

AMA Code of Medical Ethics

9.4.1 Peer Review & Due Process

Physicians have mutual obligations to hold one another to the ethical standards of their profession. Peer review, by the ethics committees of medical societies, hospital credentials and utilization committees, or other bodies, has long been established by organized medicine to scrutinize professional conduct. Peer review is recognized and accepted as a means of promoting professionalism and maintaining trust. The peer review process is intended to balance physicians' right to exercise medical judgment freely with the obligation to do so wisely and temperately.

Fairness is essential in all disciplinary or other hearings where the reputation, professional status, or livelihood of the physician or medical student may be adversely affected.

Individually, physicians and medical students who are involved in reviewing the conduct of fellow professionals, medical students, residents or fellows should:

- (a) Always adhere to principles of a fair and objective hearing, including:
 - (i) a listing of specific charges,
 - (ii) adequate notice of the right of a hearing,
 - (iii) the opportunity to be present and to rebut the evidence, and
 - (iv) the opportunity to present a defense.
- (b) Ensure that the reviewing body includes a significant number of persons at a similar level of training.
- (c) Disclose relevant conflicts of interest and, when appropriate, recuse themselves from a hearing.

Collectively, through the medical societies and institutions with which they are affiliated, physicians should ensure that such bodies provide procedural safeguards for due process in their constitutions and bylaws or policies.

AMA Principles of Medical Ethics: II,III,VII