

MEDICAL STUDENT HONOR CODE

- The Honor Code exists in conjunction with other University, School of Medicine and Dentistry, and regulatory policies. The Honor Code is **not** in lieu of, nor does it replace or supersede existing University, School of Medicine and Dentistry, and/or regulatory policies and procedures. In addition, the Medical Student Promotions and Review Board (MSPRB) retains the right to review professionalism, behavioral and other student cases directly, (independent of the Honor Code process) where health and safety concerns exist and in instances, determined by the MSPRB, to be egregious violations of the Medical School's professionalism standards.

Purpose of the Honor Code

Entering medical school is the beginning of the student's life as a professional. The American Association of Medical Colleges' Medical Student Objectives Project has suggested that physicians should be altruistic. They include, as part of that expectation, the following:

- Compassionate treatment of patients and respect for their privacy and dignity.
- Honesty and integrity in all interactions with patients' families, colleagues, and others with whom physicians must interact in their professional lives.
- Respect for the roles of other health professionals.
- A commitment to advocate at all times the interest of one's patients over one's own interests.
- The capacity to recognize and accept limitations in one's knowledge and clinical skills, and a commitment to continuously improve one's knowledge and ability.

The School of Medicine and Dentistry Honor Board is a group composed of students, residents, and faculty that work to:

1. Educate the community regarding ethics and professionalism in medicine;
2. Be available as consultants to develop curricula relating to professional conduct and misconduct;
3. Investigate and evaluate all reports of potential violations of the Honor Code while maintaining due process for students.

Educational Efforts of the Honor Board

The Board will hold educational meetings at least twice each year. Matters surrounding student ethics will be discussed and exemplary case studies will be reviewed, in such a fashion as to maintain strict anonymity. In addition, an introduction to the Honor Board will be part of the first year orientation.

Expectations of Medical Students

(Source: Taken from Recommendations and Guidelines for Students from the AAMC Organization of Student Representatives and amended by the Medical School Advisory Council)

A student shall be dedicated to providing competent medical service with compassion and respect for human dignity.

Nondiscrimination: It is unethical for a student to refuse to participate in the care of a person based on that person's race, religion, ethnicity, socioeconomic status, gender, age, or sexual orientation. It is also unethical to refuse to participate in the care of a patient solely because of medical risk, or perceived risk, to the student. It is not, however, unethical for the pregnant student to refuse to participate in activities that pose a significant risk to her fetus.

Confidentiality: The patient's right to confidentiality is a fundamental tenet of medical care. The discussion of problems or diagnoses of a patient by professional staff/medical students in public violates patient confidentiality and is unethical.

Professional Demeanor: The student should be thoughtful and professional when interacting with colleagues, patients and their families. Unprofessional behavior includes the use of offensive language, gestures, or remarks with sexual overtones. Students should maintain a neat and clean appearance, and dress in attire that is generally accepted as professional by the patient population served. Under pressure of fatigue, professional stress, or personal problems, students should strive to maintain composure or to remove themselves from the situation when appropriate. The student should seek supportive services when appropriate.

Misrepresentation: A student should accurately represent himself or herself to patients and others on the medical teams or elsewhere. Students should never introduce or portray themselves as "Doctor" as this is clearly a misrepresentation of the student's position, knowledge, and authority.

Honesty: Students are expected to demonstrate honesty and integrity in all aspects of their education and in their interactions with patients, staff, faculty, and colleagues. They may not cheat, plagiarize, or assist others in the commission of these acts. The student must assure the accuracy and completeness of his or her part of the medical record and must make a good-faith effort to provide the best possible patient care. Students must be willing to admit errors and not knowingly mislead others or promote himself or herself at the patient's expense.

Consultation: Students should seek consultation and supervision whenever their participation in the care of a patient may be inadequate because of lack of knowledge and/or experience.

Conflict of Interests: When a conflict of interest arises, the welfare of the patient must at

all times be paramount. A student may challenge or refuse to comply with a directive if its implementation would be antithetical to his or her own ethical principles, when such action does not compromise patient welfare. **(See the Handbook policy for Opting Out Of Educational Experiences Due To Conscientious Objections).** Gifts, hospitality, or subsidies offered by medical equipment, pharmaceutical, or other manufacturers or distributors should not be accepted if acceptance would influence the objectivity of clinical judgment. Student interactions with commercial interests should conform to the American Medical Association (AMA) guidelines.

