

The North American Menopause Society Code of Ethics

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INTRODUCTION

The North American Menopause Society (NAMS), a §501(c)(3) nonprofit organization, is a membership Society of multidisciplinary healthcare providers, researchers, educators, and others from around the world who have a professional interest in menopause. As a nonprofit organization, NAMS is funded for the public good and must comply with applicable local, state, and federal laws. Fundamental values such as honesty, integrity, fairness, respect, trust, responsibility, and accountability serve as guiding principles for the organization.

In 2004, the NAMS Board of Trustees established an Ethics Task Force and charged it with the responsibility to develop a Code of Ethics for review by the Board. The Code of Ethics was designed to include general principles and guidelines for ethical issues regarding relations within the Society, with its members, with the scientific and general public, and with contributors. After an initial review and revision process, the Board approved the Code of Ethics on February 4, 2006, for posting on the NAMS Web site for review and comment by the membership for 90 days, after which the Board approved the Code of Ethics on June 5, 2006.

I. GUIDING PRINCIPLES FOR EXCELLENCE

A. Mission and Vision Statements

The Mission of NAMS, as defined and approved by its Board of Trustees, is to promote the health and quality of life of women through an understanding of menopause. The resources of the Society are devoted to achieving this Mission.

The Vision statement of NAMS, also defined and approved by its Board of Trustees is the following:

- Be the preeminent professional organization dedicated to this mission.
- Stimulate, recommend, recognize, and support research on physiologic, medical, genetic, psychosocial, ethnic, and cultural aspects of menopause and its translation into clinical practice.
- Promote the exchange of multidisciplinary scientific knowledge of menopause through efforts that include the Annual Scientific Meeting and the journal *Menopause*.
- Delineate the scope of, and promote excellence in, menopause-related clinical practice.
- Develop and distribute continuing professional education for healthcare providers, researchers, and educators that increases understanding of menopause.
- Enable women to participate actively in menopause-related healthcare decisions by providing them with culturally sensitive, scientifically accurate information.
- Serve as the definitive, independent resource on menopause for healthcare professionals, researchers, the media, and the general public.

These Mission/Vision statements are found in the Society's Code of Regulations and are periodically evaluated to determine if modifications are required.

B. Core Values

The Society and its members are dedicated to the following Core Values:

- Excellence – to work at the highest level of performance in all endeavors related to the Society's Mission, with a commitment to continuous improvement, and at the highest level of ethical conduct.

- Integrity – to be honest, fair, objective, and trustworthy in developing and disseminating scientifically accurate information, providing clinical care, and performing research.
- Respect – to recognize the dignity of every person, protect privacy, and value diversity, not discriminating based on race, color, national origin, religion, gender, disability, or affiliation.
- Stewardship – to manage resources of the Society responsibly.

II. RESPONSIBILITIES OF NAMS AS AN ORGANIZATION

A. Leadership

NAMS is governed by a volunteer Board of Trustees consisting of individuals who are committed to the Mission of the Society.

1. Board Responsibilities and Conduct, and Composition

- The Board of Trustees of NAMS is elected by the membership and has responsibility for providing oversight and leadership for the Society with high integrity and the highest standard of ethical conduct.
- With the Mission in mind, the NAMS Board of Trustees engages in ongoing planning activities to determine the specific goals and objectives related to the Mission, and to evaluate the success of the organization's programs toward achieving the Mission.
- The Board strives to meet the professional needs of the Society's members.
- The Board establishes policies for the effective management of the organization, including financial and personnel policies. The Board approves the organization's annual budget and periodically assesses the organization's financial performance in relation to the budget, including the distribution of the organization's resources for programs, administration, and fundraising. The Board periodically reviews the appropriateness of the overall salaries. The Board hires the Executive Director and periodically evaluates his/her performance.
- The Board is responsible for its own operations, including the education, training, and development of Board members, and annual evaluation of its own performance.
- Frequency of Board meetings is determined by the need to fully and adequately conduct the business of the organization.

