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MEDICAL POLICE,

889

AND

RULES AND REGULATIONS,

OF THE

CINCINNATI

MEDICAL ASSOCIATION;

WITH A LIST OF THE MEMBERS.

CINCINNATI:

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1821.

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WITH A LIST OF THE MEMBERS

CINCINNATI

1881

RESOLUTIONS.

AT an adjourned meeting of the Physicians of Cincinnati, attended by a large number of the practitioners of the city, at Washington Hall, on the 21st day of February, 1821, at which Dr. JOHN SELLMAN presided, and Dr. JOSEPH BUCHANAN acted as secretary, the following resolutions were unanimously adopted:

RESOLVED, That we unite to form a Medical Association.

RESOLVED, That the Code of Medical Police and Rules and Regulations, which was prepared and submitted for consideration by Dr. J. Smith, together with the Amendments to the same, agreed upon at the former meetings, and digested by Drs. Pearson, Smith, and Buchanan, a committee appointed for that purpose, be adopted as the Constitution for the government of the Association.

RESOLVED, That a committee be appointed to submit this Code to each Practitioner of Medicine in the city, who has not attended this meeting, and request him to subscribe the obligation contained in the twentieth article of its Rules and Regulations.

J. SELLMAN, *Chairman.*

JOS. BUCHANAN, *Secretary.*

MEDICAL POLICE, &c.

THE MEDICAL PROFESSION is a fraternity constituted by the universal suffrage of civilized society. Its object is to preserve and restore health; in accomplishing which, a Heathen has said, "that in nothing else do men so nearly resemble the gods."* The cultivation and improvement of the science on which it depends, are facilitated by a concert of action, a harmony of conduct, and a coalescence of experience, in all its members. From such considerations, we, the Physicians and Surgeons of Cincinnati, have formed ourselves into a body, which shall be known, and called by the name of,

THE CINCINNATI MEDICAL ASSOCIATION.

And in order to maintain a good understanding, to establish a uniform conduct toward each other, and to the community, in the detail and practice of the Profession, we do approve, adopt, and agree scrupulously to be governed by, the following compendium of Medical Police, and the annexed Rules and Regulations: the former of which is selected from the best systems of Medical Ethics, with slight variations adapted to our particular situation; and the latter corresponds to the tested experience of other communities.

* Enim neque ulla alia re propius homines ad deos accedunt, quam salutem hominibus dando.—*Cicero*.

MEDICAL POLICE.

TO SUPPORT THE MEDICAL CHARACTER.

The *esprit du corps* is a principle of action, founded in human nature; and, when duly regulated, is both rational and laudable. Every man, who enters into a fraternity, engages, by a tacit compact, not only to submit to the laws, but to promote the honour and interest of the association, so far as they are consistent with morality, and the general good of mankind. A Physician, therefore, should cautiously guard against whatever may injure the general respectability of the profession, and should avoid all contumelious representations of the faculty at large; all general charges against their selfishness or improbity; or the indulgence of an affected or jocular scepticism, concerning the efficacy and utility of the healing art.

CONSULTATIONS.

CONSULTATIONS should be encouraged in difficult and protracted cases, as they give rise to confidence, energy, and more enlarged views in practice. On such occasions, no rivalry or jealousy should be indulged; candour, justice, and all due respect, should be exercised toward the physician who first attended; and as *he* may be presumed to be best acquainted with the patient, and his family, he should deliver all the medical directions as agreed upon. In proposing questions, however, to the sick, or in examining his case, each one should be allowed to participate, having due regard to seniority.

The consulting physician is never to visit without the attending one, unless by the desire of the latter; or when, as in sudden emergency, he is not to be found. No discussion of the case should take place before the

patient, or his friends; and no prognostications should be delivered, which were not the result of previous deliberation and concurrence. Theoretical debates, indeed, should generally be avoided, as occasioning perplexity and loss of time; for there may be much diversity of opinion on speculative points, with perfect agreement on those modes of practice, which are founded, not on hypothesis, but on experience and observation. When there is more than one consulting physician, after the examination of the patient's case is concluded, the junior practitioner should first express his opinion as to the treatment.

