

MEDICAL LABORATORY SCIENCE COUNCIL OF NIGERIA

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RULES OF PROFESSIONAL CONDUCT FOR MEDICAL LABORATORY SCIENTISTS, MEDICAL LABORATORY TECHNICIANS & MEDICAL LABORATORY ASSISTANTS 2011

FOREWORD

In every profession, ethics is cardinal and it is against this background that I am delighted to present the Medical Laboratory Science Council of Nigeria's Rules of Professional Conduct for Medical Laboratory Scientists, Medical Laboratory Technicians and Medical Laboratory Assistants, 2011.

The Rules as enshrined in this document are vital and essential tools for the Council as they seek to protect the public by ensuring that Medical Laboratory Practitioners are engaging, resourceful and effective in their practice and the services rendered to the public.

The Council is fully committed to its mission to be a renowned regulatory agency in the strengthening of health laboratory systems and professional practice for quality services through strategic regulations and accreditation. This commitment is the *raison d'être* for the Rules of Professional Conduct.

The Rules also will serve as a parameter to measure and guide the professional conduct of all Medical Laboratory practitioners. It is my firm belief that the quality of professional service rendered to the public by all practitioners will improve dramatically as they observe and adhere faithfully to these Rules of Professional Conduct. I am certain that these Rules of Professional Conduct shall be subject to periodic revision to keep up with modern developments in the profession.

The Council has ensured that these Rules are written in clear and simple terms so that all practitioners and prospective practitioners can easily find out what is expected of them.

Prof. Anthony Emeribe
Registrar/CEO
Medical Laboratory Science Council of Nigeria

INTRODUCTION

Following the repeal of the Institute of Medical Laboratory Technology Act of 1968 and the promulgation of the Medical Laboratory Science Council of Nigeria Act, No. 11 of 2003, a new dawn in Medical Laboratory Science practice was set in motion.

The Medical Laboratory Science Council of Nigeria Act No. 11, 2003 broadened the scope, functions and powers of the Governing Board of Council by empowering it amongst others in **Section 4 (b)** to:

“regulate the Practice of Medical Laboratory Science in Nigeria”

This provision can be generally regarded as the genesis of this text - Rules of Professional Conduct for Medical Laboratory Scientists, Medical Laboratory Technicians and Medical Laboratory Assistants.

These Rules of Professional Conduct have concisely and succinctly brought to the fore the obligations the Medical Laboratory Scientist, Medical Laboratory Technician and Medical Laboratory Assistant owe the public, the patient, his colleagues and the profession in the exercise of his duties while ensuring strict adherence to professionalism and standards.

Furthermore, to eradicate the worrisome growth of impersonators in the profession, these “Rules of Professional Conduct”, have made provisions governing the registration of Practitioners and Medical Laboratories in the Country; sanctions to be placed on Medical Laboratories that fall short of standards as may be prescribed by the Medical Laboratory Science Council of Nigeria (hereinafter referred to as the Council) and the punishments where these sanctions are broken.

The Rules also provide for the degree of care expected of a Practitioner in the exercise of his professional duties; conducts amounting to professional negligence and malpractice and sanctions where a Practitioner is found to be in default.

It is the belief and desire of Council that with the promulgation of these Rules of Professional Conduct, the incidence of ethical violations will be reduced to the barest minimum as ‘ignorance of the law’ will not be an excuse for any ethical violation.

Therefore, not only will strict adherence to the Rules of Professional Conduct enhance the image of the profession but it will also increase the confidence of the public in the Practitioner and the profession as a whole.

Finally, it is recommended that these Rules of Professional Conduct shall serve as information booklet to Medical Laboratory Scientists, Medical Laboratory Technicians and Medical Laboratory Assistants (practitioners and students alike), operators of Medical Laboratories, Lecturers of Medical Laboratory Science, Legal Practitioners interested in Medical Laboratory Science, lay persons and patients who may wish to seek information or further their knowledge on Medical Laboratory Science in Nigeria.

