

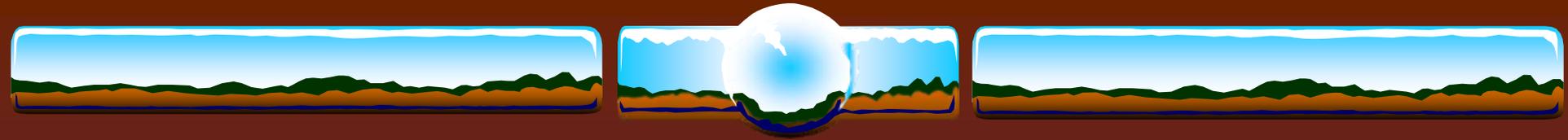
Professional Ethics – The Next Generation

Presented By: Kathryn Benson, LADC, NCAC II, QCS, QSAP

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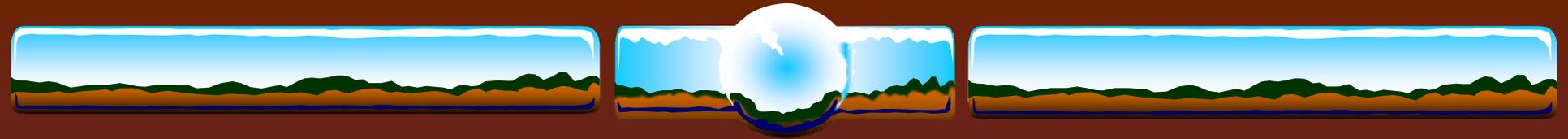
Pleiades Clinical Consulting Group

Nashville, TN



Ethical/Legal/Moral

What is the difference?



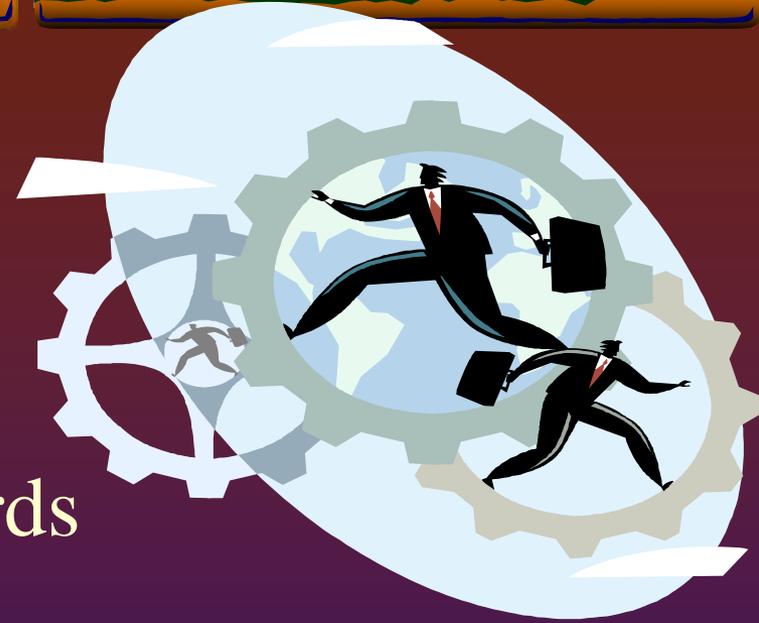
Beliefs

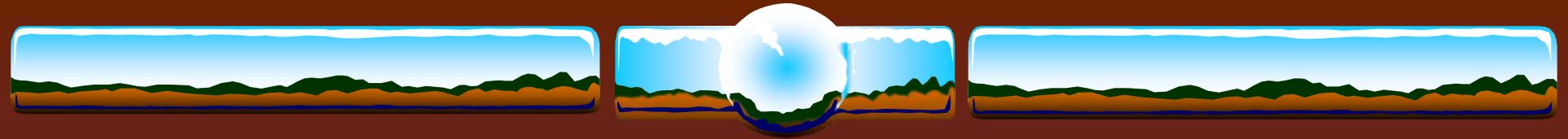
- ❖ What one believes is a choice
- ❖ No other person impose beliefs on another person
- ❖ Beliefs are in jeopardy only when the individual does not know what they are
- ❖ Understanding beliefs and those of others comes through focused thought and discussion.