Physicians in consultation, whatever may be their private resentments, or opinions of one another, should divest themselves of all partiality, and think of nothing but what will most effectually contribute to the relief of those under their care. If any one cannot lay his hand to his heart and say, that his mind is *perfectly* open to conviction, from whatever quarter it may come, he should in honour decline the consultation.

All discussions and debates in consultation are to be held secret and confidential. But where there is a difference of opinion, no member of it shall be precluded from stating that difference, with the reasons by which he maintained his views.

Many advantages may arise from consultation, when men are candid, and have mutual confidence in each other's honour. A remedy may occur to one, which did not to another; and a physician may want resolution, or confidence in his own opinion, to prescribe a powerful, but precarious remedy, on which, however, the life of his patient may depend: in this case a concurrent opinion may fix his own. But when such mutual confidence

is wanting, a consultation had better be declined, especially if there is reason to believe, that sentiments delivered with openness, are to be communicated abroad, or to the family concerned; and if, in consequence of this, either gentleman is to be made responsible for the result.

When a plan of treatment has been determined on in consultation; and, before it can be adopted, some change in the state of the patient makes the attending practitioner deem it inadmissible, he is, under such circumstances, to renew the consultation as soon as practicable; and, if the symptoms urge the necessity of doing something immediately, he may prescribe until the consultation takes place. But, if the plan has been adopted, the consulting physician is not to repeat his visit, unless it be specifically understood, and requested.

And that the patient may have the best possible remedies, whenever a medicine is proposed, which the attending physician cannot furnish of the best quality, he shall in all cases, where the circumstances of the patient admit, send a prescription for it, with a request that it may be preserved, to some regularly bred apothecary. And that consultations may stand on high and honorable ground, no individual, after consenting in consultation to any particular formula, or plan of treatment, shall afterwards vary the prescription, except upon an emergency, as before stated, under penalty of forfeiting his membership in the Association, and character as a gentleman.

The utmost punctuality should be observed in consultation visits; and to avoid loss of time, it will be expedient to establish the space of *fifteen minutes* for difference of time and allowance for delay; after which, the meeting might be considered as postponed for a new appointment.

INTERFERENCES.

MEDICINE is a liberal profession; the practitioners are, or *ought* to be, men of education; and their expectations of business and employment should be founded on their degrees of qualification, not on *artifice* and *insinuation*. A certain undefinable species of *assiduities* and *attentions*, therefore, to families usually employing another, is to be considered as *beneath* the dignity of a regular practitioner, and as making a *mere trade* of a liberal profession; and all officious interferences in cases of sickness in such families, evince a *meanness* of disposition, unbecoming the character of a physician or a gentleman. No meddling inquiries should be made concerning them, nor *hints* given relative to their nature and treatment, nor any selfish conduct pursued, that may, directly or indirectly, tend to weaken confidence in the physicians and surgeons who have the care of them.

When a physician is called to a patient, who has been, during the *present* illness, under the care of another, before any examination of the case, he should ascertain, whether that other gentleman *understands*, that the patient is no longer under his care; and unless this be the case, the second physician is not to assume the charge of the patient, nor to give his advice, (excepting in instances of sudden attacks,) without a regular consultation; and if such previously attending physician has been dismissed, or has voluntarily relinquished the patient, his practice should be treated with candor, and justified so far as truth and probity will permit.

It frequently happens, that a physician, in incidental communication with the patients of others, or with their friends, may have their cases stated to him in so direct a manner, as not to admit of his declining to pay atten-

tion to them. Under such circumstances, his observations should be made with the most delicate propriety and reserve. He should not in the least interfere in the curative plans pursued, unless to recommend a steady adherence to them, if they appear to merit approbation; and he should not make any remarks, or express any opinion, which could, in any way, injure the attending physician.

DIFFERENCES OF PHYSICIANS.

The differences of Physicians, when they end in appeals to the public, generally hurt the contending parties: but what is of more consequence, they discredit the *Profession*, and expose the Faculty itself to contempt and ridicule. Whenever such differences occur, as may affect the honor and dignity of the profession, and cannot immediately be terminated, if they do not come under the character of violation of the special rules of the Association, they should be referred to the arbitration of a sufficient number of members of the Association, according to the nature of the dispute; but neither the subject matter of such differences, nor the adjudication, should, if it can be avoided, be communicated to the public.