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In exercise of the authority conferred by Sections 4, 7(a), 15(6) of the Medical Laboratory Science Council of Nigeria Act No. 11 of 2003, the Governing Board of Council hereby makes the following rules:

PART A - PRACTICE AS A MEDICAL LABORATORY SCIENTIST/TECHNICIAN/ASSISTANT

Preamble

1. Medical Laboratory Science is a profession that cuts across a wide spectrum of healthcare on account of the vital role it plays on the health of the patient. In analysing and examining body fluids and cells, the results so generated by the Medical Laboratory Scientist in conjunction with the Technicians and Assistants, assists in disease diagnosis, forecasting and management of patients' ailments as well as public health surveillance.

The Code of Conduct defines professionalism in the practice of Medical Laboratory Science and a practitioner shall adhere strictly not only to the guidelines but also to the underlying spirit and precepts.

Objectives

2. The objectives of the Code of Conduct are:
 - (a) To enable practitioners in Nigeria to maintain correct attitude universally expected of them.
 - (b) To meet with the prescriptions of the Medical Laboratory Science Council of Nigeria with regards to ethics and the quality of professional practice.
 - (c) To ensure that all practitioners carry on their professional duties in a manner that earns the trust of the patient and the respect of the society for the profession.
 - (d) To let the public know what they can expect from practitioners.

The code shall be used by the Disciplinary Organs of Council to determine professional conduct.

Induction

- 3 (1) Newly qualified Medical Laboratory Scientists shall be inducted formally into the profession at a ceremony during which the Code of Conduct Oath shall be administered to them and shall obtain from them the pledge to obey all the Rules and Regulations which guide Medical Laboratory practices in Nigeria. The Medical Laboratory Scientists are expected to be already familiar with the Code of Ethics at the time of graduation. The induction ceremony is a solemn occasion during which they on their part announce publicly their commitment to abide by the norms, traditions and practice of the profession.

*Conduct of
the induction*

- 4 The induction of newly qualified Medical Laboratory Scientists shall be conducted by the Registrar/CEO of the Council or his representative in such a place and manner as he shall deem fit and proper.

Pledge

- 5 (1) The pledge/oath which the newly qualified Medical Laboratory Scientists are required to make at the Induction ceremony is as follows:

I pledge as a professional registered by the Medical Laboratory Science Council of Nigeria to always:

- (a) Exercise my professional knowledge and skill with judgment and care for the benefit of the wider general public and in the best interest of the users of the service.
- (b) Demonstrate the highest standards of conduct, honesty and integrity in my personal and professional behaviour.
- (c) Understand, recognize and work within the limits of my professional knowledge, skills and experience.
- (d) Recognize the beliefs and values of the wider general public, the users of my service and professional colleagues, treating them on a fair and equitable basis.
- (e) Ensure the confidentiality of patients' information.
- (f) Ensure that my own beliefs and values do not prejudice or compromise my ability to carry out my professional roles and duties.
- (g) Maintain, improve and keep up to date my professional knowledge and skills.
- (h) Aid and support the development of Medical Laboratory Science by education or training of professional colleagues, the users of the service and the wider general public.
- (i) Promote the study and activity of Medical Laboratory Science by promotion of the values, aims and objectives of the Medical Laboratory Science Council of Nigeria.
- (j) Show due respect and gratitude to my teachers, maintain friendly relations with my colleagues and whenever possible, endeavour to teach students placed under my care.

I, solemnly promise that as a Medical Laboratory Scientist registered by the Medical Laboratory Science Council of Nigeria, I will abide faithfully, in all due loyalty, by the rules of professional conduct of the Council. SO HELP ME GOD.

- (2) The newly graduated Medical Laboratory Technicians and Assistants are expected to be familiar with the Code of Ethics at the point of graduation and shall undergo a registration/orientation ceremony in their various institutions where they shall publicly announce their commitment to the profession.
- (3) The registration ceremony shall be conducted on behalf of the Registrar by the Heads of Schools/Heads of Department with a representative from Council in accordance with the guidelines as set out by Council.
- (4) The pledge/oath which the newly registered Medical Laboratory Technicians and Assistants are required to make at the registration ceremony is as follows:

I pledge as a Medical Laboratory Technician/Medical Laboratory Assistant registered by Council to always:

