



CODE OF ETHICS

The NZACD prides itself on having its members conduct themselves with the highest standards of integrity and ethics. Cosmetic dental procedures although primarily elective are becoming increasingly the standard of restorative procedures in the smile zone. There is an uncompromising need for cosmetic dental procedures to be undertaken with tooth conservation in mind. There is a fine line between conservative and aggressive treatments, and we require each member practitioner to follow a strict code of ethics, reflecting the practice of responsible aesthetics.

Cosmetic Dentistry, unfortunately, attracts more litigation than any other discipline of dentistry. Patients' heightened and sometimes unrealistic expectations coupled with the higher procedural fees can help to fuel this. It is therefore very important that each member of the New Zealand Academy of Cosmetic Dentistry must formally agree to adhere to the NZACD Code of Ethics on an annual basis.

Applicants for membership will be required to sign a statement upon application, and members are required to sign a reaffirmation of agreement to these provisions on an annual basis.

It is each member's primary professional obligation to serve the public. It is their obligation to practice dentistry to the best and within the range of their abilities to improve the oral health of each patient, whilst giving appropriate consideration to the patient's needs and desires. It is each member's duty to give competent and timely delivery of quality care within the boundaries of clinical circumstances. It is each member's further obligation to practice dentistry within the scope of and to the best of their abilities to improve the oral health of each patient.

Membership in the New Zealand Academy of Cosmetic Dentistry provides opportunities for education, exchange of ideas, fraternisation, recognition and leadership. Membership alone must not be permitted to imply recognition by the NZACD of a member's abilities or skills in Cosmetic Dentistry. Members must not misrepresent their training and competence in Cosmetic Dentistry.

PATIENT SELECTION AND TREATMENT

While members, in serving the public, may exercise reasonable discretion in selecting patients for their practices, members shall not refuse to accept patients into their practice or deny dental service to patients because of the patient's race, creed, colour, gender, sexual orientation, or national origin. Furthermore, members shall not allow differences in culture and values to influence selection of patients, treatment of patients and/or the therapeutic relationship.

PATIENT RECORDS

Members are obliged to safeguard the confidentiality of patient records. Members shall maintain patient records in a manner consistent with the protection of the welfare of the patient. Two (2) levels of security must be implemented in each member's practice. If electronic records are used, the password to the software serves as one layer of security. The lock on your office door will suffice as the second layer of data protection. Informed consent agreements need to be recorded. Upon request of a patient or another dental practitioner authorised by the patient, members shall provide any information pertinent to the past, current and future treatment of that patient. Members shall not use images of their patients or their dentition without that patient's permission.

PUBLIC COMMENT

When issuing statements regarding Cosmetic Dentistry, members shall not imply their opinion or statement is representative of that of the NZACD.

REPRESENTATION OF CARE AND FEES

Members shall not represent the care being rendered to their patients in a false or misleading manner. Members shall not represent the fees being charged for providing care in a false or misleading manner. Members shall provide an estimate of fees as part of comprehensive informed consent before performing Cosmetic Dentistry procedures.

INFORMED CONSENT

The member should inform the patient of the proposed treatment and any reasonable alternatives, in a manner that allows the patient to become involved in treatment decisions. Informed Consent practices outlined by the New Zealand Academy of Cosmetic Dentistry shall be followed.

INVESTMENT IN CONTINUING EDUCATION

The field of Cosmetic Dentistry is undergoing constant evolution, improvement and refinement. The privilege of members to be accorded professional status rests primarily in the knowledge, skill, and experience with which they serve their patients and society. All members, therefore, have the obligation of keeping their knowledge and skill current. It is encouraged that members will supplement the minimum Dental Council requirement of eighty hours of continuing dental education every four years with a further minimum of thirty hours in cosmetic dentistry every four years.

DISCLOSURE OF CONFLICT OF INTEREST

A member who presents educational or scientific information in an article, seminar or other program shall disclose to the participants or readers any monetary or other special interests the member (or member's family) may have with a company whose products are promoted or endorsed in the presentation. Disclosure shall be made in a clear and understandable manner and always at the very beginning of a presentation.

PROFESSIONAL CONDUCT

The professional conduct of the members of the NZACD shall be governed by the NZACD's Code of Ethics.

Patients should be informed of their present oral health status without disparaging comment about prior services.

USE OF THE NZACD MEMBERSHIP IN ADVERTISING

General Members may state their membership of the NZACD in their marketing, if they are members in good standing, and their advertising conforms to the guidelines outlined in the NZACD Advertising and Marketing Guide.

General members are issued with a year-specific electronic logo for website, television and print advertising use that will be valid only in the year their registration is paid in full. All other advertising mentioning their association with the New Zealand Academy of Cosmetic Dentistry must be authorised by the NZACD Executive Committee.

JUDICIAL SANCTIONS

Conduct subject to discipline: A member may be subject to disciplinary sanctions if the member is found to have:

- (a) been guilty of committing a felony
- (b) failing to comply with the provisions of the HPCA Act 2003
- (c) violating the NZACD's Code of Ethics, policies, rules, regulations and bylaws
- (d) his/her license to practice dentistry either suspended or revoked by the Dental Council of New Zealand
- (e) displayed any conduct detrimental to the reputation or the best interests of the NZACD, as determined by the board.

Legal proceedings may be undertaken against the member on a case-specific basis.

Discipline: The NZACD Executive Committee may impose the following:

- (1) Censure - written record of censure shall be placed in the permanent record of the guilty member.
- (2) Suspension - means that all membership privileges are lost during the suspension period. Suspension shall be unconditional and for a specified period at the termination of which full membership privileges are automatically restored. A written record

- of suspension shall be placed in the permanent record of the guilty member and a copy shall be mailed to the guilty member.
- (3) Expulsion - shall be an absolute discipline and shall not be imposed conditionally. A written record of the expulsion shall be placed in the permanent record of the guilty member. After the expulsion period, as determined by Due Process, the individual may reapply for membership to the Academy.

Confidentiality: Confidentiality by the members of the Executive Committee is to be strictly maintained throughout the entire judicial proceedings except to the extent necessary for a full review of the facts.

Decision: The decision of the Executive Committee, whether for acquittal, censure, suspension, or expulsion, shall be presented in writing and shall specify the charges made against the member, the facts presented in substantiation and/or refutation of the charges, the verdict rendered, and the penalty, if any, imposed. Such notice shall also inform the member of the right to appeal.

Appeal: The member may appeal the decision of the Executive Committee by filing a statement of particulars with the NZACD Administrator no later than sixty (60) days after the mailing of the Executive Committee's decision accompanied by a request for a hearing.

Hold harmless: Every member of this Academy waives the right to hold the Academy, its directors, officers, members and/or employees responsible for any damage, pecuniary or otherwise, which may result from discipline associated with disciplinary proceedings against said member.

INTERPRETATION OF THE CODE OF ETHICS

The preceding statements constitute the *Code of Ethics* of the New Zealand Academy of Cosmetic Dentistry. Problems involving questions of ethics will be solved within the broad boundaries established in this *Code of Ethics*. Members found guilty of unethical conduct as described in the NZACD's *Code of Ethics* are subject to penalties.