

## **HMEDA Code of Ethics**

The BC Home Medical Equipment Dealers Association (HMEDA) and its members shall maintain the highest level of ethical, legal and professional standards in the conduct of its business.

### **Purpose of the Code of Ethics**

The Code of Ethics recognizes that HMEDA Members have obligations and responsibilities to their employees, their clients, to Health Professionals and to the general public. The purpose of the Code of Ethics shall be to establish and improve standards within the practice of providing home medical equipment and services. HMEDA members are expected to strive to constantly meet them and conduct themselves in a manner consistent with the code.

To maintain the ethical conduct and integrity of this Association, a HMEDA member pledges to abide by the following:

### **To Clients and Funding Sources**

1. Members will provide quality home medical equipment and services which are appropriate for the client's needs and never knowingly condone or assist the dispensing, promoting or distributing of medical devices or services which are not of suitable quality, or which lack therapeutic value for the client.
2. Members will protect the safety, health and welfare of the public by recommending and/or purchasing appropriate services, parts and products from reliable sources.
3. Members will comply with the letter and spirit of our contracts and agreements, and in the approvals, documentation and reporting processes of our funding source partners; and work to support their objectives in the supply of home medical equipment and services.
4. Members will serve all clients regardless of race, creed, national origin, or reason of illness.
5. Members will avoid participating, directly or indirectly, with a source of patient referrals in a "captive referral arrangement," whereby patients are directed to utilize a supplier of home medical equipment in derogation of the patient's rights to select the suppliers of their choice.
6. Members will not promote or advertise false, misleading or wrong information to the public.
7. Members will continue to expand and improve professional knowledge and skills so as to provide our clients equipment and services which will better serve the industry.
8. Members will instruct the patients and/or caregivers in the proper use of the equipment.
9. Members will act and conduct business with integrity, honesty, impartiality and fairness.
10. Members will accurately represent their education, qualifications and achievements without exaggeration.
11. Members will explain fully and accurately to clients, therapists and/or care givers patients' rights and obligations regarding the rental, sale and service of home medical equipment.
12. Members shall not undertake to provide specialized professional services that are outside their field of competence unless they engage the assistance of one who is competent, or unless the facts are fully disclosed to the client.
13. Members will comply with all provincial and federal legislation and professional regulations regarding confidentiality and take action to safeguard personal information while collecting, recording, releasing, securing and disposing information.

### **To each other (Member to Member)**

1. Members will abide by all applicable federal and provincial laws and regulations which govern the home medical equipment industry and agree to accept these ethical principles. Members are not to engage in any activity that will discredit the industry and are further required to report without fear or favor, illegal or unethical conduct to the appropriate authorities.
2. Members will not promote misleading or wrong information of HMEDA Members in their effort to be competitive in the market place. Members shall not make false or misleading statements about competitors, their businesses, or their business practices.
3. Members agree not to use another Member's "work product" to gain an unfair competitive advantage. "Work product" includes notes and final quotations which are derived from a trial and demonstration process with specific clients.
4. Members will identify any competing interests and expectations of all stakeholders, including themselves, and in situations of real or perceived conflict of interest take appropriate action in the best interest of the client.
5. Members agree to comply with all requests and directives of the HMEDA Executive Board in furtherance of common aims and objectives.
6. Members agree to comply with all decisions of the Ethics Disciplinary Committee and participate fully in the investigation of any complaint brought against the Member for a violation of the HMEDA Code of Ethics.

## **HMEDA Complaint Process**

To ensure HMEDA members meet the ethical expectations of the home medical equipment community and the requirements for membership in the Association, the HMEDA Complaint and Disciplinary Action Procedure has been established.

### **1. Complaint Submission**

If you have a complaint about a HMEDA Member, you should contact the Executive Director of HMEDA at (604) 263-9233 or e-mail [info@hmeda.com](mailto:info@hmeda.com). Your complaint must be in writing and include the following information:

- Your name, e-mail address, and contact phone number
- If you are not a therapist, please include the name of the therapist and their contact information
- Describe the details about the issue or event. Please include;
  - The date
  - Place and time
  - Any persons or vendor(s) involved
  - An indication of which ethical code or codes were not being followed by the Member

If necessary, the Executive Director will provide you with information to assist you in filing a complaint.

### **2. Preliminary Assessment and Qualifications**

The Complaint will be reviewed by the Executive Director(ED) within 5 business days. The ED will assess the complaint against specific criteria and determine which and if any code(s) were violated and speak to all parties involved in an attempt to reach a resolution. If no resolution

can be attained, the grievance will be presented to the Complaint Committee. The ad hoc Committee will be made up of;

- a. The Executive Director
- b. 3 HMEDA members (appointed by ED)
- c. One member of the public (list of potential candidates to be determined and appointed by ED)

Please note that the complaint will be kept confidential among all parties involved and the committee.

### **3. Information Discovery**

Each party is given the opportunity to provide information to support their claims. Claimant's information is presented to the Respondent for response within 10 business days. The Respondent's response is presented to the Claimant for comment within 10 business days.

### **4. Complaint Adjudication**

Complaint Committee will investigate the complaint or information that is brought forward within 14 business days from receipt. The information acquired by the ED at the Information Discovery stage is scrubbed of any reference to person, location, or organization so as to ensure anonymity.

The information is presented to the Complaint Committee. Each member of the committee is required to declare if they have any knowledge of the complaint, location, or parties involved. Familiarity may disqualify the Committee member from acting on the Committee.

The Committee will then meet and review the information relating to the complaint and adjudicate and determine the following;

- a. Determines that there is no violation and that no disciplinary action is warranted, it shall advise the complainant in writing of why this decision was made.
- b. determines that the code(s) was violated and what disciplinary action or consequences is warranted; it shall advise all parties in writing and take any action it considers appropriate to resolve the matter as well as the implementation of the decision.

### **5. Disciplinary Sanctions**

Findings are documented in a letter and presented to the Complainant and Respondent.

Discipline may include any or all of following course of actions;

- a. The ED issues a private and written warning (kept on HMEDA File for 3 year period) - Accumulation of 2 or more warnings will warrant further action.
- b. Issues a written and public (HMEDA website members list) notice of probationary status
- c. Membership suspension (not be less than 6 months and not greater than 2 years)
- d. Indefinite suspension

### **6. Appeal**

The Respondent or Complainant has 5 business days to appeal a decision and or sanction? No new information will be considered at this time.