- (a) Perform my duties under the supervision and guideline of a qualified Medical Laboratory Scientist.
- (b) Ensure that my own beliefs, values and other external influences do not prejudice or compromise my ability to carry out my professional duties.
- (c) Carry out my duties within the limits of my knowledge and skills acquired during training.
- (d) Show due respect to my senior colleagues and Medical Laboratory Scientists and demonstrate the highest standards of conduct, honesty and integrity in my duties.
- (e) Ensure the confidentiality of patient's information.
- (f) Strive to improve and update my knowledge and skill for better performance.
- (g) Ensure and encourage harmony in my work place and among the various personnel I may have contact/interaction with in the course of my duties.
- (h) Support the activities of Medical Laboratory Science Council of Nigeria by promotion of the values, aims and objectives of the Medical Laboratory Science Council of Nigeria.

I, solemnly promise that as a Medical Laboratory Technician/Assistant registered by Medical Laboratory Science Council of Nigeria, I will abide faithfully, in all due loyalty by the rules of professional conduct of the Council. SO HELP ME GOD.

Allegiance to the Profession

- 6 Every practitioner owes a mandatory allegiance to the corporate body of the profession and respect for colleagues and senior colleagues. This corporate body of the profession, by tradition or convention through the ages, has assumed the responsibility of maintaining and constantly enhancing the standard of medical laboratory service provided to the public by the profession as well as protecting the profession from unwarranted encroachment by charlatans and quacks.

Practicing fees and annual licensing

- 7 (1) Every practitioner shall pay his annual practicing fees not later than 31st March in every year. In the case of a practitioner who is enrolled during the year, the fees shall be paid within one month of enrolment.

(2) Any practitioner who in respect of any year and without paying the prescribed fees as stipulated in sub rule (1) above and practices as such shall be guilty of an offence and shall be liable on conviction:

(a) In the case of a first offender to a fine of twice the prescribed practicing fee, and

(b) In the case of a second or subsequent offence, to a fine of not less than three times the prescribed practicing fees or suspension for three(3) months if taken to the Disciplinary Committee.

(3) Late payment shall attract a surcharge as may be determined by the Council from time to time without prejudice to any other penal provisions in the statute.

(4) A practitioner whether in private practice or salaried employment in a Government Department, Ministry or Corporation or faith based Non-Governmental Organization or International Organisation who has defaulted in the payment of the Annual Practice Fees shall not:

(a) Hold himself out to the public as a practitioner;

(b) Offer to perform or perform any service involving knowledge of Medical Laboratory Science; or

(c) Render professional service or assistance in or about matters of principle or details pertaining to Medical Laboratory Science procedure or the processing of data.

(5) Where a practitioner who is in employment has defaulted from payment of the practising fees and if he is in the employment of any person or institution, that person shall also be guilty of an offence and punished in like manner as the practitioner unless he proves that the failure to pay the practising fees was without his knowledge, consent, connivance or negligence.

(6) A Medical Laboratory Scientist who upon payment of his annual practicing fees and proof of same shall be issued an annual license by the Council to enable him practice for

the said period. In the case of a Medical Laboratory Technician/Assistant, he shall upon proof of payment be issued an identification tag by the Council to enable him practise for the said period.

*Mandatory
Continuing
Professional
Development*

8. (1) A practitioner who wishes to carry on practice in the profession shall participate in and satisfy the requirements of the mandatory Continuing Professional Development (CPD) programme as prescribed by the Council.

(2) The activities in which a practitioner is required to participate for the purpose of the Continuing Professional Development Programme of the Council shall include:

- (a) Accredited Lectures, seminars, workshops, journal clubs, web based learning, scientific meetings and conferences focusing on laboratory quality management and accreditation preparedness;
- (b) Attendance and participation in accredited courses in development of site specific Standard Operating Procedures, quality manuals and safety manuals;
- (c) Writing texts or publications on medical laboratory science and its practice in books or journals and newspapers recognised by the Council;
- (d) Study towards professional qualifications approved by the Council; and
- (e) Other approved means of acquiring professional knowledge and experience.

(3) A practitioner shall be certified as having satisfied the requirement of the Continuing Professional Development Programme if, and only if, during the relevant year he earns the requisite minimum of credits for participation in the various programmes as laid down and as approved by the Council.

(4) The Council shall establish a Continuing Professional Development Unit in its office for the operation of the programme.