- Written meeting minutes which reflect the actions of the Board, including reports of the Executive Committee, are maintained and distributed to Board and Executive Committee members. NAMS and the Board of Trustees have a responsibility to protect Board discussions against unintended disclosure.
- Board members are expected to participate in fundraising activities, committee service, and program activities to support the Mission of NAMS.
- The Board appoints chairs for all Society committees, leaders for the major Society task forces, and selects editors for the Society's publications, including its journal *Menopause*.
- The Board supports the editorial process of its journals. Editors have a fiduciary responsibility for managing the journals prudently, ensuring the quality of publications, and maintaining the confidentiality and integrity of the review process.
- The Board has a responsibility to inform and educate the Society's membership about relevant ethical issues.

2. Board Composition

- The Board is composed of individuals from the NAMS membership who are personally committed to the Mission of the organization. (See Code of Regulations for nomination procedure, limits for service, and *ex officio* members.)
- Board membership strives to reflect the diversity of the constituencies served by the organization.
- Board members serve without compensation. While time commitments may be expected, Board members are not expected to incur significant financial expenses in their service to the Society, and they may be reimbursed for certain expenses directly related to their Board service. Neither is Board membership based on a Board member's ability to contribute financially to the Society.
- The Nominating Committee for the Board of Trustees has a responsibility to ensure a fair and nondiscriminatory nomination process and request that nominees provide accurate and current Curricula Vitae and disclosures, including potential areas of conflict that would impact the Board's ability to perform its functions.

B. Disclosure and Conflict of Interest

NAMS Board members and all those who participate in activities of the Society should act in the best interest of the organization, rather than in furtherance of personal interests or the interests of third parties.

1. Disclosure and Conflict of Interest Policy

NAMS has a written disclosure and conflict of interest policy to prevent actual, potential, or perceived conflicts of interest. It is applicable to Board members (and their immediate family members, such as spouses/partners) and senior executive staff members (and their spouses/partners) who have significant independent decision-making authority regarding the resources of the organization. The policy identifies the types of conduct or transactions that raise conflict of interest concerns, sets forth procedures for disclosure of actual or potential conflicts, and provides for review of individual transactions by the uninvolved members of the Board of Trustees. A disclosure form is provided to and signed by Board members and senior executive staff members, both at the time of the individual's initial affiliation with the organization and annually thereafter.

2. Disclosure and Conflict of Interest for CME Activities

NAMS members, senior executive staff, and others who serve as a faculty member or planner in a continuing medical education (CME) activity sponsored by the Society must meet additional standards regarding conflicts of interest, as required by the Accreditation Council for Continuing Medical Education (ACCME). Grantors from industry that support a CME activity sponsored by the Society must also follow government- and industry-dictated conflict of interest guidelines.

C. Human Resources

The Society's relationship to its employees and volunteers is fundamental to its ability to achieve its Mission.

1. Personnel Policies

To achieve this goal, NAMS keeps a written and periodically updated Personnel Policy Manual, governing the work and actions of all Central Office staff of the organization. The Board of Trustees is involved in policy issues and approves major changes and controversial issues, as appropriate. The Manual addresses basic elements of the employment relationship (eg, benefits), written staff evaluation, grievance procedures, confidentiality of personal and organization records and information, and staff growth and development. Personnel are initially oriented to the Manual, Code of Regulations, and the Code of Ethics, updated as needed.

D. Financial and Legal Issues

1. Financial Accountability

- The Board of Trustees assures that the organization's financial resources are used in furtherance of the organization's charitable purpose through approval of an

annual NAMS budget. Accurate financial records are kept and are available for review by outside Certified Public Accounts and the Board of Trustees.

- The accuracy of the financial reports is subject to an annual audit by a Certified Public Accountant.
- NAMS provides employees a confidential means to report suspected financial impropriety or misuse of organization resources, as described in the Society's Personnel Policy Manual.
- The Board of Trustees establishes the Society's investment policy and the amount set aside as reserve funds. To protect its assets, NAMS has written financial policies governing investment of the assets of the organization, internal control procedures, purchasing practices, and reserve funds.