Sexual Misconduct: The student will not engage in romantic, sexual, or other nonprofessional relationships with a patient, even at the apparent request of a patient, while the student is involved with the patient's care. The student is not expected to tolerate inappropriate sexual behavior on the part of other medical personnel or patients.

Impairment: The student will not use alcohol or drugs in a manner that could compromise patient care. It is the responsibility of every student to protect the public from an impaired colleague and to reach out to a colleague whose capability is impaired. The student is obligated to report persons of the health care team whose behavior exhibits impairment or lack of professional conduct or competence, or who engage in fraud or deception. Such reports must conform to established institutional policies. At the University of Rochester, students should contact their Advisory Dean or the Committee on Physicians' Health of the Medical Society of the State of New York.

Criticism of Colleagues: Professional relations among all members of the medical community should be marked with civility. Thus, scholarly contributions should be acknowledged, slanderous comments and acts should be avoided, and each person should recognize and facilitate the contributions of others to the community. The medical student will deal with members of the health team and all others in a cooperative and considerate manner. Concerns about the conduct of other members of the health care team should be reported through appropriate supervisory and regulatory channels.

Research: The basic principle underlying all research is honesty. Scientists have a responsibility to provide research results of high quality; to gather facts meticulously, to keep impeccable records of work done; to interpret results realistically, not forcing them into preconceived molds or models; and to report new knowledge through appropriate channels. Co-authors of research reports must be well enough acquainted with the work of their coworkers that they can personally vouch for the integrity of the study and validity of the findings, and must have been active in the research itself. Plagiarism is unethical. To consciously incorporate the words of others, either verbatim, or through paraphrasing, without appropriate acknowledgment is unacceptable in scientific literature.

Evaluation: Students should seek feedback and actively participate in the process of evaluating their teachers (faculty as well as house staff). Students are expected to

respond to constructive criticism by appropriate modification of their behavior. When evaluating faculty performance, students are obliged to provide prompt, constructive comments. Evaluations may not include disparaging remarks, offensive language, or personal attacks, and should maintain the same considerate, professional tone expected of faculty when they evaluate student performance.

Teaching: The very title “Doctor” – from the Latin docere, “to teach” – implies a responsibility to share knowledge and information with colleagues and patients. It is incumbent upon those entering the profession to teach what they know of the science, art, and ethics of medicine to patients and other members of the medical community.

Responsibility to the profession: Students are expected to behave in such a fashion as to bring honor upon the profession.

Violation of any of these expectations, whether at the Medical Center or elsewhere, will be grounds for a referral to the Honor Board. **Students, by entering the University of Rochester, agree to follow the terms of the Honor Code**

COMPOSITION OF THE HONOR BOARD

The Honor Board (the Board) will have Co-chairs (one faculty and one student). The faculty Co-chair will be appointed by the Senior Associate Dean for Medical Student Education and serve a two-year term. There will be no term limit. The student Co-chair will be selected, for a one-year term, by the student Honor Board members, from members who have served **at least two years** on the Honor Board. There will be no term limit.

The student Co-chair will be chosen during the spring of each year to ensure that a student Co-chair is always in place. The past student Co-Chair may serve as ex-officio member of the Board as long as he/she is an enrolled medical student at the University of Rochester and approved by the Board. An ex-officio member may participate in Board proceedings but does not have voting privileges. The ex-officio member is not required to attend all Board meetings and his/her presence is not counted towards quorum.

Four members of the faculty will serve staggered three-year terms and will be appointed by the Senior Associate Dean for Medical Student Education. They will include representatives from both the basic sciences and clinical medicine.

After serving three years as a voting member (note: would not preclude the option to reappoint for an additional three years) a faculty member will serve 3 years as an alternate faculty Honor Board member, when a quorum of voting members will not be available.

- Alternates are invited but not required to attend all scheduled meetings, but would be provided all background information if participating in voting session.

**One member of each class of the medical school will serve on the Honor Board. Students will be elected during their first year by their classmates and will serve a one-year term. Elections will be held during the second year for a three-year term. An alternate will also be selected for each position.

Effective for the class of 2011 and forward, the student Honor Board members will not be members of the Class Council and Interclass Senate (Amended June 2007)

One member of the MD/PhD program will be elected during the second laboratory year and will serve until completion of the PhD portion of the curriculum. An alternate will also be selected.

One resident from a University of Rochester Medical Center residency or fellowship program will be selected by the Senior Associate Dean for Medical Student Education and serve a three year term or until his or her residency or fellowship is completed. An alternate will also be selected.