FEEES.

General rules are adopted by the Faculty in every town, relative to the pecuniary acknowledgments of their patients; and it should be deemed a point of honor to adhere to them; and every deviation from, or evasion of these rules, should be considered as meriting the *indignation* and *contempt* of the fraternity.

Gratuitous services to the poor are by no means prohibited. The characteristical beneficence of the profes-

sion is inconsistent with sordid views and avaricious rapacity. The poor of every description should be the objects of our peculiar care. Dr. Boërhaave used to say, they were his best patients, because God was their pay-master.

It is obvious, also, that from the rich, who often require attendance and occasion delay not absolutely necessary, an average fee, suited to the general rank of patients, must be an inadequate compensation, and yet too large to be expected or exacted from that class of citizens, who would feel a reluctance in calling for assistance, without making some decent and satisfactory remuneration. Hence the propriety of the discount, as allowed in Article XIII. of the Rules and Regulations.

EXEMPTION FROM CHARGES.

The clergymen of the town, and all members of the medical profession within it, together with their families, *may be attended, but not furnished with medicines, gratuitously.* Visits, however, should not be officiously obtruded. Such civilities may give rise to embarrassments, or interfere with that choice on which confidence depends.

But distant members of the Faculty, when they request attendance, should be expected, at least to defray the expenses of travelling in addition to the medicines; and such of the clergy from abroad, as are qualified by their fortunes or incomes, to make a reasonable remuneration for medical attendance, are not more privileged than any other order of patients.

Omission to charge, on account of the wealthy circumstances of the physician, is an injury to the profession, as it is defrauding, in a degree, the common funds for its support.

VICARIOUS OFFICES.

Whenever a physician officiates for another by his desire, in consequence of sickness or absence, if for a short time only, the attendance should be performed gratuitously *for the attending physician*, and with the utmost delicacy towards his professional character.

DISCOURAGEMENT OF QUACKERY.

The use of quack medicines should be discouraged by the faculty, as disgraceful to the profession, injurious to health, and often destructive even of life. No physician or surgeon, therefore, should dispense a secret nostrum, whether it be his invention or exclusive property; for if it be of real efficacy, the concealment of it is inconsistent with beneficence or professional liberality; and if mystery alone give it value and importance, such craft implies either disgraceful ignorance or fraudulent avarice.

SENIORITY.

A regular and academical education furnishes the only presumptive evidence of professional ability. Hence, seniority has sometimes been awarded in proportion to the degree, in which it may have been enjoyed and improved. But this method is attended with many difficulties; and as industry and talents may often make it unequal and unjust, the seniority of those who may hereafter become members of this Association, shall be determined by the period of public and acknowledged practice as a member of the same. This arrangement being clear and obvious, is fitted to remove all grounds of dispute among medical gentlemen; and it secures the regular continuance of the established order of precedence, which might otherwise be subject to troublesome interruptions, by new settlers, perhaps not long stationary in the place.

RULES AND REGULATIONS.

ARTICLE I.

THE CINCINNATI MEDICAL ASSOCIATION shall meet annually, on the first Monday in January, at two o'clock P. M.

ARTICLE II.

At every meeting, there shall first be chosen, by ballot, a Chairman to preside in the same; and the member having a plurality of votes shall be declared elected.— At every stated meeting there shall be chosen, by ballot, a Secretary, and a Standing Committee of five members, who shall continue in office until the next stated meeting, and until others are elected in their room.

ARTICLE III.

It shall be the duty of the Secretary to keep a record of the proceedings of the Association, and of those of the Standing Committee, whose meetings he shall attend for this purpose; and to provide, under their direction, a suitable public room for all meetings of the Association. He shall call a special meeting of the Association, whenever directed by the Standing Committee, and likewise whenever seven members of the Association request it in writing. In the cases of both special and stated meetings, he shall send a notification, printed or written, to each member, one week at least before the day of the meeting, and shall advertise the same during the week preceding the meeting in one of the newspapers of this city.

ARTICLE IV.