2. Legal Compliance and Accountability

- NAMS is aware of and complies with all applicable federal, state, and local laws, including those related to fundraising, licensing, financial accountability, human resources, and insurance coverage and taxation, with periodic internal reviews that are provided in summary form to the Board of Trustees.

E. Openness

As a non-profit organization, NAMS is committed to openness regarding information about its goals, programs, and finances.

- NAMS prepares, and makes available annually to its members and the general public, information about the organization's Mission, program activities, leadership, and audited financial data.
- Records of the Society are open to its members and the general public, and are available by appointment.
- NAMS provides its members with mechanisms for voicing their opinions and concerns, including raising them during the Annual Meeting of Members and approaching individual Board members and senior executive Society staff. Timely and constructive response to issues raised is a Society goal.
- NAMS provides members of the public who express an interest in the affairs of the organization with a meaningful opportunity to communicate with an appropriate representative of the organization.
- NAMS has management staff members, legal counsel, and outside accountants who are responsible to assure that the organization is complying with both the

letter and the spirit of federal and state laws which require disclosure of information to members of the public.

F. Privacy

NAMS is committed to maintaining privacy, as evidenced by the following:

- NAMS provides members with mechanisms for voicing their opinions and concerns confidentially, including approaching individual Board members and senior executive Society staff. Availability of Board members and senior executive Society staff to hear confidential opinions or concerns of NAMS members is announced during each Annual Meeting of Members and posted on the Society Web site.
- NAMS has policies in place which protect the confidentiality of personal information it obtains.
- NAMS is an approved participant in the TRUSTe Privacy Seal Program, confirming its compliance to the strict requirements regarding maintaining the privacy of visitors to the Society's Web site and users of its Internet services.
- Consent is obtained prior to posting an individual's name on a NAMS referral, donor, or other list made available to the public.
- NAMS does not sell or exchange the lists maintained by the Society. Bylaws permit the list to be rented for one-time use, provided the contents to be mailed have been approved by the Board of Trustees.

G. Fundraising

Charitable contributions, including donations and unrestricted educational grants from industry and others, provide an important source of financial support. NAMS, like other nonprofits, may accept fees from industry and others for services rendered (eg, commercial exhibits at the Society's meetings). The NAMS fundraising program is maintained on a foundation of truthfulness, transparency, and responsible stewardship.

1. Fundraising Activities

- The Society's fundraising practices are consistent with its Mission, compatible with its organizational capacity, and respectful of the interests of current and prospective donors and grantors.
- Solicitation materials are accurate and truthful, and correctly identify the organization, its Mission, and the intended use of the solicited funds.

- All statements made by NAMS in its fundraising appeals about the use of a contribution or fee are honored.
- NAMS honors the known intentions of a donor regarding the use of provided funds.
- NAMS does not allow its objectivity to be influenced by any source of income. Dualities of interest are disclosed in a timely and comprehensive manner.
- The Society's fundraising costs are well within established guidelines for nonprofit organizations.

2. Contributions from Industry

- NAMS maintains its independence from commercial support, requiring that all grants from industry be unrestricted. Industry grantors have no control over the content of the supported program, including the selection of participants.
- Grants obtained in support of a CME activity sponsored by NAMS meet the strictest requirements of ACCME and other government- and industry-dictated guidelines.
- NAMS and its agents (eg, journal publisher) may accept fees from industry (eg, for product advertising in the Society's journal *Menopause*, commercial exhibits at NAMS meetings). However, journal advertisements and exhibit hall display of commercial products or services do not imply the Society's warranty, endorsement, or approval of these products or services, nor their effectiveness, safety, or quality.
- NAMS reviews and approves for publication all commercial advertisements submitted for publication in Society materials, including its journal *Menopause*.
- The Society is careful in endorsing or marketing products and services not of its own design. NAMS does not endorse or market any product or service of a for-profit company.

3. Donor/Grantor Relationships and Privacy

- NAMS respects the privacy of donors and safeguards the confidentiality of information which a donor reasonably would expect to be private.
- NAMS provides donors an opportunity to state that they prefer to remain anonymous and that their name, the amount of their gift, or other information not be publicly released.
- NAMS does not sell, rent, or exchange any donor list.

