



State of West Virginia *Board of Medicine*

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OPINION OF THE WEST VIRGINIA BOARD OF MEDICINE RE: LOANS

It is probable that it is a violation of medical ethics for a physician to accept loans of money from a patient and to permit the patient to forgive repayment, and to accept loans of money with knowledge that the debt will be forgiven pursuant to the will of the patient.

In the AMA Code of Ethics, Principle VIII is that "A physician shall, while caring for a patient, regard responsibility to the patient as paramount." The existence of a lender-debtor relationship introduces elements which distract from that paramount responsibility. Further, Opinion 10.015, The Patient-Physician Relationship, states in pertinent part that ... "The relationship between patient and physician is based on trust and gives rise to physicians' ethical obligations to place patients' welfare above their own self-interest ... Within the patient-physician relationship, a physician is ethically required to use sound medical judgment, holding the best interests of the patient as paramount." The existence of a lender-debtor relationship conflicts with this ethical obligation, particularly where a large loan will be forgiven upon death. The existence of the loan and the will forgiving it may also raise questions about the patient's death even where there may be no legitimate medical question.

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WEST VIRGINIA BOARD OF MEDICINE



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