The Advisory Dean of the student under review will serve as an ex officio member of the Honor Board.

Alternate members participate in all aspects of the Honor Board. However, an alternate member will only be included as a part of a quorum and vote when a designated member is not participating in the review of a case because he/she is unavailable, is personally involved in the matter as an accuser, accused or witness, or has a personal relationship any party that would give rise to a reasonable perception of bias.

Special Circumstances

Faculty Honor Board Representative:

The Senior Associate Dean for Medical Student Education will select a faculty member replacement in the event of a faculty Board member's resignation, prolonged absence or removal from the Honor Board.

Student Honor Board Representative:

A special election will be held by the student Board member's class in the event of a student Board member's resignation, prolonged absence or removal from the Honor Board. The alternate will serve as the class representative until the outcome of the special election. He/she may nominate him/herself in the special election. The winner of the special election will assume the position of class representative to the Honor Board. The student with the second highest vote count will assume the position of alternate student Honor Board member.

Alternate Student Honor Board Representative:

A special election will be held by the alternate Board member's class in the event of resignation, prolonged absence or removal from the Honor Board. The recipient of the highest vote count will assume the student alternate Honor Board member position.

Additional Board Positions and Subcommittees

The Board will elect a member to serve as Secretary to the Board. The Secretary is responsible for recording and maintaining the official records of the Board's proceedings. This position will be assisted by the Board's administrative assistant located in the Office of Medical Education (OME) and can be held by any student Board member for a one year term. There are no term limits.

The Board will be divided into three committees each led by a Chair.

1. Education
2. Policy and Procedures
3. Public Relations

Each committee will comprise of faculty and student Board members. A student or faculty member may serve as committee Chair.

Board Meetings

The Board shall meet on quarterly basis through the academic year. Additional meetings may be called at the direction of the Chair/Co-Chair.

A quorum of the Board shall consist of two-thirds of the Board members.

The Student Honor Board members from the classes not governed by the Honor Code (students who matriculated **before August 2004) were appointed by the former Senior Associate Dean for Medical Education.

HONOR BOARD MEMBERS 2009-2010

Myra Wiener, MD, Chair
Associate Professor of Medicine/Primary Care

Stephanie Brown Clark, MD, Ph.D.
Associate Professor, Division of the Medical Humanities

John Olschowka, PhD
Associate Professor of Neurobiology & Anatomy

Jeffrey Scott Rubenstein, M.D., M.B.A

Professor of Pediatrics

Alternate

Manish Shah, MD, MPH

Associate Professor of Emergency Medicine

Associate Professor of Community & Preventive Medicine

Residents

Alicia Zysman Cromwell, MD

Resident, Family Medicine

*Jonathan Smith, MD (alternate)

Resident, Neurology

Ex-Officio

Appointment Pending

Students

Class of 2013

Josh Frankel

*Nicole Tetreault (alternate)

Class of 2011

Jeremy Katzen

*Nisha David (alternate)

Class of 2012

Kurt Mildenstein

*Sandy Soin (alternate)

Class of 2010

Romeo Galang, Co-Chair

(Term December 2009 – April 2010)

*Sharayne Mark (alternate)

MD/PhD

Keith Olsen, Co-Chair

(Term May 2009 – November 2009)

*Rebecca Porter (alternate)

*Alternate members are counted as a part of a quorum and vote only when the designated member is not participating in the review of a case.

Updated February 15, 2008, July 2, 2008 August 28, 2008, April 2009, May 27, 2009, July 29 2009

PROCEDURES TO AVOID THE IMPACT OF CONFLICTS OF INTEREST

A faculty, resident, student Honor Board member or other institutional official will recuse him/herself from any discussion or vote relating to a matter where there is a potential for or the existence of a conflict of interest.

The SMD policy and procedures to avoid the impact of conflicts of interest will be included on the agenda of all Honor Board case review meetings. The voting members

will be reminded that their eligibility to participate in a discussion or vote is a result of no known conflicts of interest.

Process

Any faculty member, staff member, student, or community member who observes a potential violation of the Honor Code is **obligated** to report it to the Honor Board or the Honor Board's proxy in the Office of Medical Education (Jane Risolo or OME Advisory Deans). They are required to discuss the infraction with the person who committed the possible violation while also reporting the matter to a member of the Honor Board. The exception to this is if there is reason to fear for the personal safety of the reporter, wherein confrontation of the offender would not be prudent. Failure to report an observed transgression is itself a violation of the Honor Code.

