**Section 1253.90 Dishonorable, Unethical or Unprofessional Conduct**

a) The Department may suspend or revoke a license, refuse to issue or renew a license or take other disciplinary action, based upon its finding of dishonorable, unethical, or unprofessional conduct within the meaning of Section 75 of the Act, which is interpreted to include, but is not limited to, the following acts or practices:

1) Practicing, condoning, facilitating or collaborating with any form of discrimination against any person or group on the basis of race, color, sex, sexual orientation, age, religion, national origin, marital status, political belief, mental or physical handicap, or any other preference or personal characteristic, condition or status.

2) Failing to offer all facts regarding services or equipment to the client prior to administration of services (such as proper use and maintenance of equipment, warranty information, etc.). Patients and caregivers shall be informed of their rights and obligations regarding the sale, rental, and service of home medical equipment.

3) Failing to protect the privacy of patient information and disclosing such information without proper authorization, except as required by law.

4) Performing or allowing employees to perform professional services beyond their scope of practice and competency.

5) Failing to establish and maintain client records.

6) Submission of fraudulent claims for services to any person or entity, including, but not limited to, health insurance companies or health service plans or third party payors.

b) The Department hereby incorporates by reference "Code of Ethics", November 1998, approved by the National Association for Medical Equipment Services (NAMES), 625 Slaters Lane, Suite 200, Alexandria, VA 22314-1171, and by the Illinois Association of Medical Equipment Services, c/o IHCC, 222 West Ontario, Suite 420, Chicago IL 60610, with no later amendments or editions.