(5) The Council shall make rules for regulating the operation of the Continuing Professional Development Programme and such rules may provide for the following matters:

- (a) The number of CPD credits per year of participation required of a practitioner;
- (b) The types of activities and studies that is acceptable for earning the credits;
- (c) Persons that may be exempted from the requirements of the programme; and
- (d) Other matters which in its opinion are necessary for the proper operation of the programme.

(6) Without prejudice to the above provisions of Rule 8, it shall be the duty of every practitioner to continually improve upon his knowledge, skill and expertise with a view to practicing in accordance with international best practices obtainable anywhere in the world.

Registration of Practitioners

9. All practitioners must be registered with the Council prior to and upon graduation before he can practice as a Medical Laboratory Scientist/Technician/Assistant failing which he is liable for prosecution.

Registration of Foreign Graduates

10. Practitioners who graduate in colleges in foreign countries will be required to successfully pass the Assessment (Proficiency) Examination set by Council and if they are successful will receive full registration to practice in Nigeria. This is however subject to the provisions of Section 17 of the Medical Laboratory Science Council of Nigeria Act.

PART B - PROFESSIONAL CONDUCT

Professional Conduct in a general respect

11. Every practitioner in his professional practice is expected to conduct and comport himself in his relationships with the public, patient and colleagues in a manner that will promote the sound ethical practice failing which he shall be guilty of infamous conduct in a professional respect.

Obligations to the Public

12. (1) Every practitioner shall be dedicated to serving the health needs of the public by:

(a) Contributing his share of professional competence to the general wellbeing of the community.

(b) Complying with relevant laws and regulations pertaining to the practice of Medical Laboratory Science and actively seek, within the dictates of their conscience, to change those which do not meet with the high standards of care and practice to which the profession is committed.

(c) Maintaining a respectful relationship with members of the public to facilitate awareness and understanding of the profession of Medical Laboratory Science.

13. (1) Every practitioner shall be held accountable for the quality and integrity of the laboratory services he provides to the patient/client and this includes but not limited to:

Obligations to the patient/client

(a) Maintaining individual competence in judgment and performance and striving to safeguard the patient from incompetent or illegal practice by others.

(b) Exercise sound judgment in establishing, performing and evaluating laboratory testing.

(c) Maintain strict confidentiality of patient information and test results.

(d) Respect the dignity, privacy and independence of patients at all times.

*Obligations to
Colleagues
and the
Profession*

14. (1) Every practitioner is expected to uphold the tenements of the profession and have respect for his colleagues and shall in doing so:

(a) Uphold and maintain the dignity and respect of the profession and strive to maintain a reputation of honesty, integrity and reliability.

(b) Actively strive to establish cooperative and respectful working relationship with other health care professionals with the primary objective of ensuring a high standard of care for the patients he serves.

(c) Take responsibility for his professional acts.

(d) Endeavour to maintain and improve his skills and knowledge and keep up to date with current scientific advances.

(e) Uphold academic integrity in all matters of professional certification and Continuing Education.

(f) Promote the image and status of the profession by maintaining high standards in his professional practice and through active support of the Council.

(g) Share his knowledge with colleagues and promote learning.

(h) Collaborate with other health care professionals in the care of patients and the functioning and improvement of health services.

(i) Practice safe work procedures at all times to ensure the safety of patients and co-workers and the protection of the environment.

*Professional
Negligence*

15. A practitioner who fails to exercise the degree of care and skill expected of his experience and status in or about matters of principle or details pertaining to Medical Laboratory Science procedure or the processing of data in the process of attending to a patient is liable for professional negligence.