It shall be the duty of the Standing Committee to attend to, and decide on, all matters, which regard the honour or interest of the Association; especially to act upon all infringements of its regulations, which may come to their knowledge, and to call special meetings of the Association, when they judge proper. In all cases there may be an appeal from the judgment of the Standing Committee to the Association. This Committee shall fill any vacancy in their own body, or in the office of Secretary, which may occur by death, or resignation, until the next stated meeting of the Association.

ARTICLE V.

No member of the Association shall consult with, or voluntarily meet in a professional way, or aid or abet any practitioner resident in this city, who is not a member of this Association: provided however, that no item of this Article shall be considered obligatory, where the lawfully constituted authorities have made, or shall hereafter make, a special appointment or provision, which may necessarily imply an unequivocal co-operation; as in the cases of legal partnerships, of a Board of State Medical Officers, and of those who may have chartered privileges, and reciprocal obligations, as teachers associated in the same Medical Institution, or as Physicians or Surgeons to the same Infirmary.

ARTICLE VI.

If any member become acquainted with the conduct of another member, which he considers as a breach of this code, it shall be his duty to make the same known to the Standing Committee, who shall enquire into the case, and decide upon the same, as they may think proper.

ARTICLE VII.

If a physician be called to a patient, who has usually been attended by a *family physician*, on the arrival of the latter, the patient shall be resigned by the former. Should the *family physician* not arrive, till after the departure of the stranger physician, it shall be the duty of the former to apprise the latter, that he has taken charge of the patient.

ARTICLE VIII.

When a physician, engaged to attend a case of midwifery, is absent, and a second delivers the patient, the second shall receive the fee, and relinquish the patient to the first. If the first arrive while the second is present, and before the patient is delivered, the second shall resign the patient, and the fee, to the first.

ARTICLE IX.

The members of this Association shall charge for their professional services the fees in the following table, subject, however, to the several rules contained in this code relative to the same.

TABLE.

For a visit, - - - - -	\$ 00 50
For a visit and first consultation, - - - -	5 00
For a visit, and each subsequent ditto, - -	2 00
For a visit, or a visit in consultation, out of the city of Cincinnati, the fee as above for a visit, or a visit in consultation; with the addition, for every mile, except the first, from the low- er market, of, from 50 cents to - - - -	1 00

In like manner, for every other service, when out of the city, the fee for the service shall first be charged, and for every mile, excepting the first, from 50 cents to - - - - -	}	81	00
For a visit to Newport or Covington, Ky. - -		2	00
For a visit, and passing catheter, - - - -		3	00
For a visit, and passing catheter when frequent- ly repeated, - - - - -	}	1	50
For a visit, and performing venesection - -		1	00
For a visit, and extracting tooth, - - - -		1	00
For a visit, and dressing only, - - - - -		1	00
For venesection, extracting a tooth, or dressing, at surgeon's house, - - - - -	}	00	50
For rising in the night* and visit, - - - -		2	00
For ditto, and visit in consultation, - -		7	00
For rising in the night, and advice at the physi- cian's house, - - - - -	}	1	00
For advice at the physician's house, or else- where, according to the importance of the case and time occupied, from 50 cents to	}	10	00
For a case of gonorrhœa, - - - - -		10	00
For all other cases of syphilis, - - - - -		12	00
For a case of midwifery, - - - - -		10	00
† For amputation of large limbs, trepanning, ex- tirpation of large tumours, and other surgical operations of equal difficulty and importance,	}	30	00

* The night, in this table, is considered as beginning at 10 o'clock, P. M. and ending at 5 o'clock, A. M. or at sunrise, when that is later than 5 o'clock, A. M.

† N. B. In all the cases stated in the table, following that of midwifery, a visit is implied, yet the charge should be the same, if performed at the practitioner's house.

For Lithotomy, - - - - -	\$ 75	00
For the operation for fistula in ano, - - -	15	00
For the operation for hare-lip, - - - - -	15	00
For tapping for dropsy, - - - - -	10	00
For reducing luxations, or fractures of large bones, from 10 dollars to - - - - -	20	00
For amputating fingers, toes, and for excision of small tumours, - - - - -	7	00
For reducing luxations or fractures of small bones, for stitching recent wounds, opening large abscesses, and similar operations, - -	3	00
For vaccine inoculation, - - - - -	2	00
Insertion of a seton, or making an issue, - -	2	00

In charging for medicines, the members of this Association will adopt the lowest prices, which have been customary with any of its members; and in all matters left to discretion, they will keep in view the state of the times, and be as moderate in their demands as they can be without manifest injustice to themselves.