❖ Allison, J., 2006

Morality

- ❖ Conscious adoption of standards related to right and wrong
- ❖ These standards develop from life experience when behaviors are labeled good or bad.





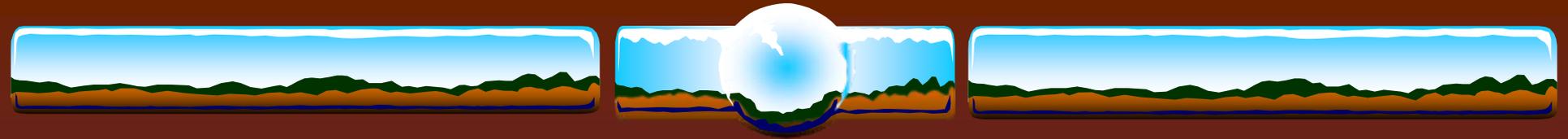
Morality

❖ A moral being is one who is capable of comparing past and future actions or motives and of approving or disapproving of them.

❖ Charles Darwin

❖ Is the attitude we adopt toward people with whom we disagree or who we dislike.

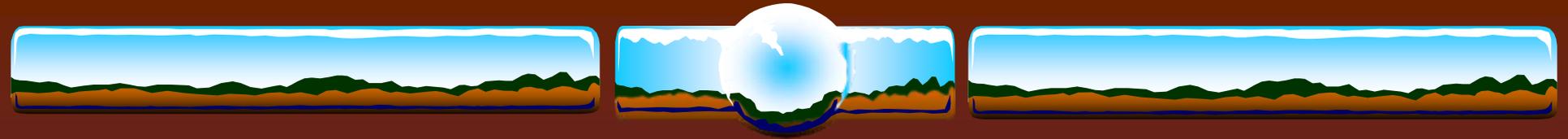
❖ Oscar Wilde



Morals of the Individual

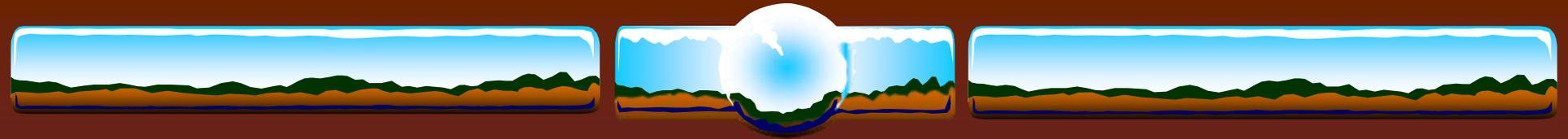
- ❖ Emerge from interaction between cognitive and social experiences
- ❖ To understand the moral stance of the person, it is essential to know his/her experience and the situation about which a decision is being made.





Moral Standards Change

- ❖ Age and experience
- ❖ Development of values and beliefs
- ❖ Learn the meaning of rules and reasons for them
- ❖ Rules are understood in relationship to the principles of society that uphold them
 - ❖ Freeman, 2000



Why have Codes of Ethics?

- ❖ Occupational Identity
- ❖ Occupational Maturity
- ❖ Framework for Professional Behavior

