

REGULATION 32

Ethical Violation

Pursuant to Act 1178 of the 87th General Assembly, the Arkansas State Medical Board determines that the following conduct is an ethical violation:

- A. A licensed physician engaging in sexual contact, sexual relations or a romantic relationship with a patient concurrent with the physician-patient relationship; or a licensed physician engaging in the same conduct with a former patient, if the physician uses or exploits trust, knowledge, emotions or influence derived from the previous professional relationship. A patient's consent to, initiation of, or participation in the sexual relationship or conduct with the physician does not change the nature of the conduct nor the prohibition.
- B. A licensed physician reveals or discloses confidential communications or information concerning a patient without the consent of the patient unless said disclosure is authorized or required by law or by the need to protect the individual patient or the public interest.
- C. A licensed physician fails to disclose to a patient that the physician has an ownership interest in a facility or service to which the physician refers the patient that is outside of the physician's own practice.
- D. A licensed physician utilizing words or acts which sexually harass co-workers or employees or patients within the clinic or hospital setting.
- E. A licensed physician grossly over-utilizing or ordering or performing tests or procedures on a patient, when that may result in harm to the patient.