ARTICLE X.

The foregoing table is designed to state the regular fees, which shall be charged for the ordinary services to which they are respectively annexed. But in all cases of extraordinary detention, or attendance; also, in proportion to the importance of the case, and of the responsibility attached to it, and to the services rendered, where these are extraordinary, the charges shall be increased according to the judgment of the practitioner concerned; and the duty to make such increase in the charges shall be considered obligatory on the members of this Association.

ARTICLE XI.

If in any case of midwifery a second physician be called in consultation, and be detained in attendance till the termination of the case; both the attending and consulting physician shall charge, at least, the usual fee for delivery. But, if the attendance of the consulting physician be not protracted beyond the time of an ordinary consulting visit, and his manual assistance be not necessarily required, he may charge only the consultation fee.

ARTICLE XII.

In cases of midwifery, when the child is born but not the placenta, before the arrival of the accoucheur, from half to the whole fee is to be charged according to circumstances. When both the child and placenta are born before the arrival of the accoucheur, if the delay be entirely on the part of the accoucheur, he is not to charge *more* than an ordinary visit.

ARTICLE XIII.

It is not designed, by these regulations, to prevent the members of this Association from rendering their services gratuitously to persons, who are incapable of remunerating them without distressing themselves, or their families; but, in such cases, the whole services must be gratuitous; as by charging fees for some of them, and not for all, it is obvious, that the intention of the fee-table would be effectually frustrated.

In any case, where the physician believes that his patient cannot afford to pay the regular fees, and yet is able to make some compensation, the following deduction may be made, viz: from twenty five to thirty three and a third per cent. on the fee for all services, except-

ing only cases of gonorrhœa and syphilis, from which no deduction shall be made. These deductions shall be made, either in the original charges, or on making out the account, at the pleasure of the practitioner; but they are not to be made after presenting the account, except where the practitioner learns, after presenting it, that the pecuniary circumstances of his patient are not so good as he had believed them to be.

ARTICLE XIV.

It shall not be obligatory on the members of the Association to charge for more than two visits on one day.

ARTICLE XV.

No member of this Association shall make a previous contract with any family for a definite sum, as a remuneration for his annual attendance on that family.

ARTICLE XVI.

Those physicians of the adjoining towns, who are, or may hereafter come, within the provisions of an act, entitled "*An Act to regulate the practice of Physic,*" passed by the Legislature of the State on January 15th, 1821, shall be requested to conform in their charges to the fee-bill of this Association, whenever they attend patients in this town.

ARTICLE XVII.

When the circumstances permit, every physician shall present his account immediately after his attendance in a fit of sickness. This shall be particularly attended to in cases of midwifery. In ordinary cases of attendance in families, an account shall be presented every January;

and it shall be an invariable custom to endeavor to settle all accounts in that month, or at least annually.

ARTICLE XVIII.

In cases of consultation, the consulting physician *may* send his bill to the attending physician, as soon as his services in any case are completed; and it should *then* be the business of the attending physician to present the bill.

ARTICLE XIX.

The Police, and Rules and Regulations of the Association shall be offered for subscription to all candidates for medical practice in this town, who have received the degree of Doctor of Medicine, or who have received letters testimonial of approbation, or of license from the Ohio Medical Convention, (constituted by the act referred to in the sixteenth article of these Rules and Regulations;) and the Secretary shall be charged with the execution of this Rule, with which he shall comply, in every instance, so soon as he shall learn, that any candidate, of the above description, may have established himself in this town; or in case the Secretary has doubts, in any instance, respecting the propriety of offering the Articles to any candidate above described, he shall call on the Standing Committee for advice and direction. And in case any person to whom he offers the code, shall refuse or neglect to sign the same, the Secretary shall make known such refusal or neglect to the Standing Committee.

ARTICLE XX.

Every candidate, at the time of becoming a member of the Association, shall sign the following obligation, which shall be in a book deposited with the Secretary:

The undersigned approve and adopt the Police, and Rules and Regulations of the Cincinnati Medical Association, and agree upon their honor to comply with the same.

