy of Optometry:

1.1 Shall be known in their respective communities for integrity, honesty, competence, knowledge, compassion, thoughtfulness and citizenship. "Communities" refers to cities, towns, villages, colleges, universities, research institutes, etc.

1.2 Shall strive to continually develop as a whole person.

1.3 Who believe that they know of an ethical violation by another member shall informally attempt to resolve the issue by bringing the aberrant behavior to the attention of the member. Such informal corrective efforts must be sensitive to any rights of confidentiality involved. If the violation does not seem amenable to an

informal solution, the member should bring it to the attention of the Secretary along with evidence of such violation.

SECTION 2

MEMBERS OF THE AMERICAN ACADEMY OF OPTOMETRY SHALL ACCEPT RESPONSIBILITY FOR THE CONSEQUENCES OF THEIR ACTS, MAKE EVERY EFFORT TO INSURE THAT THEIR SERVICES ARE USED APPROPRIATELY, AND, WHEN INDICATED, RECOMMEND ALTERNATE SOURCES OF CARE.

Members of the American Academy of Optometry:

2.1 Will not participate in, condone, or be associated with dishonesty, fraud, deceit, dissimulation, or misrepresentation of professional qualifications, education, experience or affiliation.

2.2 Will protect patients from unwarranted physical or mental discomfort, distress, harm, danger, deprivation, and unnecessary procedures, and will not exploit patients for pecuniary gain.

2.3 Will keep the confidence of patients and their records inviolate and will discuss patients with consultants only after securing the informed consent of the patient, except where required by law.

2.4 Will not promote, condone or participate in conditions which tend to limit, impair or interfere with free and complete exercise of professional judgment and skill since such conditions cause a deterioration in the quality of patient care.

2.5 Will accept complete responsibility and accountability for their professional judgment and action and those of staff assistants.

2.6 Will seek consultation from appropriate sources when needs of the patient are beyond their own qualifications and competencies, or if the patient requests such.

2.7 Will collaborate with other members of the health care community in resolving health needs of patients.

2.8 Will practice in such a manner that neither patients nor the public will be misled as to the nature of the services rendered or the person or persons responsible.

2.9 Involved in research shall take responsibility to weigh the scientific and human values of their research. Compromise of any human principle should be only with informed consent and with stringent safeguards to protect the rights of human participants.

2.10 Involved in animal research shall take the responsibility to insure that acquisition, care, use and disposal of animals is in compliance with current laws and regulations. These notwithstanding, the animals' immediate protection depends upon the scientist's own conscience.

2.11 Who publish or report will do so responsibly, honestly and completely. Acknowledgment through specific citations shall be made for unpublished as well as published material that has contributed directly or indirectly to the writing or the reporting.

SECTION 3

MEMBERS OF THE AMERICAN ACADEMY OF OPTOMETRY SHALL MAINTAIN THE HIGHEST DEGREE OF PROFESSIONAL COMPETENCE BY RENDERING SERVICES, USING TECHNIQUES AND PROVIDING THE OPINIONS THAT MEET THE HIGHEST STANDARDS OF PRACTICE.

Members of the American Academy of Optometry:

3.1 Will act to safeguard patients and the public from the incompetent, unethical or illegal practice of optometry.

3.2 Will maintain competence by attending lectures, professional meetings, study courses, Academy meetings, and by planned home study, research, and reading.

3.3 Should promote and/or participate in research and activities which contribute to the development and dissemination of knowledge concerning all aspects of visual science and optometric care.

3.4 Should participate in optometry's efforts to protect the public from misinformation and misrepresentation concerning health care, with particular emphasis on vision care and optometric services.

3.5 Will perform any teaching duties only after careful preparation so that presentations are accurate, current and scholarly.

3.6 Will abide by applicable State and Federal laws and regulations regarding the practice of optometry.

SECTION 4

THE MORAL, ETHICAL, AND LEGAL STANDARDS OF BEHAVIOR OF A MEMBER ARE A PERSONAL MATTER TO THE SAME DEGREE AS THEY ARE FOR ANY OTHER CITIZEN, EXCEPT AS THEY MAY COMPROMISE THE FULFILLMENT OF A MEMBER'S PROFESSIONAL RESPONSIBILITIES.

