

## **American Thoracic Society Policy Related to Professionalism and Ethical Conduct**

**Statement of Principle:** To protect its integrity and professional reputation, the American Thoracic Society (ATS) requires all those participating in official ATS activities to uphold the highest standards of professionalism and ethical conduct. Official ATS activities include any formal service to the ATS, encompassing but not limited to elected or appointed office, the development of official ATS documents, planning of or presentation at ATS conferences, and participation in official ATS projects.

**Standards of Professionalism and Ethical Conduct:** Standards include but are not limited to:

- Adhering to professional codes of ethics;<sup>i</sup>
- Acting fairly, in good faith, honestly, and respectfully in all dealings with patients, peers, other healthcare professionals, trainees and ATS staff;
- Adhering to ethical principles in research. Fabrication, misleading reports, and theft of data constitute egregious departures from the expected norms of scientific conduct;
- Respecting confidential information where designated or commonly expected;
- Fully disclosing and managing in a manner consistent with ATS policies any professional relationship or action that may result in a conflict of interest. When objectivity and effectiveness cannot be maintained, participation in official ATS activities should be avoided or discontinued.

**Responsibility to Notify the Society:** Members, candidates for membership, and non-members seeking to participate in an official ATS activity will notify the ATS Executive Director if they are not in good standing within their profession.<sup>ii</sup> The society also reserves the right to ask all candidates seeking participation in official ATS activities to disclose any information that might reasonably raise concern about professional and ethical misconduct. The society likewise reserves the right to act upon credible information pertaining to misconduct which may come to its attention through other channels such as news reports, internet notifications, and communications from other professional societies.

**Violations:** The following represent violations of the professional standards expected of ATS members, candidates and non-members participating in official ATS activities and may provide justification for imposition of sanctions:

- Felony conviction;
- Suspension or involuntary termination of a professional license, hospital privileges, faculty appointment or training program;
- Professional censure or reprimand by official bodies (e.g. state public health or other academic professional societies);
- Breaches of standards of ethical and professional conduct as noted above, whether self-reported or reported by the individual's institution, co-workers, another ATS member in good standing, ATS staff, or public authorities.

**Sanctions:** Sanctions resulting from ethical and professional misconduct are specifically not intended to impact professional activities outside the scope of the ATS. Rather, these sanctions are intended to maintain the public's confidence in the ATS and its activities. Violations may jeopardize an individual's participation in the ATS and include sanctions such as:

- Suspension or termination of eligibility to participate in some or all official ATS activities;
- Suspension, termination, or denial of membership.

**Adjudication of Sanctions:** In accord with ATS by-laws,<sup>iii</sup> due process will be followed to ensure fairness when sanctions are considered. Adjudication will include the following steps:

- For ATS Members or Candidates for Membership:
  - The Membership Committee, in a confidential manner and in consultation with the Ethics and Conflict of Interest Committee and Executive Director, will determine whether and which sanctions are warranted;
  - The Membership Committee will provide recommendations for or against sanctions to the Executive Committee;
  - ATS legal counsel may be consulted at the discretion of the Executive Director;
  - The Executive Committee will determine the final appropriate sanctions, if any.
  - Expulsion of a member for ethical and scientific misconduct, when recommended by the Executive Committee, will require approval of the Board of Directors and due process as stated within ATS by-laws<sup>iii</sup>.
- For Non-Members
  - The Executive Director, in a confidential manner and in consultation with the Ethics and Conflict of Interest Committee and Executive Committee, will determine whether and which sanctions are warranted;
  - ATS legal counsel may be consulted at the discretion of the Executive Director;
  - The Executive Director will provide recommendations for or against sanctions to the Executive Committee;
  - The Executive Committee will determine the final appropriate sanctions, if any.

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<sup>i</sup>For example, the American Medical Association Principles of Medical Ethics.

<sup>ii</sup>For example, those who have been barred from scientific or clinical activities due to proven intentional, knowing or reckless misconduct, including but not limited to plagiarism, fabrication or falsification of research data, fraudulent clinical billing, and crimes occurring in the context of professional practice.

<sup>iii</sup>For example, ATS by-laws currently state: Any member may be expelled for adequate reasons as determined by a two-thirds vote of the Board of Directors. Failure to maintain eligibility for membership is adequate reason for expulsion and does not require advance notice. Any member proposed for expulsion for other reasons is given advance written notice, including the reason for the proposed expulsion, the opportunity to contest the proposed expulsion in writing to the Board of Directors and, if expelled, the final written decision of the Board of Directors. The expelled member may appeal the Board of Directors' decision in writing to a three-member panel appointed by the president. The decision of the appeals panel is final. The Board of Directors may take other disciplinary actions, including but not limited to, reprimand or suspension, in accordance with policies and procedures adopted by the Board of Directors from time to time.