

Professional Regulation no. 10 –
of the Czech Medical Chamber

The Code of Ethics

The Board of Directors of the Czech Medical Chamber hereby issues professional code no. 10 of the Czech Medical Chamber according to Act no. 220/1991 Coll. governing the Czech Medical Chamber, the Czech Chamber of Dentists and the Czech Chamber of Pharmacists (hereafter simply referred to as Act no. 220/1991 Coll.) and in accordance with § 15, section 7, letter a) of professional code no. 1 (the Organisational Regulations) of the Czech Medical Chamber.

THE CODE OF ETHICS OF THE CZECH MEDICAL CHAMBER

§ 1

The general principles

The professional responsibility of a physician is to care for the health of both individuals and the entire society in accordance with the principles of humanity, in the spirit of respect for every human life from its beginning to its end and with all due consideration for the dignity of the human individual.

It is the task of the physician to protect health and life, to ease suffering and to do so without regard for the nationality, race, skin colour, religious persuasion, political affiliation, sexual orientation, age, intellectual level or reputation of the patient or any personal feelings of the physician.

The physician should know the laws and binding regulations, which apply to the performance of the medical profession, and must adhere to them. With full knowledge of the personal risk involved, the physician does not have to feel bound by any such laws and regulations, if their contents or their consequences result in a breach of medical ethics or threaten basic human rights. A physician is required to be independent and responsible in all his or her professional decisions and under all circumstances.

A physician recognises the right of each person to freely choose his or her physician.

§ 2

The physician and the performance of the profession

The physician will freely select and carry out within the framework of the physician's qualifications and competence those preventative, diagnostic and curative steps, which correspond to the current state of medical science and which the physician considers to be the most suitable for the patient. While doing so, the physician is obliged to respect to as great an extent as possible the will of the patient (or the patient's legal guardian).

Every physician is obliged to provide immediate medical assistance in cases of endangered life or a direct serious threat to health.

A physician must carry out his or her responsibilities in situations of public threat and during catastrophes of a natural or other nature.

A physician is entitled to refuse to care for a patient for specialist reasons or if the physician has an overly full workload or if the physician is convinced that the necessary relationship of trust has not been formed between the physician and the patient. The physician is, however, obliged to recommend

and, in the case of agreement, to arrange for a suitable procedure for the continuation of the patient's treatment.

A physician may not be forced to undertake any medical action or to participate in any such action, which is against the physician's conscience.

A physician may not prescribe medicines, which are addictive or which have doping-type effects, for any reason other than for that of medical treatment.

In the case of untreatable illnesses and fatally ill patients, the physician will ease the patient's pain, ensure the patient's human dignity and ease the patient's suffering. In the face of inevitable and expected imminent death, the aim of the medical treatment should not be the extension of life at any cost. Euthanasia and assisted suicides are inadmissible.

In the case of transplantations, the physician will follow the appropriate regulations. The removal of tissue and organs may not be abused for commercial purposes.

In the interests of the patient, the physician is obliged to maintain thorough medical confidentiality with the exception of those cases where the patient frees the physician of this obligation or where the law states otherwise.

A physician, who is actively carrying out his or her profession, is obliged to educate him or herself in the specialist field.

A physician is obliged to keep and store thorough documentation in writing or some other form when carrying out his or her profession. In all cases, appropriate protection of the records is required in order to prevent the possibility of their amendment, destruction or abuse.

A physician may not carry out his or her profession in the form of an itinerant practise.

A physician may not, whether it be alone or in conjunction with others, prescribe ineffective curative, diagnostic or other treatments for motives of profit. Within the framework of his or her jurisdiction, the physician may not provide expertly inaccurate statements, which may provide some citizens with unjustified advantages.

If a physician recommends medicines, curative preparations and health care aids in his or her practise, the physician must not do so from a commercial point of view, but exclusively according to his or her conscience and in the interests of the patient.

A physician may partake in the presentation and discussion of medical topics in public, in the press or on television and radio, but must refrain from giving individually targeted advice and making recommendations in his or her own personal favour.

A physician must refrain from all undignified activities, which either directly or indirectly involve the promotion of the physician's own person and medical practise and which in consequence amount to agitation aimed at expanding the physician's clientele. The physician may also not initiate any such activities via another party.

New methods of treatment may only be used on patients after sufficient biological trials have been held under conditions, which correspond to those set out in the Helsinki Convention and the Nuremberg Codex, and under strict supervision, provided they are not to the detriment of the patient.

A physician should be aware of his or her civic role and influence on his or her environs.

§ 3

The physician and the patient

A physician will fulfil his or her professional obligations with regard to every patient. The physician will always ensure the provision of the necessary treatments as required by the state of the patient's health and will always do so on time and thoroughly.

A physician will behave correctly and with understanding and patience with regard to the patient and will not lower him or herself to coarse or immoral behaviour. The physician will take the rights of the patient into account.

A physician should refrain from all patronising positions in his or her approach to the patient and accept the patient as an equal partner with all civic rights and responsibilities, including the patient's responsibility for his or her health.

A physician is obliged to inform the patient or the patient's legal guardian of the character of the illness, the intended diagnostic and curative procedures including any risks, the expected prognosis

and any further important circumstances, which may arise during treatment, in a manner, which is comprehensible for them.

A physician may not abuse the patient's trust or dependency in any manner whatsoever.

§ 4

Relations among physicians

The basis of the relationship between physicians is mutual honourable, polite and sociable behaviour together with critical fastidiousness, respect for competence and the recognition of the right to a different opinion.

In the interests of the physician's professional honour and with regard to the reputation of the medical profession, a physician may not underestimate the professional skills, knowledge or provided services of other physicians, nor may the physician use demeaning expressions about their personalities or comment on the activities of other physicians in an unsuitable manner in the presence of patients or non-physicians.

A physician will collegially cooperate with those physicians, who simultaneously or subsequently examine or treat the same patient. If a physician transfers a patient to another physician for legitimate reasons, the physician must send the new treating physician all the discovered findings and inform him or her of the course of the treatment to date.

A physician is always obliged to request another physician for a second opinion, if the circumstances so require and if the patient agrees. The physician is entitled to propose the person to be consulted. The conclusions of the examination for the second opinion should always be documented in writing and it is the physician's responsibility to inform the patient of them with special emphasis, if the two opinions should be different. The physician is entitled to refrain from further treatment, if the patient inclines towards the opinion of the physician, who provided the second opinion.

A physician must fundamentally carry out his or her practise in person. Another person may only temporarily represent the physician and this must involve a physician, who is contained in the list (register) of the Czech Medical Chamber and who fulfils the required specialist requirements.

§ 5

The physician and the non-physician

The physician will cooperate with medical workers trained in various specialised activities. If the physician assigns them diagnostic or curative tasks or other procedures, he or she must ensure that they have the qualifications, experience and responsibility to be able to carry out said tasks.

A physician is not authorised to undertake examinations or treatment in the presence of a person, who is not a physician and does not belong to the health care personnel. Such people may also not be present during medical operations. Individuals, who are training with the doctor, or work in medical fields and further individuals, with whose presence the patient has agreed, form an exception to the aforementioned principle, provided there are no medically grounded objections for this being the case.

The final provisions

§ 6

Effectiveness

This professional code no. 10 – the Code of Ethics of the Czech Medical Chamber will come into effect as of 1. 1. 1996.

This professional code no. 10 – the Code of Ethics of the Czech Medical Chamber has been amended by the decision of the Presidium of the CMC on 22.6.2007 and will come into effect as of 22.7.2007