Members of the American Academy of Optometry:

4.1 Will set their standards of behavior in harmony with Academy objectives and will not allow their behavior to cause a reduction in public trust and confidence that would impair the ability of colleagues to provide care.

4.2 Will avoid any action that violates or diminishes the legal and civil rights of patients.

4.3 Will refrain from initiating uninvited direct solicitations of patients who, because of their particular circumstances are vulnerable to undue influence.

SECTION 5

THE PROFESSIONAL STANDARDS OF MEMBERS OF THE ACADEMY REQUIRE THAT PUBLIC STATEMENTS, ANNOUNCEMENTS, AND PROMOTIONAL ACTIVITIES NOT BE DECEPTIVE, FRAUDULENT, OR MISLEADING.

Since individual patients want to know, and have a right to know, more about vision care (including optometry and visual science) their best interests are served by the proper dissemination of information within specific guidelines.

Members of the American Academy of Optometry, when participating in public education efforts:

5.1 Are enjoined to function with the patient's best interest in mind and to stress optometry's goal to provide excellence in vision care to all patients.

5.2 Will ensure that public information statements are based on scientific knowledge and fact.

5.3 Will not misuse Academy membership when dealing with the public or the media.

5.4 Must ensure that, when applicable, statements regarding eye care should follow the usual application of informed consent, noting alternative therapy, complications and efficacy of proposed treatment.

5.5 Shall not compensate nor give anything of value, including services, to a representative of the press, radio, television, or other communications media in anticipation of, or return for, professional publicity in a news item.

5.6 Should understand that the Academy is concerned that some optometrists may unintentionally mislead the public by using statements which can be misconstrued and that there may be a few who might attempt to attract patients through statements which are false and misleading. The Academy asserts that such statements are not in the public interest and constitute conduct unworthy of Academy members.

SECTION 6

MEMBERS OF THE ACADEMY WILL AT ALL TIMES OBSERVE THE PRINCIPLES OF COLLEGIALITY WHEN COMMUNICATING TO, OR ABOUT, OTHER MEMBERS.

The Academy exists as a collegium, defined as "A group, the members of which pursue shared goals while working within a framework of mutual trust and respect."

Members should feel free to propose or debate ideas in an atmosphere of mutual respect.

6.1 A member, when communicating to or about other members, shall not make false or misleading statements.

6.2 A member shall not use derogatory or malicious statements when debating the ideas of others.

Guidelines for Public Statements and Information

By order of the Board of Directors (formerly referred to as the Executive Council), the Admittance Committee and the Judicial Committee of the Academy will consider

public statements or announcements, whether paid for or not, to be false, fraudulent, deceptive, or misleading whenever they:

a. Contain a misrepresentation of fact or omit a material fact necessary to prevent deception or misrepresentation.

b. Contain a picture or facsimile of a person for the purpose of promising relief or recovery unobtainable by the average patient by the methods publicized.

c. Contain a testimonial pertaining to a quality or efficacy of optometric care of services that does not represent typical experience of other patients.

d. Are intended or are likely to create false or unjustified expectations of favorable results.

e. Contain a claim that the optometrist possesses skills, provides services or uses procedures superior to those of other optometrists with similar training, unless such claims can be factually substantiated by scientific and accepted evidence.

f. Take improper advantage of a person's fears, vanity, anxiety, or similar emotions.

g. Contain a claim that is likely to deceive or mislead the average member of the public to whom it is directed.

h. Contain a false or misleading prediction or implication that a satisfactory result or cure will result from performance of professional services.

i. Contain a claim that the optometrist uses or provides products which are superior unless claims can be factually substantiated, by scientific and accepted evidence.

j. Describe availability of products, procedures or services which are not permitted by law.

k. Are likely to attract patients by use of exaggerated claims.

l. Contain an uninvited direct solicitation of patients who, because of their particular circumstances, are vulnerable to undue influences.

m. Are not identified as a paid announcement or solicitation even when it is apparent from the context that it is a paid announcement or solicitation.

n. Contain a statement of fees charged for specific professional services but fail to indicate whether additional fees may be incurred for related services which may also be required.

o. Identify a Student Member or Candidate for Fellowship as a member or Fellow of the Academy.