

AMA Code of Medical Ethics

11.3.4 Fee Splitting

Patients must be able to trust that their physicians will be honest with them and will make treatment recommendations, including referrals, based on medical need, the skill of other health care professionals or facilities to whom the patient is referred, and the quality of products or services provided.

Payment by or to a physician or health care institution solely for referral of a patient is fee splitting and is unethical.

Physicians may not accept:

- (a) Any payment of any kind, from any source for referring a patient other than distributions of a health care organization's revenues as permitted by law.
- (b) Any payment of any kind, from any source for prescribing a specific drug, product, or service.
- (c) Payment for services relating to the care of a patient from any health care facility/organization to which the physician has referred the patient.
- (d) Payment referring a patient to a research study.

Physicians in a capitated primary care practice may not refer patients based on whether the referring physician has negotiated a discount for specialty services.

AMA Principles of Medical Ethics: II