*Conducts
constituting
professional
negligence*

16. (1) The following among others constitute professional negligence:

(a) Falsification of laboratory or patient record documentation;

(b) Tampering with, destruction or theft of equipment, specimens or teaching materials;

(c) Exhibition of verbally abusive, physically threatening or harmful behaviour;

(d) Gross impairment (physical or cognitive) by illicit use or prescription of drugs;

- (e) Inappropriate or unauthorized use of laboratory equipment, supplies, reagents, data, and laboratory information systems or communication systems;
 - (f) Unauthorized clinical practice or unauthorized presence in a laboratory facility;
 - (g) Non-compliance with the work rules, policies or procedures of the laboratory;
 - (h) Failing to do scheduled laboratory equipment maintenance;
 - (i) Creating unnecessary risk of exposure to or harm from fire, environmental, chemical or bio-hazards.
 - (j) Carrying out a test and producing a result falling short of a reasonable man's expectation of the status of the Medical Laboratory Scientist(s).
- (2) Notwithstanding the provisions of sub-rule (1) above, the Board still reserves the right to make rules as to acts which constitute professional negligence.
- (3) Any practitioner who is involved in professional negligence shall appear before the Investigating Panel of the Council for investigation of the allegation against him.
- (4) The Investigating Panel of the Council shall, based upon the outcome of its investigation, decide whether the case shall be referred to the Medical Laboratory Science Council of Nigeria Disciplinary Committee.

PART C - MALPRACTICE

Deceit and extorting money from patients

17. A practitioner who undertakes to carry out any form of ill-defined procedures including non-existent or unnecessary investigations or tests for the sole purpose of increasing his earnings from the patient shall be in breach of the Code of Ethics and shall be guilty of malpractice.

Aiding the unprofessional practice of medical laboratory science

18. (1) No practitioner is by these rules allowed to permit the use of his name or professional services in the aiding of or to make possible the unauthorized practice of Medical Laboratory Science.

(2) Where a Medical Laboratory is not registered and a practitioner carries out his professional service in such a place, such a practitioner is guilty of professional malpractice and the Council upon proper investigation reserves the sole right to close down and seal the Medical Laboratory pending when the practitioner registers and shows proof of such registration to the Council.

Association with unqualified or unregistered persons practicing medical laboratory science

19. (1) Any registered and licensed practitioner who by his presence, advice or cooperation knowingly enables a person not registered as a practitioner to practice Medical Laboratory Science in Nigeria or perform any procedure that requires discretion or skill, breaches this Code of Ethics and is liable to disciplinary proceedings.

(2) This shall also include those who employ or aid unregistered practitioners be they citizens or expatriates to practice in Nigeria.

PART D - IMPROPER RELATIONSHIP WITH COLLEAGUES OR PATIENTS

Instigation of Litigation

20. (1) A practitioner shall not foment strife or instigate a patient to institute litigation against his professional colleague where he obtains information that his colleague is engaged in unhealthy practices and procedures except in the case of close relations.

(2) A practitioner who is in possession of such information should advise his professional colleague and where he refuses to heed the advice, he should file a report with the Investigation Panel of Council.

(3) A practitioner who acts contrary to sub-rule (1) of this rule shall be guilty of professional misconduct.

Case referrals to Colleagues

21. (1) Every practitioner in dealing with patients must recognize his own limitations in skills and facilities and thus be able and willing at all times to refer such patients in such circumstances to better skilled or better equipped private/public Medical Laboratories.

(2) It shall amount to professional misconduct for a practitioner to cause detriment to a patient by failing to refer to other colleagues, a case he cannot handle effectively neither is his Medical Laboratory equipped or licensed to handle such cases.

Confidentiality

22. (1) Except as provided under sub-rule (3) of this rule, all oral or written communication made by a patient to a practitioner in the normal course of professional employment are privileged.

(2) Except as provided in sub-rule (3) of this rule, a practitioner shall not knowingly-

(a) Reveal the test result, confidences or secrets of his patient;

(b) Use the test results, confidences or secrets of his patient to the disadvantage of his patient; or

(c) Use the test results, confidences or secrets of his patient to the advantage of himself or of a third person unless the patient consents in writing after full disclosure by the practitioner.

(3) A practitioner may reveal-

- (a) Test results, confidences or secrets with the written consent of the patient(s) but only after full disclosure to them;
- (b) Test results, confidences or secrets when permitted under these rules or required by law or a Court order;
- (c) The intention of his patient to commit a crime and the information necessary to prevent the crime;
- (d) Test results, confidences or secrets in order to defend himself or his employer or associates against an accusation of wrongful conduct.

*Right to
withdraw
services*

23. (1) It is permissible for a practitioner to withdraw his services for an industrial action or strike in pursuit of his rights under the Labour Laws of the Federal Republic of Nigeria.