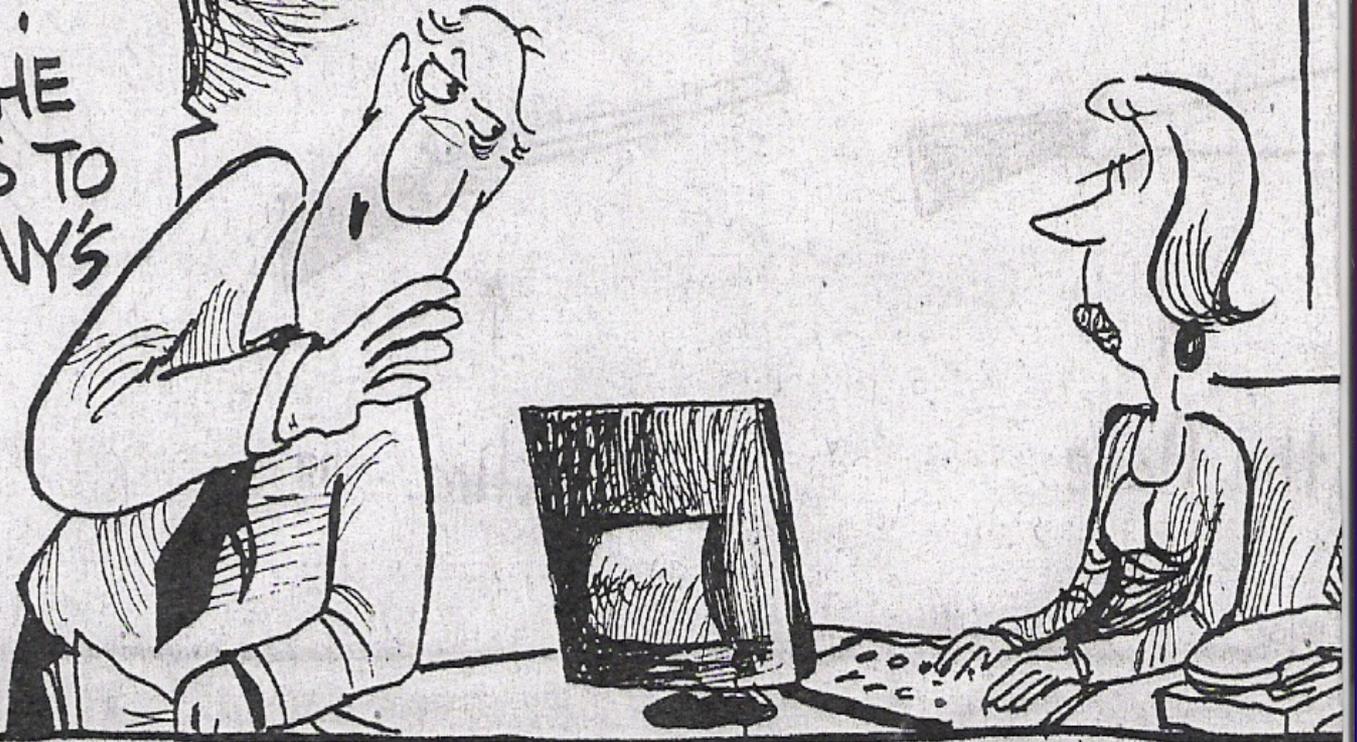
Ethics is a Challenge

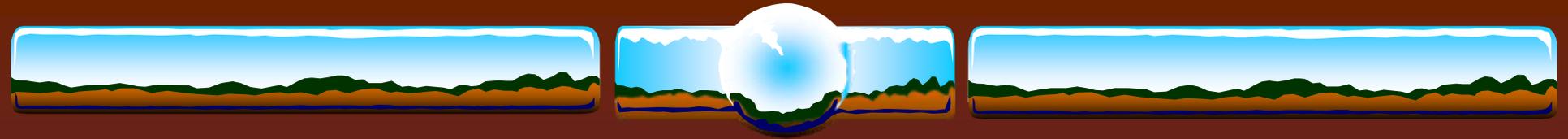
Monkey House

by Pat Byrne



PSSST!
WANT THE
ANSWERS TO
THE COMPANY'S
CODE OF
ETHICS
QUIZ?

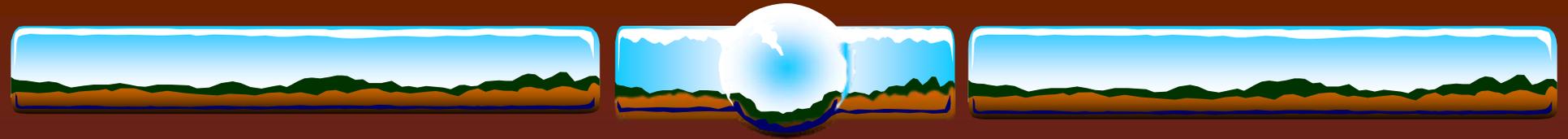




Ethics

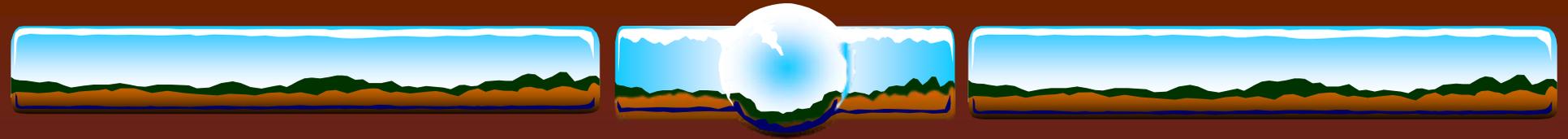
❖ In law a man is guilty when he violates the rights of others. In ethics he is guilty if he only thinks of doing so.