- NAMS honors requests by a donor to curtail repeated solicitations.
- Solicitations from NAMS are free from undue influence or excessive pressure, and are respectful of the needs and interests of the current or potential donor or grantor.
- Maintaining the integrity, confidentiality, and privacy requests of donor/grantor relationships is a priority of the Society.

4. Acceptance of Gifts/Endowments

- Currently, only financial donations and endowments are accepted, but non-cash charitable gifts could be considered with Board approval and development of appropriate policies to govern the acceptance and disposition of the gift.
- These policies would include procedures to determine any limits on individuals or entities from which the organization will accept a non-cash gift, the purposes for which donations will be accepted, the type of property that will be accepted, and whether to accept an unusual or unanticipated gift in light of the organization's Mission and organizational capacity.

5. Employment of Fundraising Personnel

- Fundraising personnel, including both employees and independent consultants, are not compensated based on a percentage of the amount raised or other commission formula.
- NAMS exercises control over any staff, volunteers, consultants, contractors, and businesses that are known to be soliciting contributions on behalf of the organization.

H. Meeting Standards of Scientific Integrity

As a scientific organization, NAMS is committed to meeting the highest standards of scientific integrity in all its programs and services.

1. NAMS Educational Materials and Programs

NAMS develops and disseminates novel, copyrighted, health-related information to professionals and consumers through a variety of media, including print, Web, and Internet. NAMS also convenes meetings during which scientific presentations are made by individuals. In addition, NAMS provides editorial oversight for health-related content in selected publications owned by others. As new knowledge about menopause becomes available, NAMS has a responsibility to disseminate this information accurately and objectively to its members and other constituents, when appropriate. NAMS also offers an examination leading to the credential of NAMS Menopause Practitioner.

NAMS assures the highest standards of scientific integrity through the following:

- NAMS assures that any health-related program or service over which it has oversight is factually accurate and supported by current science, and provides sufficient contextual information to be understood.
- All copyrighted educational materials developed and distributed by the Society, as well as the competency examination, are subjected to peer review as to scientific rigor and approved by the NAMS Board of Trustees or its appointed committees/editors.
- With Board oversight, the NAMS Scientific Program Committee determines the scientific content and selects the faculty for all Society meetings as well as all associated symposia that are supported through unrestricted educational grants from industry and others. Faculty are asked to provide scientifically accurate information and balanced presentations related to controversial issues, including mention of both potential benefits and risks of specific therapies.

2. Publication of Research Findings

In the publication of original research results, including in its journal *Menopause*, NAMS adheres to the highest standards of scientific integrity and confidentiality.

- NAMS affirms that scientific misconduct in any form, including plagiarism, fabrication, or falsification of data, jeopardizes the research endeavor.
- The accurate and truthful reporting of research is a requirement of authorship. Authorship also implies a substantial contribution to the research and acceptance of responsibility for the content of the publication. If the editors suspect misconduct involving a manuscript under consideration or in press, the editors have the right to refuse to publish the manuscript.
- To maintain the high standards of its journal *Menopause*, editors strive to ensure that all manuscripts are evaluated in a fair and impartial manner, focusing evaluations on the importance and quality of the work. Objective peer review of submitted manuscripts is conducted by volunteer experts with appropriate expertise and sound judgment, selected by the journal's editors.
- Editors treat unpublished material in a confidential manner, avoiding disclosure of information about a manuscript under consideration to anyone other than those from whom professional advice is sought or part of the normal editorial process.
- Editors provide an organized and timely editorial process that includes written feedback and reviewer comments to the author. Editors are responsible for acceptance or rejection of a manuscript. Editors recuse themselves from reviewing work in which a potential or actual conflict of interest exists.