Notifying the Honor Board can occur through either standard mail or electronic mail (email) to the individual Honor Board member or the Honor Board list-server (SMD Honor Board), telephone communication with an Honor Board member or Honor Board proxy in the Office of Medical Education and in person contact with an Honor Board member. Other methods of communicating with the Honor Board are welcomed.

Submitting a report to the Honor Board can be stressful given the potential results from such a report. However, anonymous reporting will not be permitted because it will impede a proper investigation and students must acknowledge responsibility for following the Honor Code. Consequently, an anonymous report will not be reviewed by the Honor Board. Note: The Honor Board reserves the right to alert appropriate institutional officials (for example, UR Security, MSPRB, Advisory Deans) about alleged egregious and/or life threatening anonymous allegations.

Preliminary review of the matter will be conducted by the Chair and Co-chair, or their designee, of the Honor Board within five days. They will make an initial determination regarding the case. Determinations will include:

1. Full review by the Honor Board;
2. No Honor Code / Honor Board issue;
3. Issue more properly handled by others (MSPRB or the Dean's office).

In the event that it is decided that the case warrants full review by the Honor Board, a review with a *quorum of Honor Board members will be held within three weeks of the complaint. If the **majority of those present find that there is a reasonable basis to pursue the issue, the Board will select two members (one student and one faculty) to serve as the investigators.

* **Quorum** to conduct HB business -with 10 voting HB members at least 7 (2/3 of Board) members would need to be present to have a quorum.

A quorum for finding of violation requires an affirmative vote of at least 2/3 of voting members in attendance:

If 10 members/alternates are present 7 votes will be needed
If 7- 9 members/alternates are present 6 votes will be needed

**** Majority -** If 10 members/alternates are present 6 votes will be needed
If 9 members/alternates are present 6 votes will be needed
If 8 members/alternates are present 5 votes will be needed
If 7 members/alternates are present 5 votes will be needed

Under ordinary circumstances, the investigation will be completed and a hearing will be held within four weeks. The accused student will be given any reasonable chance to submit written and oral comments to the investigators prior to the meeting. The accused student will come to the hearing to discuss the case and answer any questions. The student may have an advisor, but an attorney is not allowed. The result of the investigation will be presented, including the results from witness interviews.

The requisite standard of proof will be that the preponderance of the evidence. Honor Board members can vote one of two ways. They may each determine that a violation was found or was unsubstantiated. A finding of a code violation by the Honor Board requires the affirmative vote of ***two-thirds of the voting Honor Board membership. If there is not a finding of a violation, then the case is closed. If there is a finding of a violation, then the Honor Board will suggest a response, which has to be agreed to by a vote of two thirds of the Honor Board membership. The response could include, but are not limited to, Advisory Status, remediation, probation, enforced leave of absence, or expulsion (descriptions of these sanctions are in the MSRCAP). The complete case will then be forwarded to the MSPRB for final determination. On forwarding the case to the MSPRB, the report will include a summary of the evidence and a rationale for the penalty.

***A quorum for finding of violation requires an affirmative vote of at least 2/3 of voting members in attendance:

If 10 members/alternates are present 7 votes will be needed
If 7- 9 members/alternates are present 6 votes will be needed

For all Honor Board meetings where cases are reviewed, two-thirds of all voting members must be present to achieve quorum. Meetings where cases are discussed are closed to the public, but guests may be invited.

Record Keeping at the Honor Board

Record keeping is important so as to identify trends that require intervention such as educational programs and to create an institutional memory of the Honor Board. As a result, records will be kept in one of three forms.

First, if a case is not investigated, then a blinded summary of the case will be kept for the files. Copies of the record will not be provided to others except for educational purposes.