❖ Immanuel Kant 1724-1804



Some common misconceptions

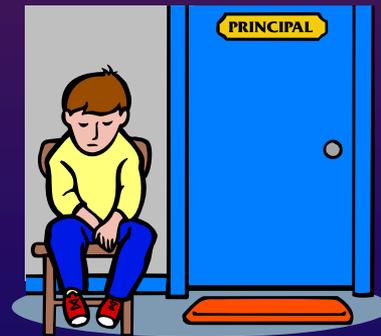
- ❖ Ethics apply to individuals, not agencies
- ❖ Affect other people, not us
- ❖ Recovering persons hold high standards and do not violate the code of ethics
- ❖ Law is more important and holds people to a higher standard than a code of ethics does.



Source of Ethical Standards and Laws

- ❖ Someone got in trouble so a rule was made to keep the next person from making the same mistake.

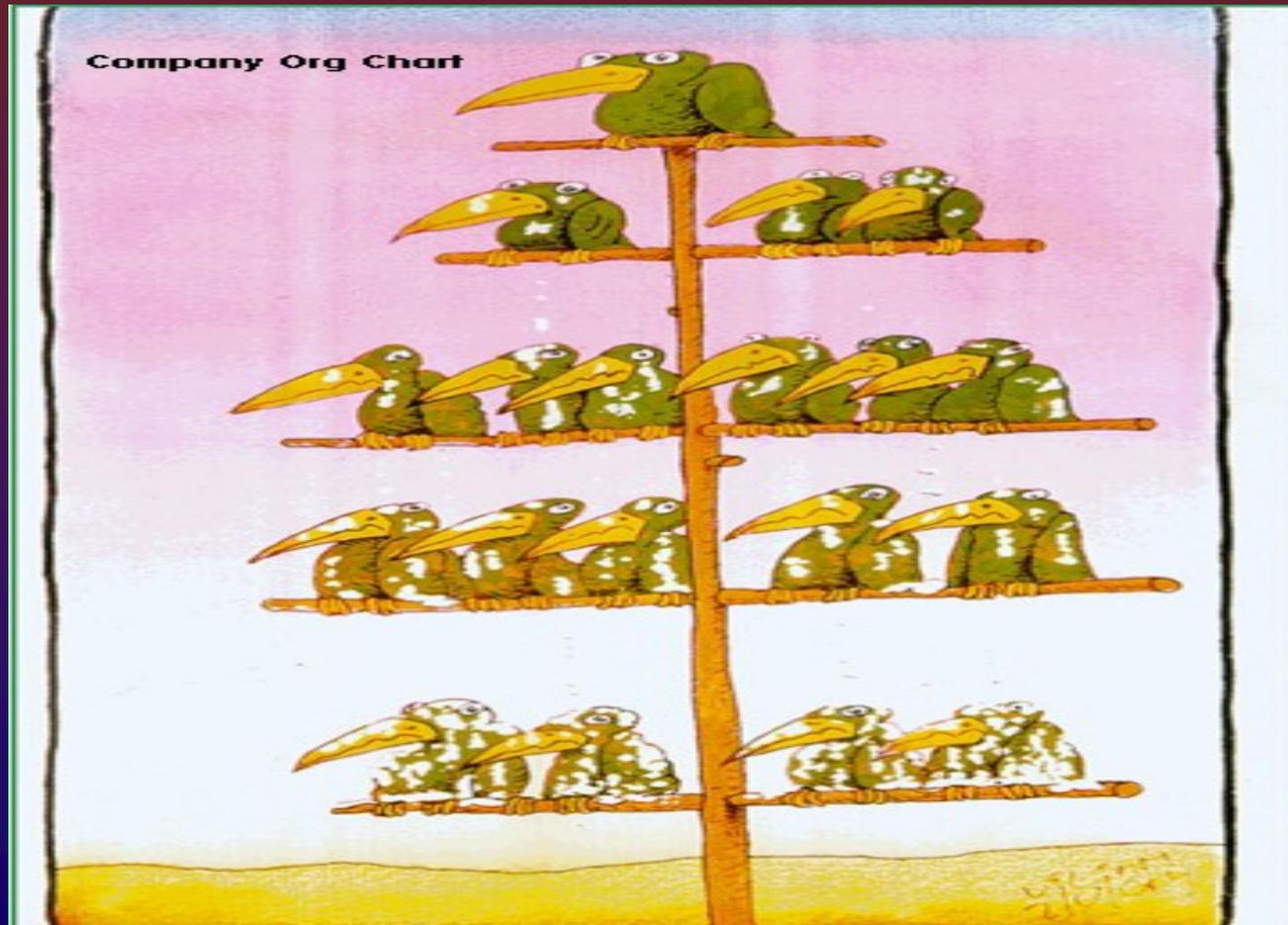
Dan Lobnitz, JD

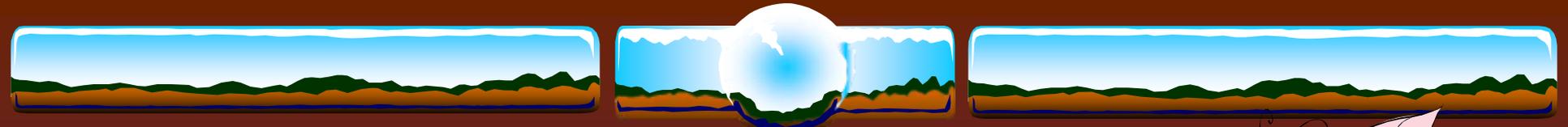


Regulations Impact Choices



