

## **North American Society for Pediatric Gastroenterology, Hepatology and Nutrition (NASPGHAN) Policy on Due Process for Alleged Ethical Misconduct.**

### **Preamble.**

NASPGHAN has earned the respect of the scientific community, professional medical organizations, the health care industry, governmental organizations and the lay public in general, as the leading authority in matters pertaining to pediatric gastroenterology, hepatology and nutrition. Maintenance of this respect and trust in the integrity of NASPGHAN is of paramount importance to the Society. For this reason NASPGHAN has developed policy guidelines to assist its members in dealing with conflict of interest issues and codes of ethical conduct in matters relating to patient care, research and education. The perception of ethical misconduct by a member of NASPGHAN has potential to significantly damage the Society's reputation and credibility among the scientific community and general public and, in certain circumstances, may affect the Society's accreditation status for CME. Therefore, disregard for the ethics policies endorsed by NASPGHAN cannot be tolerated.

This policy outlines the procedure for investigating and managing reports of alleged ethical misconduct by members of NASPGHAN.

### **Principles.**

- NASPGHAN members should abide by the principles outlined in all policies endorsed by the Society relating to professional conduct and ethical matters.
- NASPGHAN members found to be in violation of these principles may be subject to disciplinary action.

### **Policy and procedure.**

- Reports of alleged ethical misconduct by a NASPGHAN member will be referred to the Ethics Committee for review. Examples of misconduct include, but are not limited to, failure to disclose a potential conflict of interest, failure to adhere to the ACCME's standards for commercial support of continuing medical education and failure to abide by the Professional Code of Conduct in matters relating to patient care, research and education.
- In the event the Ethics Committee determines the alleged offense may constitute an instance of ethical misconduct, the Chair of the Ethics Committee will appoint a subcommittee of three members to initiate a thorough investigation of the facts pertaining to the allegation. It will be the responsibility of the Chair of the Ethics Committee to ensure that none of the members of the subcommittee have any potential conflict of interest in relation to the investigation.

- Reports of alleged ethical misconduct, and the proceedings during the investigation of such allegations, must be kept in strict confidence by all involved individuals.
- The NASPGHAN member alleged to have committed the offense will be informed of the investigation upon initiation. All information received by the Ethics sub-committee relevant to the alleged offense will be shared with the NASPGHAN member under investigation.
- The NASPGHAN member will be provided every opportunity to respond to the allegations of misconduct, either in writing or at a meeting with the members of the Ethics sub-committee. The member under investigation has the right to be accompanied by legal or advisory counsel during any meeting with members of the sub-committee for the purpose of providing advice to the member.
- Following thorough investigation and deliberation, the sub-committee will report their findings to all members of the Ethics Committee who will determine whether or not the alleged offense does constitute an instance of ethical misconduct. A report on the findings of the Ethics Committee, together with any recommendations for disciplinary action if appropriate, will be referred to the NASPGHAN Council.
- The NASPGHAN member has the right to appeal an adverse recommendation by the Ethics Committee directly to the Council.
- The NASPGHAN Council will ultimately be responsible for determining whether the member(s) under investigation is guilty of misconduct and whether there is need for disciplinary action. Disciplinary action may include, but is not limited to, a reprimand, termination of office or membership on a committee or expulsion from membership in the Society.