
1077 **ARTICLE XI – Ethics and Discipline**

1078 **Section 1**

1079 *Code of Ethics*

1080 The Code of Ethics of the ACR is intended to aid the radiology community, individually and
1081 collectively, in maintaining a high level of ethical conduct. The code is not a set of laws but
1082 rather a framework by which radiologists may determine the propriety of conduct in their
1083 relationship with patients, the public, colleagues, and members of allied professions.

1084 **Section 2**

1085 *Principles of Ethics*

1086 The Principles of Ethics form the first part of the Code of Ethics of the College. They serve
1087 as goals of exemplary professional conduct for which members of the College should
1088 constantly strive.

1089
1090 The principal objective of the medical profession is to render service to people with full
1091 respect for human dignity and in the best interest of the patient. Members should merit the
1092 confidence of patients entrusted to their care, rendering to each a full measure of service
1093 and commitment.

1094
1095 Members should strive continually to improve their medical knowledge and skill and make
1096 these improvements available to their patients and colleagues.

1097
1098 Members should at all times be aware of their limitations and be willing to seek
1099 consultations in clinical situations where appropriate. These limitations should be
1100 appropriately disclosed to patients and referring physicians.

1101
1102 The medical profession should safeguard the public and itself against physicians deficient
1103 in moral character or professional competence by reporting, to the appropriate body,
1104 without hesitation, perceived illegal or unethical conduct of members of the medical
1105 profession. Members should uphold all laws, uphold the dignity and honor of the medical
1106 profession and accept its self-imposed discipline and deal honestly and fairly with patients
1107 and colleagues.

1108
1109 The honored ideals of the medical profession imply that responsibilities of members extend
1110 to society in general as well as their patients. These responsibilities include the interest and
1111 participation of members in activities that improve the health and well-being of the individual
1112 and the community.

1113
1114 Members may not reveal confidences entrusted to them in the course of medical
1115 attendance, or deficiencies they may observe in the character of patients, unless they are
1116 required to do so by law, or unless it becomes necessary to protect the welfare of the
1117 individual or of the community.

1118
1119 A physician who has not personally interpreted the images obtained in a radiological
1120 examination should not sign a report or take attribution of an interpretation of that
1121 examination rendered by another physician in a manner that causes the reader of a report
1122 to believe that the signing radiologist was the interpreter.

1123
1124 The decision to render a service by a diagnostic radiologist, radiation oncologist,
1125 interventional radiologist, nuclear medicine physician, or medical physicist is a matter of
1126 individual physician and patient choice governed by the best interest of the patient.

1127
1128 The traditional bond among diagnostic radiologists, radiation oncologists, interventional
1129 radiologists, nuclear medicine physicians, and medical physicists, particularly in their
1130 professional relationships with each other, is a powerful aid in the service of patients and
1131 should not be used for personal advantage.

1132 **Section 3**

1133 *Rules of Ethics*

1134 The Rules of Ethics form the second part of the Code of Ethics of the College. They are
1135 mandatory and directive of specific minimal standards of professional conduct for all
1136 members of the College.

1137
1138 Members' behavior should conform to high standards of ethical, legal, and professional
1139 conduct. Any activity that fails to conform to these standards compromises the member's
1140 personal integrity and casts aspersions on the College and the medical profession.

1141
1142 It is proper for a diagnostic radiologist to provide a consultative opinion on radiographs and
1143 other images regardless of their origin. A radiologist who regularly interprets radiographs
1144 and other images should reasonably participate in quality assurance, technology
1145 assessment, utilization review, and other matters of policy that affect the quality and safety
1146 of patient care.

1147
1148 It is proper for a radiation oncologist to provide a consultative opinion in the management of
1149 cancer and other disorders treated with radiation. A radiation oncologist should regularly
1150 treat patients only in settings where the radiation oncologist reasonably participates in the
1151 quality of patient management, utilization review, and matters of policy that affect the quality
1152 of patient care.

1153
1154 It is proper for an interventional radiologist to provide a consultative opinion in the
1155 management of conditions treated by interventional methods. An interventional radiologist
1156 should regularly treat patients only in settings where the interventional radiologist
1157 reasonably participates in the quality patient management, utilization review, and matters of
1158 policy that affect the quality of patient care.