- All authors submitting manuscripts or other communication to any NAMS publication, including *Menopause*, are expected to abide by its publication guidelines.
- Reviewers for articles submitted to scientific journals, including the NAMS journal *Menopause*, as well as research grants submitted to government and other agencies, should adhere to the highest ethical standard in their reviews. Peer review is an essential step in the publication process to ensure that published articles describe well-designed and executed research that provides a significant addition to the scientific literature. Objective review of the scientific rigor of manuscripts is essential, and peer reviewers are necessarily experts knowledgeable in the field under review. Volunteer reviewers and paid statisticians provide important services to the discipline of menopause, the authors, and the editors, and they contribute to the high standards of NAMS publications and educational materials.
- Reviewers for *Menopause* should be selected to demonstrate respect for scientific inquiry, knowledge of the discipline, and willingness to provide judgment of publications in a fair and impartial manner while maintaining confidentiality of the communications. Potential reviewers with significant conflicts of interest are disqualified.
- Reviewers are advised to report suspected duplicative publication, fraud, or plagiarism.
- Authors are blinded to the reviewers of their manuscripts submitted to *Menopause*. However, reviewers are not blinded to authors. Selected reviewers who discover significant conflicts of interest (eg, author, author's institution, subject matter) regarding an assigned manuscript are expected to recuse from the review, preferably without reading the submission.

I. Public Policy

Nonprofit organizations such as NAMS provide an important vehicle through which individuals organize and work together to improve their communities.

- The tax status of NAMS substantially limits the Society from engaging in activities in an effort to influence legislation and government policy.
- However, NAMS represents the public policy interests of its members and other constituents, including women at menopause and beyond, through public education.

- NAMS determines positions on specific health-related issues and actively promotes their adoption by health professionals and the women they serve in the interest of public health.

III. RESPONSIBILITIES OF NAMS MEMBERS

Multidisciplinary health providers, researchers, educators, and others from around the world who have a professional interest in menopause are eligible for membership in NAMS. Professionals have specialized knowledge and skills which they are expected to exercise with competence and objectivity. Balancing these privileges are the responsibilities to adhere to the norms of professional behavior.

Professional organizations represent their members to the public and there are expectations by the public that these organizations will identify, disseminate, and enforce the professional norm of their membership. This Code of Ethics aspires to identify high standards of professional behavior, educational features indicating to members what would be the collective expectations of individual behavior, and regulatory features indicating and supporting the appropriate roles of behavior and issuing measured sanctions for violation.

A. Responsibility to NAMS

All members of NAMS have the following responsibilities in interacting with the Society:

- Have professional or scientific interests in menopause.
- Be committed to the “Standards of Excellence: Guiding Principles” found in this Code of Ethics, including the Mission/Vision statements and Core Values.
- Promote the Mission and growth of the Society.
- Maintain a reputation for truth and honesty in their professional and scientific undertakings.
- Strive to maintain and improve health-related knowledge and skill, and make available to patients and colleagues the benefits of their professional attainments.
- Participate in CME activities.
- Participate in the Society’s meetings and events, and read the health-related information the Society has developed and that over which the Society has editorial oversight.
- Read and contribute to the Society’s journals, including *Menopause*.

- Serve on Society committees, task forces, editorial boards, and other working groups and faculties configured by the Board of Trustees to meet certain objectives related to the organization's Mission. While time commitments may be expected, members are not expected to incur significant financial expenses in their service to the Society, and they may be reimbursed for certain expenses directly related to their service.
- Maintain integrity when providing scientific evidence or clinical experience by avoiding promotion of any particular product or service marketed by industry.
- If appropriate, obtain the NAMS Menopause Practitioner credential, provided eligibility requirements can be met.

B. Responsibility to Colleagues and Community

NAMS members have the following responsibilities to their colleagues and others in their community:

- Treat colleagues with respect and promote collegiality.
- Promote the educational and professional growth of their colleagues, and attribute and share intellectual property appropriately.
- Give proper attribution to the accomplishments and works of colleagues.
- Maintain patient welfare, not financial gain or academic promotion, as the top priority in clinically related commercial ventures with colleagues.
- Report to appropriate authorities the conduct of colleagues that threatens research integrity, the integrity of the profession, or patient welfare.
- Avoid sexual relationships with employees, students, and patients, as these are ethically improper.
- Avoid behaviors, such as substance abuse, that interfere with a member's dealings with the Society or with a member's clinical practice or scientific endeavors relating to menopause.
- Avoid publicizing themselves through any form of public communication in an untruthful, misleading, or deceptive manner. Competition between and among healthcare providers is ethical and acceptable.

