

ETHICS AND LACTATION CONSULTANT PRACTICE

The Ethics and Discipline Committee of the IBLCE is comprised of at least five IBLCE Directors and has the services of a legal counsel. Its primary purpose is to maintain procedures to ensure ethical practice by IBCLCs and it is responsible for developing and conducting a fair disciplinary process to protect the public and the credential.

The Committee meets twice yearly, in March and September. All information is kept strictly confidential and most members receive no information about pending complaints before the meeting. Usually, the only persons with knowledge about a complaint, besides the complainant and the respondent, are the Chair of the Committee and the designated reviewer, until the case is discussed by the full Committee.

Since the Committee was formed there have been nine formal complaints submitted. Most have been about alleged poor practices, rudeness or incorrect information. Some complaints have been dismissed and some have received private reprimands. Recently two more serious complaints have been reviewed and the Committee's findings include publication of the matters below.

IMPOSITION OF REVOCATION OF CERTIFICATION AS AN IBCLC

The IBLCE Ethics & Discipline Committee has determined that the IBCLC Certification of Chris Hafner-Eaton, of Oregon USA, should be revoked effective August 21, 2002. Ms Hafner-Eaton may not apply for reinstatement of her certification as an IBCLC.

The violation was theft of items from Exhibitors at the ILCA Conference in Acapulco, Mexico, in July of 2001. Mitigating factors: use of multiple medications; and history of pain and illness. Aggravating factors: did not completely voluntarily withdraw from practice (Tenet 19 Code of Ethics); falsification of alleged letter from physician; and pattern of theft observed by others. The Section of the Code of Ethics for IBCLCs which was violated is: *Section 4. Conduct herself with honesty, integrity and fairness.*

Ethically Speaking

Ann Calandro, BSN, RNC, IBCLC
Chair, Ethics and Discipline Committee

What would you do if you felt a fellow IBCLC had violated our IBLCE Code of Ethics? How would you decide whether or not to get involved?

First you should carefully read through the Code. If you believe it has been violated by an IBCLC, then you have an obligation to report the violation to the Discipline Committee. One of the tenets of the Code, Section 22, states that you must "Accept the obligation to protect society and the profession by upholding the Code of Ethics for International Board Certified Lactation Consultants and by reporting alleged violations of the Code through the defined review process of the IBLCE."

Next you write and sign a letter of complaint and IBLCE will send you an official complaint form and the IBLCE Procedures for Discipline. Once the official form is returned to IBLCE, a copy will be sent to you (the complainant) and to the IBCLC you allege is in violation of our Code (the respondent). The Chair of the Ethics and Discipline

Committee will designate a committee member as the reviewer for the case.

The respondent will have the opportunity to respond and gather supportive information to defend her or himself.

The designated reviewer will review all information and present an impartial report at the next meeting of the committee, which has two decisions to make. Does the committee find that the Code has been broken? Is there probable cause for further investigation? There must be "clear and convincing evidence". If the answer is no, then the case is dismissed. If the answer is yes, then the Committee will thoroughly discuss the case and possible sanctions. The respondent is notified and can either accept the decision or request a hearing. The complainant will also receive a letter informing her or him of the Committee's decision.

NEW REQUIREMENT: ETHICS CERPs

When recertifying by CERPs, an IBCLC whose certification is due to expire in 2007 or later, will be required to include at least 5 (L or R) CERPs that address professional ethics, within the 75 CERPs total.

These CERPs sessions could include topics such as:

- * Practice Ethics for Lactation Consultants
- * The WHO International Code of Marketing of Breast-milk Substitutes
- * The IBLCE Code of Ethics
- * Conferences and formula company sponsorship
- * Patient codes of rights
- * Ethical and legal issues in health care

IBLCE has decided to introduce this requirement to encourage IBCLCs to increase their awareness of the importance of professional ethics related to lactation consultant practice. It is anticipated that the requirement to obtain CERPs in ethics will create a market which will encourage conference organisers and others to include sessions on professional ethics, and IBCLCs to attend them.

IMPOSITION OF PUBLIC REPRIMAND ON AN IBCLC

The IBLCE Ethics & Discipline Committee has determined that a Public Reprimand should be issued to and imposed on Annie Peterson, RN, IBCLC of Colorado USA. Notwithstanding the imposition of this sanction, Ms Peterson's certification as an IBCLC remains in full force and effect.

The violation was prescribing and selling prescription medication, Domperidone, to a client in Colorado Springs, CO, USA. Ms Peterson did not have prescribing rights and Domperidone was not approved for sale in her country. The Section of the Code of Ethics for IBCLCs which was violated is: *Section 9. Recognise and exercise professional judgment within the limits of her qualifications.*