1159
1160 It is proper for a nuclear medicine physician to provide a consultative opinion in the
1161 management of conditions treated by nuclear medicine. A nuclear medicine physician
1162 should regularly treat patients only in settings where the nuclear medicine physician
1163 reasonably participates in the quality patient management, utilization review, and matters of
1164 policy that affect the quality of patient care.

1165
1166 It is proper for a medical physicist to provide assistance to a physician in treating patients
1167 only in settings where the medical physicist reasonably participates in technical quality
1168 assurance.

1169
1170 Prior to practicing in a hospital or other health care entity, a diagnostic radiologist, radiation
1171 oncologist, interventional radiologist, nuclear medicine physician, or medical physicist shall
1172 apply, and be accepted, as a member of that entity's medical staff in accordance with the
1173 medical staff's bylaws and in the same manner as all other physicians.

1174
1175 The practice of physicians referring patients to health care facilities in which they have a
1176 financial interest is-not-in the best interest of patients. Self-referral may improperly influence
1177 the professional judgments of those physicians referring patients to such facilities.
1178 Members with ownership interests participating in such arrangements may be in violation of
1179 these Rules of Ethics.

1180
1181 Members shall relate to other members of the health care team with mutual respect and
1182 refrain from harassment or unfair discriminatory behavior.

1183
1184 Members should have the right to enter into whatever lawful contractual arrangements with
1185 health care systems they deem desirable and necessary but they should seek to ensure
1186 that the system of healthcare delivery in which they practice does not unduly influence the
1187 selection and performance of appropriate available imaging studies or therapeutic
1188 procedures.

1189
1190 Members should not enter into an agreement that prohibits the provision of medically
1191 necessary care or that requires care at below acceptable standards. Notwithstanding
1192 policies of a health plan, radiologists should advocate cost-effective appropriate studies or
1193 therapies that will benefit the patient, whose welfare is paramount.

1194
1195 Members should clearly and adequately respond to inquiries by patients regarding fees
1196 and/or any financial incentive. A radiologist should not participate in a billing arrangement
1197 that misleads patients or third-party payers concerning the fees charged by the radiologist.
1198 Radiologists shall not divide radiological fees either directly or by any subterfuge.

1199
1200 In providing expert medical testimony, members should exercise extreme caution to ensure
1201 that the testimony provided is non-partisan, scientifically correct, and clinically accurate.
1202 The diagnostic radiologist, radiation oncologist, interventional radiologist, nuclear medicine
1203 physician, or medical physicist shall not accept compensation that is contingent upon the
1204 outcome of litigation.

1205
1206 Radiologic research must be performed with integrity and be honestly reported.

1207
1208 Members should not claim as their intellectual property that which is not theirs. Plagiarism
1209 or the use of others' work without attribution is unethical.

1210
1211 Members should not publicize themselves through any medium or forum of public
1212 communication in an untruthful, misleading, or deceptive manner or in a fashion demeaning
1213 to the profession.

1214 **Section 4**

1215 *Disciplinary Procedures for Violation of the Rules of Ethics*

1216 A member of the College may be censured, suspended or expelled for due cause, pursuant
1217 to the Principles of Ethics, Rules of Ethics and disciplinary procedures set forth in these
1218 bylaws. Any disciplinary action taken against a member of the College pursuant to the
1219 College's Principles of Ethics, Rules of Ethics or disciplinary procedures shall be deemed to
1220 apply equally in relation to such individual's membership in the College. Likewise, as
1221 provided by the College's bylaws, any disciplinary action taken against a member of the
1222 College pursuant to the College's Principles of Ethics, Rules of Ethics or disciplinary
1223 procedures shall be deemed to apply equally in relation to such individual's membership in
1224 the College. Disciplinary proceedings shall be considered confidential. The levels of
1225 disciplinary action shall be defined as follows:

- 1226
1227 a. **Letter of Concern:** In cases where the Ethics Committee determines formal
1228 disciplinary action against a member is not warranted, it may issue a letter of
1229 concern or a letter of instruction to address matters that are not violations of the
1230 College's Code of Ethics but warrant the member's attention.
- 1231 b. **Censure:** A censure shall be a written reprimand to the member from the chair
1232 of the Ethics Committee with no loss of benefits of fellowship or membership.