(2) Without prejudice to the generality of sub-rule (1) of this rule, a practitioner shall on withdrawal of services under the above circumstances -

- (a) Conduct himself in an impeccable manner;
- (b) Exercise all forms of decorum while presenting his grievances;
- (c) Reduce to the barest minimum any suffering the patient may incur on account of his action.

*Professional
fees and
service
charge*

24. (1) A practitioner is expected to charge not below the minimum fee approved by the generality of members of the profession in the locality where the practitioner practices. A practitioner is however allowed discretion in the fees he charges socially indigent patients or private individual patients.

(2) A practitioner is permitted to take reasonable steps which may include instituting a law suit to recover his fees from a defaulting patient or client.

(3) A practitioner who contravenes this provision by deliberately undercutting colleagues within the locality of his practice in the fees he charges corporate bodies, or by inducing other colleagues' patients or clients by consistently charging ridiculous fees whether to corporate or private patients, or otherwise behaving in a disgraceful manner on the issue of fees to be paid by or on behalf of a patient, shall be deemed to have conducted himself infamously in a professional respect and be liable to an appropriate sanction if charged before the Medical Laboratory Science Council of Nigeria Disciplinary Committee.

PART E - PRIVATE PRACTICE

*Private
Practice by
registered
practitioners
as consultants*

25. Practitioners who are in full time employment in the public service in Nigeria are free to employ their spare time and unofficial hours to engage in private Medical Laboratory Practice for remuneration as follows:

(1) A registered practitioner in full time employment in the public service shall not engage himself in extra-mural private practice during official duty time under any circumstance.

(2) A registered practitioner who holds the appointment of Consultant status or an officer of more than ten years post-registration experience may run a registered Medical Laboratory which will open for business only during periods he is not on official duty.

26. A practitioner who does not have the status of a consultant may engage in private practice outside his official hours.

27. Registered practitioners who are Chief Medical Laboratory Scientists, Assistant Directors, Deputy Directors and Directors who are in administrative charge have inherent responsibilities to ensure strict compliance with Public Service Regulations by professional colleagues and others who are in the employment of the public service and are deployed by the institutions which they administer. A practitioner in administrative control who fails to report colleagues that violate these rules and regulations shall himself be liable for disciplinary action.

28. (1) It is in the interest of the profession that practitioners maintain and observe decency and decorum in professional transactions and treatment with colleagues and clients.

(2) Any Practitioner who engages in fraudulent or dirty deals in any untoward manner, including among others, issuance of fake certification for economic gain, involvement in cover up of professional misconduct, etc and who upon investigation is found guilty by the law courts shall have his license revoked and his name deleted from the Register as appropriate.

PART F - SELF ADVERTISEMENT AND RELATED OFFENCES

29. (1) Subject to paragraphs (2) and (3) of this rule, a practitioner may engage in any advertising or promotion in connection with his practice of Medical Laboratory Science, provided it -

(a) is fair and proper in all the circumstances; and

(b) Complies with the provisions of these Rules.

(2) A practitioner shall not engage or be involved in any advertising or promotion of his practice of Medical Laboratory Science which -

(a) is inaccurate or likely to mislead;

Practice by non-consultant practitioners in full time employment in the public service

Ethical Control by practitioners in Management appointments in public hospitals

Decency and decorum in professional transactions

Advertisement and soliciting

(b) is likely to diminish public confidence in the profession or brings the profession into disrepute;

(c) makes comparison with or criticizes other practitioners or other professions or professionals;

(d) includes any statement about the quality of his work, the size or success of his practice or his success rate;

(e) is so frequent or obstructive as to cause annoyance to those to whom it is directed.

(3) Notwithstanding the provisions of paragraph (1) of this rule, a practitioner shall not solicit professional employment either directly or indirectly by:

(a) Circulars, handbills, advertisement through tout or by personal communication or interview;

(b) Furnishing, permitting or inspiring on the internet, newspaper, radio or television comments in relation to his practice of medical laboratory science;

(c) A publication or an interview to the press or otherwise cause or permit to be published any particulars of his practice or earnings in the profession.

*Press, Radio
and
television*

30. (1) A practitioner may write articles for publication or participate in radio and television programmes for the purposes of advancing Medical Laboratory Science or for public enlightenment on the health issues under focus.