Organizations make rules

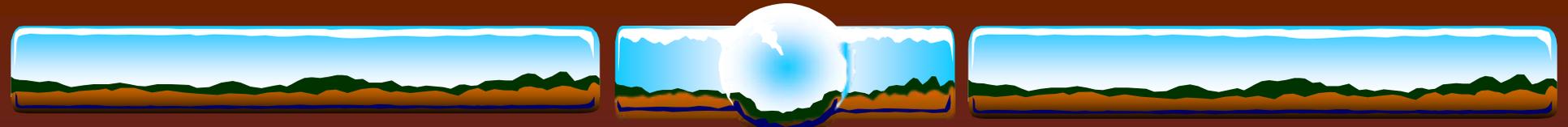




Tinkerbell effect

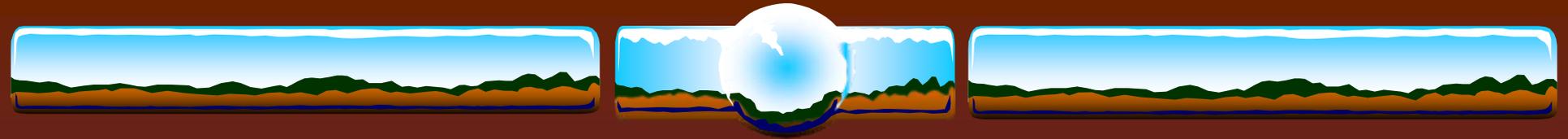


- ❖ The rule of law exists as long as enough people believe in it and insist that everyone behave as if it exists.
- ❖ When support for law ceases, its protection stops
- ❖ Law is wonderfully strong and terribly fragile
- ❖ In time of crisis, there is a temptation to stop believing in it.
 - ❖ Mullane, (2006). *The rule of law in This I believe*. Holt Pub. P 165-167



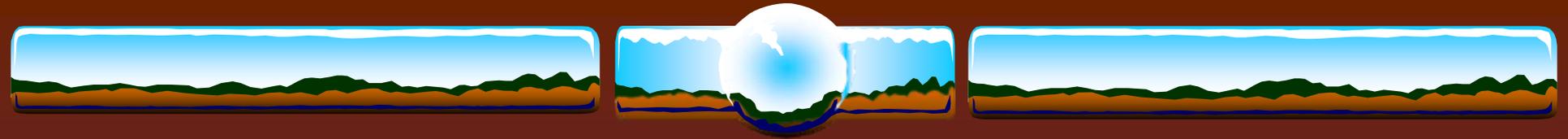
Legal Issues Affecting Human Service Professionals

