



## Grounds for Professional Discipline

*Protection of the public is the highest responsibility and priority of the NCCAOM. This protection of the public also extends to those within the profession, including practitioners, students, and mentees. To fulfill this mission, the NCCAOM reserves the right to initiate and investigate complaints and publish any disciplinary actions taken against Respondents, (as defined by Section 1 of the Procedures for Upholding Professional Conduct), in accordance with its Procedures for Upholding Professional Conduct for violation(s) of the following:*

1. Failing to cooperate with a disciplinary investigation.
2. Withholding information or providing false or deceptive information on an application for NCCAOM certification, recertification, PDA providership or disciplinary investigation.
3. Failing to notify the NCCAOM within thirty (30) calendar days of any of the following:
  - a. Notice of a disciplinary investigation in any jurisdiction pertaining to a healthcare practice.
  - b. Any order (including private or confidential) issued by any jurisdiction pertaining to a healthcare practice.
  - c. Violent felony charges
  - d. Any felony convictions
  - e. Misdemeanor criminal convictions related to a healthcare practice.
4. Being convicted of a serious or violent felony (**Note:** Pursuant to Section 3, #10 of the *Procedures for Upholding Professional Conduct*, serious violent felonies may deem a candidate permanently ineligible for NCCAOM certification, recertification or PDA providership).
5. Being convicted of a misdemeanor related to a healthcare practice.
6. Being the subject of disciplinary or administrative action taken by a licensing board or health-related regulatory agency or school.
7. Violating NCCAOM policies, regulations or procedures, including but not limited to complying with testing security protocols and continuing education requirements.
8. Misrepresenting professional credentials or titles.
9. Advertising false or misleading information.



10. Exceeding the scope of practice as defined by state or federal statute or regulation.
11. Obtaining or attempting to obtain compensation or reimbursement for services not rendered or via deception or fraud.
12. Failing to maintain proper records as required by state or federal statute or regulation.
13. Performing services without informed consent as required by state or federal statute or regulation.
14. Failing to maintain patient/practitioner confidentiality.
15. Failing to maintain professional boundaries in relationships with patients, or in any way exploiting the practitioner/patient trust.
16. Engaging in sexual contact with a current patient if the contact commences after the practitioner/patient relationship is established.
17. Engaging in sexual contact with a former patient unless a period of six (6) months has elapsed since the date that the professional relationship ended.
18. Failing to maintain professional and/or appropriate boundaries in relationships with colleagues, employees, students, interns, apprentices.
19. Gross negligence or a pattern of negligence in your practice or under your supervision.
20. Being unable to safely and effectively engage in practice due to substance abuse, physical or psychological impairment.

\*(Summary of PEDC Substance Abuse Policy Statement: A Respondent whose capacity to safely and effectively treat patients has been diminished as a result of drug or alcohol abuse which has not resulted in harm to a patient, may temporarily and voluntarily surrender NCCAOM certification contacting the [Professional Ethics and Disciplinary Review team](#) and temporarily withdrawing from practicing in order to complete an agreed upon treatment plan as decided by the PEDC. Upon the PEDC's receipt of a certificate of disposition from the pre-approved treatment facility, Respondent shall be allowed to returned to certified status and resume practice. A surrender of certification under this provision shall be confidential and shall not be considered an admission of abuse, disability or a violation of the Ground for Professional Discipline # 21. However, this surrender shall not confer immunity upon Respondent with respect to any other Grounds for Professional Discipline and is unilaterally revocable by PEDC in the event the agreed treatment was not completed or harm to a patient has occurred.)

21. Discrimination, bias, or harassment on the basis of race, ethnicity, religion, color, sex and/or sexual orientation, disability, national origin, or age.



- a. Harassment may include racial or other slurs, offensive or derogatory remarks about one of the aforementioned criteria, racially offensive symbols. Some individual actions may not singly rise to the level of harassment; however, behavior that rises to the standard of disciplinary action occurs when it is so frequent or severe that it creates a hostile, unsafe, or offensive school or work environment.
22. Engagement in human trafficking of any kind, including sex or forced labor trafficking, or retaliation against individuals who report trafficking. Forced labor violations may include threats to withhold or manipulate documentation that may affect visa status, employment compensation, or other similar unlawful practices as determined by the Immigration Reform and Control Act of 1986 (IRCA).
  - a. The Immigration Reform and Control Act of 1986 (IRCA) makes it illegal for an employer to discriminate with respect to hiring, firing, or recruitment or referral for a fee, based upon an individual's citizenship or immigration status.
23. Violating any federal or state statute, regulation or code relating to a healthcare practice
24. Violating any other standard of reasonable and appropriate care as determined by the Professional Ethics and Disciplinary Committee.