

## Ask the Ethicist: Resignation During an Ethics Investigation

**Question:** I am the subject of an Ethics Committee investigation. May I resign from the Academy if I do not want to proceed with the investigative process?

**Answer:** Yes, you may resign your membership, and the ethics case file would be subsequently closed and sealed. However, there are significant ramifications of this action: the potential publication in *EyeNet* of the resignation and a lifetime prohibition against re-application for Academy membership; moreover, if the ethics investigation involves patient care concerns, the Academy has a legal obligation to report the resignation to the National Practitioner Data Bank. In addition, an ophthalmologist who resigns may be required to disclose the resignation to potential employers, malpractice carriers, credentialing bodies, and state licensing boards. Finally, some specialty societies (such as the American Association for Pediatric Ophthalmology and Strabismus) require Academy membership, and the Ophthalmic Mutual Insurance Company provides coverage only for Academy members.

The Ethics Committee strongly recommends that challenged members work with the committee to resolve Code of Ethics challenges. Even if there is a violation of the Code of Ethics, there may be an opportunity to resolve the matter and still retain Academy membership. Alternatively, there may be grounds to defend against the challenge, and the case may close with a finding of no violation.

The Administrative Procedures of the Code of Ethics (found at <http://one.aao.org/ethics-detail/code-of-ethics#admin>) provide detailed information. Scroll to “4. Proceedings on Challenges,” then “(a) Hearing on a Challenge,” and “3. Forfeiture of Right to a Hearing,” then “(g) Resignation,” and “(h) Overriding Reporting Requirement.”

To read the Code of Ethics, [www.aao.org/ethics-detail/code-of-ethics](http://www.aao.org/ethics-detail/code-of-ethics).

For more information or to submit a question, contact the Ethics Committee at [ethics@aaao.org](mailto:ethics@aaao.org).