(2) A practitioner shall not:

(a) Allow his name to be used in any commercial advertisement in which he will be described as a Medical Laboratory Scientist or Medical Laboratory Technician or Medical Laboratory Assistant;

(b) Insert in any newspaper, periodical, internet or any other publication, an advertisement offering himself as a Medical Laboratory Scientist, Medical Laboratory Technician or Medical Laboratory Assistant to undertake confidential inquiries; and

(c) Write for publication, give an interview to the press or otherwise cause or permit to be published, except in a Medical Laboratory Science periodical, any particulars of his practice or earnings in the profession.

*Dissemination
of information
relating to
services*

31. (1) In the interest of enhancing the health consciousness of the public, a practitioner may be allowed information dissemination to the extent of:

- (a) Distributing patient information leaflets listing the services provided and the timetable for such services to patients and their relatives;
- (b) Conspicuously displaying such information in sub-rule (a) within the premises of the facility.

(2) Provided that care is taken to ensure that what is publicised in such information leaflet is only the services offered by the facility and not the practitioner's qualifications or their specific individual skills or competence.

*Touting and
Canvassing*

32. A practitioner must not:

(a) Engage in or encourage professional touting. The employment of canvassers and the display of cards or calendars in hotels, banks or any other such venues are improper and a breach amounts to professional misconduct;

(b) Encourage the distribution of gift items bearing the inscription of the names of their laboratories or services because such items are promotional in nature and are likely to excite unwarranted and unhealthy competition among practitioners.

PART G - CONVICTION FOR CRIMINAL OFFENCE

*Previous
Conviction,
Effect*

33. (1) Where a practitioner has been convicted by a court of competent jurisdiction for a criminal act considered to be incompatible with the status of a practitioner, whether or not such an act was the result of professional malpractice, may be regarded, after due process by the Disciplinary Committee and the Investigating Panel as infamous conduct in a professional respect.

(2) The facts leading up to a conviction on any other count may be suggestive of infamous conduct in a professional respect and may thus give rise to an inquiry.

*Previous
Conviction
abroad*

34. Practitioners found wanting in a professional respect in other countries abroad would have their matters reviewed by the Investigating Panel before being allowed to practice in Nigeria.

*Aiding
Criminals*

35. Practitioners owe the profession a sense of duty to ensure that their Medical Laboratories and their environs are not used as bases or hide-outs for criminals. A breach of this duty either by omission or commission constitutes infamous conduct in a professional respect.

*Enforcement
of rules*

36. (1) It is the duty of every practitioner to report any breach of any of these rules that comes to his knowledge to the appropriate authorities for necessary disciplinary action.)

(2) If a practitioner acts in contravention of any of these Rules or fails to perform any of the duties imposed by the Rules and having been adjudged by the Disciplinary

Committees as being guilty of a professional misconduct, then the following steps will be taken:

a) The name of the practitioner and the sentence pronounced shall be published in two national dailies. Notification of the publication shall be duly deposited with the National Secretariat of the Association of Medical Laboratory Scientists of Nigeria.

(b) Where the name of the registered practitioner is suspended from the Register for a period of time, the Registrar will in addition to (a) above direct that the practitioner maintains compliance with the sentence until the period of suspension expires.

(c) Upon the expiration of the suspension and where the Disciplinary Committee is satisfied that a practitioner has satisfactorily completed same, it may direct the Registrar to re-enter the name of the practitioner into the Register of Members.

37. In these Rules unless the context otherwise admits -

“Practitioner” includes a registered Medical Laboratory Scientist, Medical Laboratory Technician and Medical Laboratory Assistant.

“Board” refers to the Medical Laboratory Science Council of Nigeria Governing Board;

“Council” refers to the Medical Laboratory Science Council of Nigeria.

“Disciplinary Committee” refers to the Medical Laboratory Science Council of Nigeria Disciplinary Committee.

“Registrar” refers to the Chief Executive and Secretary to the Governing Board of Council.

38. These Rules shall be cited as the Rules of Professional Conduct for Medical Laboratory Scientists, Medical Laboratory Technicians and Medical Laboratory Assistants, 2011.

Interpretation

Citation