- 1233 Such censure shall be made a part of the membership file of the member.
 1234 c. **Suspension:** A suspension shall cause the member to lose the benefits of
 1235 fellowship or membership for a specific period of time as determined by the
 1236 Ethics Committee, after which the individual, if approved for reinstatement, will
 1237 resume full membership upon payment of appropriate dues. Suspension shall
 1238 be for such term as the Ethics Committee determines is necessary to ensure
 1239 modification of behavior.
 1240 d. **Expulsion:** Expulsion shall cause the member to be removed from the rolls of
 1241 the College. An expelled member shall not be entitled to any of the benefits of
 1242 fellowship or membership. The College shall not accept a reapplication for
 1243 fellowship or membership from an expelled member until a prescribed period,
 1244 as the Committee shall determine, has elapsed from the date the individual was
 1245 notified of the Committee's action.
 1246

1247 Grounds for Disciplinary Action: A member of the College may be disciplined for any one
 1248 (1) or more violations of Section 3 of the Code of Ethics (the Rules of Ethics) of the
 1249 College. Additionally, a member may be disciplined for:

- 1250 • Limitations or restriction of any right associated with the practice of medicine by
- 1251 any state, other U.S. jurisdiction, Canadian province, or territory including
- 1252 the revocation, suspension, and restriction of a medical license or the
- 1253 voluntary surrender of a license while under investigation
- 1254 • Conviction of any felony
- 1255 • Conviction of scientific fraud
- 1256

1257 Disciplinary Process: A complaint that a member of the College has violated the Rules of
 1258 Ethics may be filed in writing either with the chair of the Ethics Committee or with the
 1259 person or persons authorized to receive such complaints by the bylaws, rules or regulations
 1260 of the chapter to which such member belongs. The Ethics Committee may refer any
 1261 complaint filed to the appropriate chapter, may retain such complaint for investigation and
 1262 disposition, or may dismiss, with written justification, such complaint as non-meritorious.
 1263 The Ethics Committee shall investigate and dispose of ethics matters in accordance with
 1264 such procedures as the committee may from time to time determine.
 1265

1266 If a chapter receives a complaint or request for disciplinary action against a member of the
 1267 College, the chapter shall follow the procedures specified in its bylaws, rules or regulations
 1268 for investigating and disposing of the matter.
 1269

1270 If the matter is retained by the Ethics Committee, written notice shall be sent to the member
 1271 in question by registered or certified mail at least thirty (30) calendar days prior to a meeting
 1272 of the Ethics Committee (a) stating the time and place of the meeting, (b) informing the
 1273 member of the nature of the complaint which will be considered, (c) advising that the
 1274 member may then and there appear in person and/or by legal or other representative and
 1275 may submit such evidence as the member deems appropriate, and (d) advising the
 1276 member in question that failure to cooperate reasonably with an ethics investigation is
 1277 independent grounds for disciplinary action. Following the meeting, the Ethics Committee
 1278 shall notify in writing the chair of the BOC and the member of its decision.
 1279

1280 A member against whom disciplinary action is taken either by a chapter or upon the
 1281 recommendation of the Ethics Committee may appeal the decision to the Judiciary
 1282 Committee by mailing a written notice of appeal to the chair of the BOC within thirty (30)
 1283 days of the mailing of notice of the adverse decision to the member in question.
 1284

1285 Before the Judiciary Committee shall hear an appeal, the Judiciary Committee shall, by
1286 registered or certified mail, notify the member in question not less than thirty (30) calendar
1287 days prior to a meeting of the Judiciary Committee that the member may then and there
1288 appear in person and/or by legal or other representative to present such argument as the
1289 member deems proper to show that the disciplinary action taken should be reversed.

1290
1291 The Judiciary Committee shall determine whether the disciplinary action taken against a
1292 member is supported by the evidence and is the result of the fair procedures consistent
1293 with these bylaws. If so, the Committee shall affirm the disciplinary action. If not, the
1294 Judiciary Committee shall reverse the disciplinary action and either dismiss the case or
1295 return the case to the Ethics Committee with instructions for further proceedings. All actions
1296 of the Judiciary Committee shall be by majority vote.

1297
1298 The status of a member during disciplinary proceedings shall be unaltered.