C. Responsibility in Clinical Practice

NAMS members who pursue clinical practice have the following responsibilities:

- Provide competent and compassionate patient care.
- Practice within the scope of their personal education, training, and experience.
- Be involved with an expert healthcare team that will work together harmoniously to provide optimal patient care.
- Treat patients with respect, including obtaining informed consent when appropriate.
- Maintain patient privacy and confidentiality in the clinical setting. Confidentiality may be breached when required by law (eg, reporting spousal abuse, certain infections).
- Exercise appropriate respect for the patient's other healthcare professionals.
- Avoid or disclose conflicts of interest; when a conflict of interest arises, it must be resolved in the best interest of the patient.
- Make clinical decisions based on evidence, when possible, and experience.
- Present to the patient, in understandable terms, pertinent health-related facts and recommendations consistent with professional standards. Such information should include alternative modes of treatment; the objectives, risks, and possible complications of such treatment; and the complications and consequences of no treatment.
- Recommend use of medications and other therapies in the most appropriate and effective way, monitor their use, and report adverse reactions.
- Ensure that all records are kept accurately and ongoing patient care is documented and followed appropriately.
- Inform patients of clinical developments.
- Remain informed of developments in their field of expertise from objective and complete sources.
- Be cautious in accepting gifts from industry because these gifts may be intended to influence opinion.
- Use their expertise to participate in decision making regarding the distribution of available resources for the benefit of patients, both as individuals and as groups

- Charge professional fees commensurate with the services provided. It is unethical to charge for services not provided. Strive to devote some time and work to provide care for individuals who have no means of paying.
- Fulfill the obligation to serve as the patient's advocate and ensure that the patient's welfare remains the paramount concern.
- Recognize that the honored ideals of the health-related professions imply that the responsibility of its members extends not only to the individual patients who are ultimately served, but also to society as a whole.

D. Responsibility in Scientific Research

NAMS members engaged in scientific research have the following responsibilities:

- Conduct all research under conditions of full compliance with ethical, institutional, and government guidelines.
- Maintain high standards of research on humans, including respect for research subjects, informed consent, maintenance of privacy and confidentiality, ethical approval of the research design, and honest reporting of adverse results. Research involving animals should include respect for animals as sentient creatures.
- Ensure that all research is conducted or supervised by individuals with the appropriate skill and experience.
- Share research findings to the extent it is practical.
- Report data fully and truthfully, including negative results, when appropriate. Authorship of papers reporting on research findings implies a substantial contribution to the research and acceptance of responsibility for the content of the publication. NAMS affirms that scientific misconduct in any form, including plagiarism, fabrication, or falsification of data, jeopardizes the research endeavor.
- Contribute to scientific programs or services of the Society with the highest level of scientific integrity.

E. Responsibility in Education

NAMS members who are involved in educating others, including health professionals, the media, industry, or the general public, have the following responsibilities:

- Conduct themselves according to the highest standards of professional behavior.
- Disseminate only accurate, unbiased information supported by current science.

- Disclose conflicts of interest.

F. Sanctions

On occasion, the professional behavior of a member might be such as to warrant a sanction by the Society. NAMS has the right to suspend or expel a member or prevent him/her from publishing research findings in the Society's journal for a period of time. Such decisions require an unequivocal demonstration of professional behavior that is unethical or illegal. Decisions require the administration of appropriate due process and will be addressed on an individual basis by the Board of Trustees. Any terminated member has the right to appeal before the Annual Meeting of Members where a majority vote of the membership present and voting shall be required to reinstate the member.

SUMMARY

This Code of Ethics of The North American Menopause Society is considered a living document that will be revised or amended as ethics-related issues evolve.

Note: Portions of *The North American Menopause Society Code of Ethics* are based on the *Standards for Excellence: An Ethics and Accountability Code for the Nonprofit Sector*®, Copyright 1998-2007, and have been licensed for use from the Standards for Excellence Institute.

November 2008