- ❖ Privileged Communication/
confidentiality
- ❖ Duty to Serve
- ❖ Duty to Warn
- ❖ Documentation



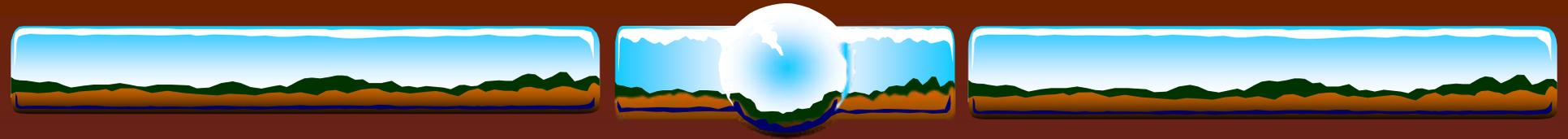
Ethics:

- ❖ Choosing between 2 or more rights while supporting the decision made based on accepted ethical standards
 - ❖ Kidder, 1995



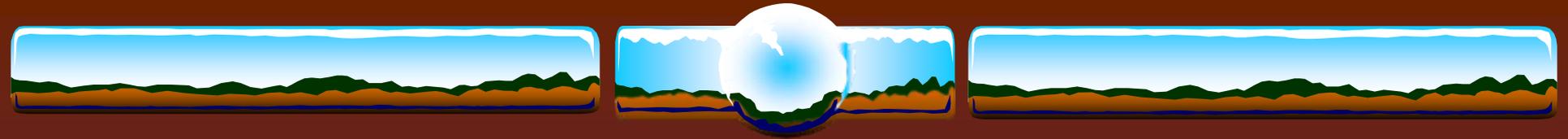
Tough Choices

- ❖ Don't always involve ethical codes or criminal laws.
- ❖ Usually they are not about headline issues
- ❖ They might be about situations where laws and regulations don't reach.
 - ❖ Kidder, 1995



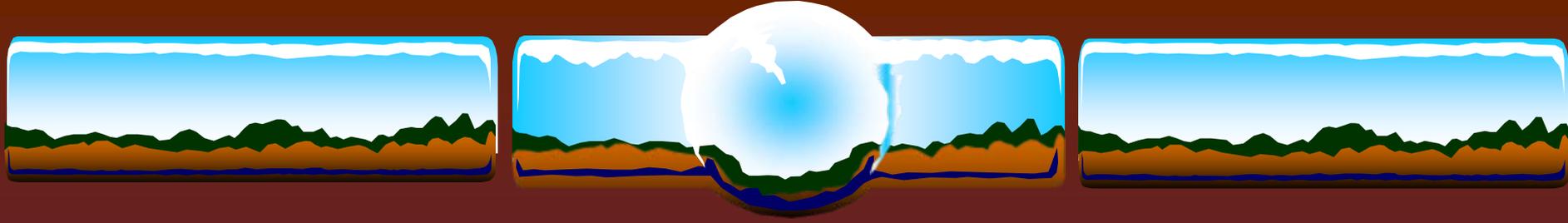
When an Addiction Counselor

- ❖ Breaks the law
- ❖ Relapses
- ❖ Violates the NAADAC Code of Ethics



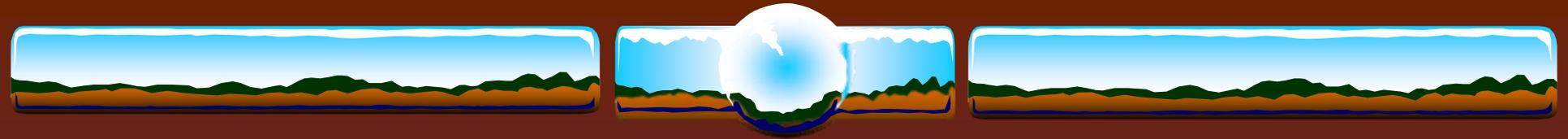
Do You

- ❖ Get angry
- ❖ Gossip
- ❖ Consult another professional
- ❖ Consult an attorney
- ❖ Review the NAADAC Code of Ethics
- ❖ Review your state laws



