

ATTACHMENT II
CONSTITUTION OF THE CALIFORNIA MEDICAL INSTRUMENTATION
ASSOCIATION

STATEMENT OF ETHICS

(As amended and approved January 2009)

ARTICLE I. PROLOGUE

This code is written to provide guidance to individual members regarding what is considered by the CMIA to be expected and acceptable, and what is considered to be unacceptable activity. Where appropriate and reasonable, the code also applies to the CMIA when considered an entity. Failure of a member to observe the code can result in the imposition of such disciplinary measures as may be recommended by the Ethics Committee and approved by the membership of that Local Chapter, and/or the Board of Directors.

ARTICLE II. EXPECTED AND ACCEPTABLE ACTIVITY

SECTION A. PRIMARY RESPONSIBILITY

1. A member's professional activities shall be directed toward improving the welfare of the patient who is the ultimate recipient of services rendered.

SECTION B. PRIMARY ACTIVITY

1. Until voted otherwise, members shall concentrate on self-improvement to accomplish the primary responsibility. Other activity, such as consultation with non-members, may be undertaken by members acting as non-sponsored individuals.

SECTION C. PROFESSIONAL POSTURE

1. Members shall adopt and maintain the highest possible professional posture in all activities. Such posture shall be characterized by such elements as integrity, competence, and the safe-guarding of relationships embodying confidence and trust.

ARTICLE III. UNACCEPTABLE ACTIVITY

SECTION A. PERSONAL CONDUCT

1. A member shall not indulge in any conduct tending to discredit his/her professional or to reflect unfavorably on the Association.

SECTION B. CONFLICT OF INTEREST

1. Members shall avoid situations likely to compromise their professional posture.

SECTION C. MISUSE OF OFFICE

1. An Officer or member shall not attempt personal gain by virtue of this membership in the Association or in the name of the Association.

SECTION D. GRATUITIES

1. A member shall not accept an inappropriate gratuity, which would threaten his/her professional posture, or that of the CMIA.

SECTION E. MISREPRESENTATION

1. A member may not purport to be a spokesman for the Association unless so empowered by his/her office, or on specific issues, by an appropriate officer or by the authorization of the membership.

SECTION F: NON-DISCRIMINATION

1. No CMIA member shall be denied admission to any CMIA sponsored activity, nor any other benefit of membership on the basis of their employment, race, religion, sex, or age.

ARTICLE IV. DISCIPLINE

SECTION A. PROCEDURES

1. A member having knowledge of another's flagrant violation of this code, shall submit a written complaint to the President, or other officer not directly involved, via the Secretary.
2. The President may then direct the Chairperson of the Ethics Committee to investigate the complaint.
3. If a written complaint has been made against a member, the member may request a full inquiry of the charge from the investigating officer who shall decide whether to initiate further action.
4. The Committee shall review the complaint with the parties involved, and advise the person indicated as to the Committee's findings and recommendations, with an attempt to resolve the dispute in keeping with the spirit of the Association.

SECTION B. RIGHTS OF APPEAL

1. A member whose alleged misconduct is under examination by the Ethics Committee shall have the right to appeal the charge to the President or the Board of Directors.

2. He/she shall also be given the opportunity to present his/her views, if the matter is brought before the general membership for consideration.

SECTION C. ACTION, OPTIONS

1. Reprimand – in private or public, at the discretion of and by the President for minor offenses.
2. Temporary suspension with loss of voting rights, for repeated minor or any more serious violations.
3. Expulsion – for gross violation of rules, or conduct harmful to the status of the Association.

SECTION D. TERMINATION OF MEMBERSHIP

1. A member may terminate his/her membership in this Association in writing at any time for any reason.
2. A membership may be terminated following a $\frac{3}{4}$ majority of the votes cast at any meeting at which a quorum is present.
3. Membership fees may, or may not, be refunded to members under disciplinary action, upon the recommendation of the Ethics Committee.

SECTION E. REINSTATEMENT

1. Any member expelled may reapply for membership, the following year.
2. The application shall be processed in accordance with normal rules for a new applicant.
3. There shall be a consideration of the correction to any previous actions.

ARTICLE V. EPILOGUE

SECTION A. MATTERS OF ETHICS NOT COVERED:

1. The President may act as he/she thinks in the best interest of the Association to deal with any matter not covered by rule and requiring immediate attention. He/she may discuss the matter with the Chairperson of the Ethics Committee before making a decision.
2. Changes of rules in this Statement of Ethics shall be reviewed by the Board of Directors and shall take effect only with majority approval of the general membership and shall not be retroactive.