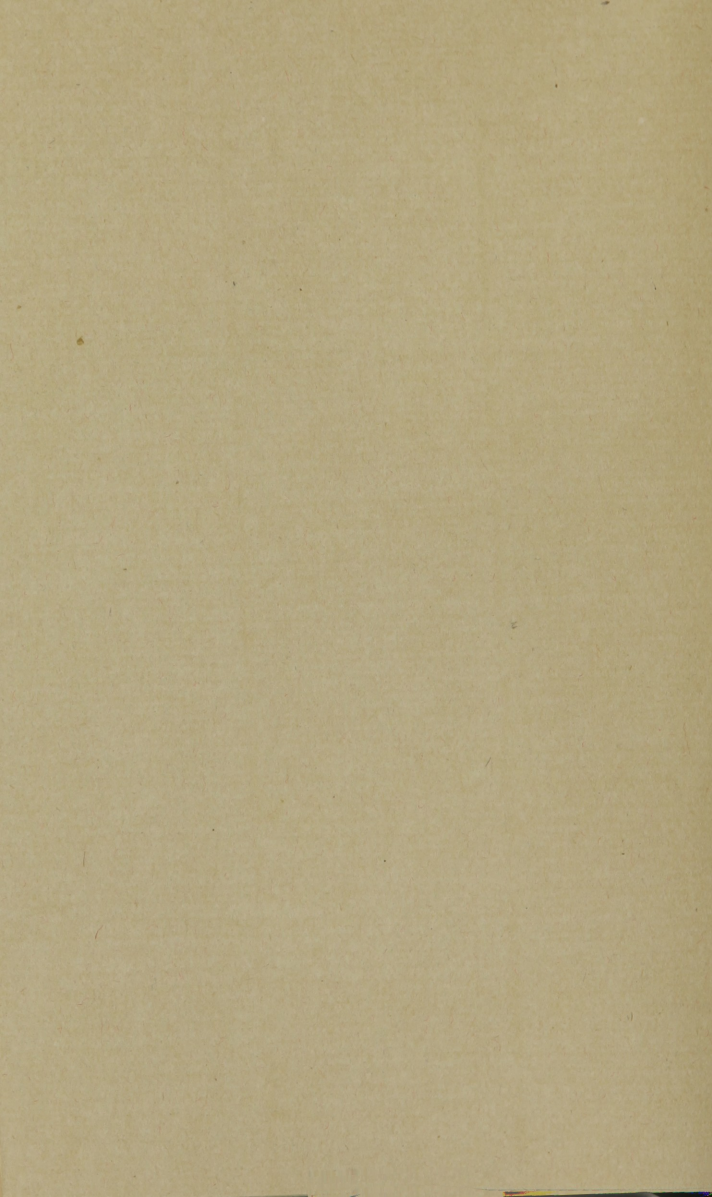
It shall also be his duty to transmit a Circular Note, signed by the Secretary, to every member, informing them of his admission; and he is not entitled to the rights and privileges of the Association, from any individual member, until such notice has been given said member.

ARTICLE XXI.

The members of the Association, after arriving at the age of sixty, shall be exempted from all assessments; but in other particulars shall be governed by the code of the Association.

ARTICLE XXII.

The Secretary shall pay all expenses of the Association, and once in a year, at least, and oftener when any considerable expense has been incurred, he shall assess the amount due to him upon all the members of the Association equally, with the exception of himself, and those exempted in the twenty first Article. He shall employ, at the expense of the members, a person to collect the assessments, and distribute the notifications authorized in this code; and, if any member refuse or neglect to pay his assessment within one month from the time of its being demanded, his connection with the Association shall thereupon cease, and the Secretary shall inform the members of the same by a Circular Note, and the assessment left unpaid shall become a charge against the Association.



Book taken apart, leaves deacidified
with magnesium bicarbonate. Folds
reinforced, leaves mended. Resewed
with new all-rag end paper signatures
& unbleached linen hinges. Rebound in
quarter linen with Fabriano paper
sides. February 1976.

Carolyn Horton & Assoc.
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New York, N.Y. 10011

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