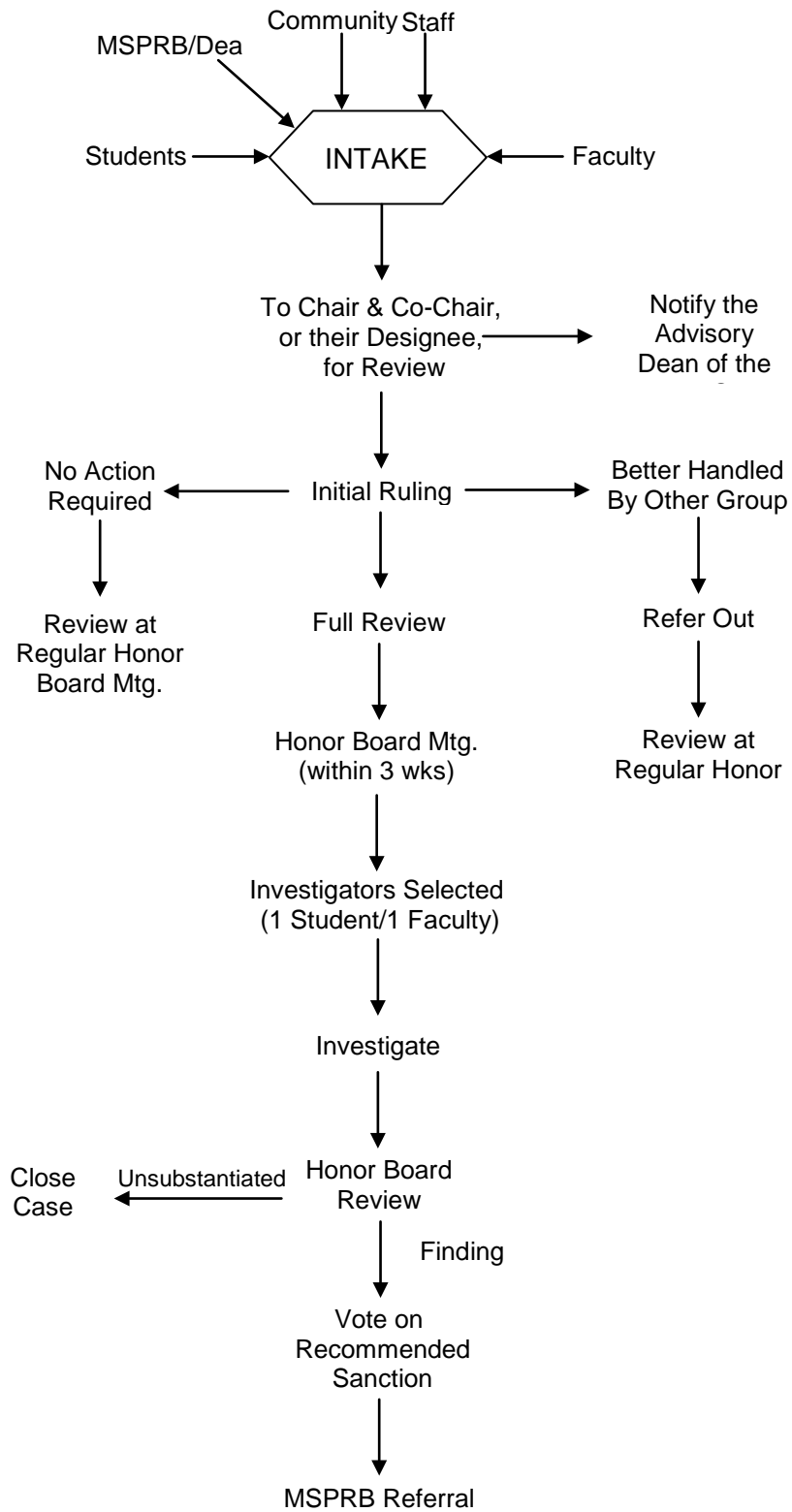
Second, if a case is investigated but no violations are determined, then the full case records are kept until the involved parties graduate from the School of Medicine and Dentistry. Then, a blinded summary will be created and kept for the files. Copies of the full records will not be provided to others outside the Honor Board and copies of the blinded summary will not be provided to others except for educational purposes.

Third, if a case is investigated and violations are found, then the full case records will be kept. The full case, with all supporting documentation, will be reported to the MSPRB for sanctions as determined by the MSPRB.

Reporting of Honor Board Activity

Reporting of the Honor Board Activity is important to summarize and represent the issues faced by the School of Medicine and Dentistry and the Honor Board. As a result, a summary report can be generated at regular intervals for the MSPRB. However, this summary report must not provide specific information regarding students, cases, etc.

Process of the Honor Board Reporting and Investigation



July 2006

APPEALS

Decisions of the MSPRB for dismissal or required leaves of a year or more may be appealed by students to the Medical School Advisory Committee (MedSAC) Appeals Board (MAB). (See page 32 of the student handbook). Such an appeal must be initiated within five business days of a finding.

Examinations

Examinations will not be proctored by faculty given the existence of the Honor Code. The one exception would be if proctoring were required by an outside agency. Faculty may remain inside the examination room in order to offer assistance to students during an examination.

(Approved: February 2004; Amended in January 2006, February 2008, March 2009; April 2009 July 29 2009)