Principles of Personal Ethics:

- ❖ **Concern for the Well Being of Others**
- ❖ **Respect for the Autonomy of Others**
 - ❖ **Trustworthiness and Honesty**
 - ❖ **Willing Compliance With the Law**
 - ❖ **Basic Justice, Being Fair**
- ❖ **Refusing to Take Unfair Advantage**
 - ❖ **Benevolence: Doing Good**
 - ❖ **Preventing Harm**



Principles of Professional Ethics:

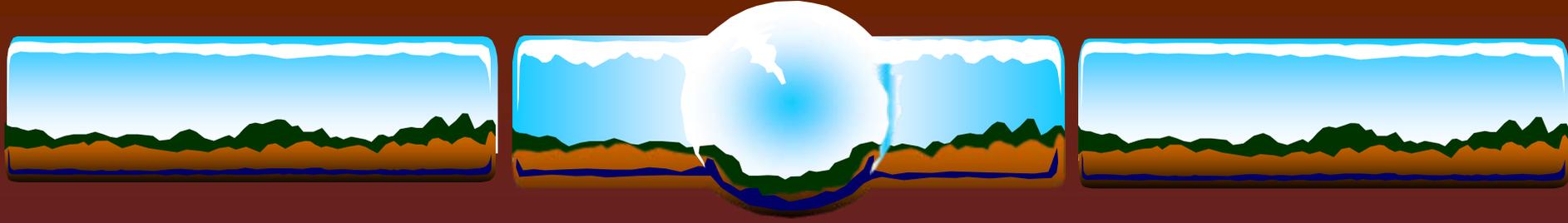
Impartiality; Objectivity

Openness/Full Disclosure

Duty of Care

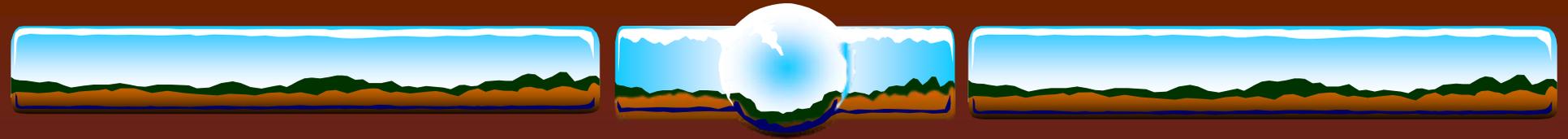
Fidelity to Professional Responsibilities

**Avoiding Actual, Potential, or Apparent Conflict of Interest
(dual relationships)**



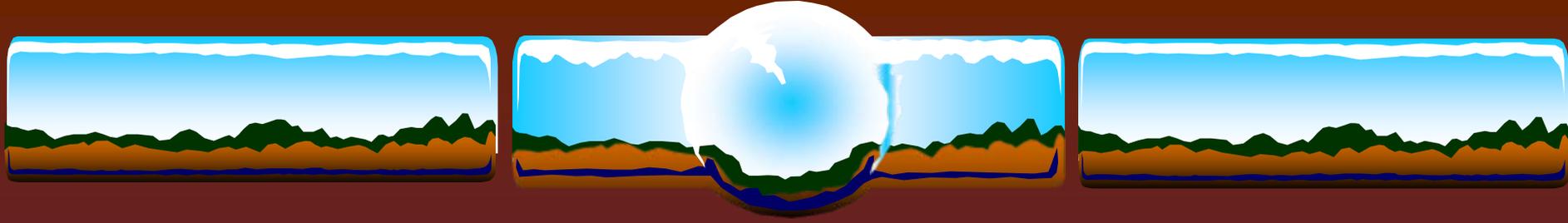
Principle 1: **Non-Discrimination**

I shall affirm diversity among colleagues or clients regardless of age gender, sexual orientation, ethnic/racial background, religious/spiritual beliefs, marital status, political beliefs, or mental/physical disability.



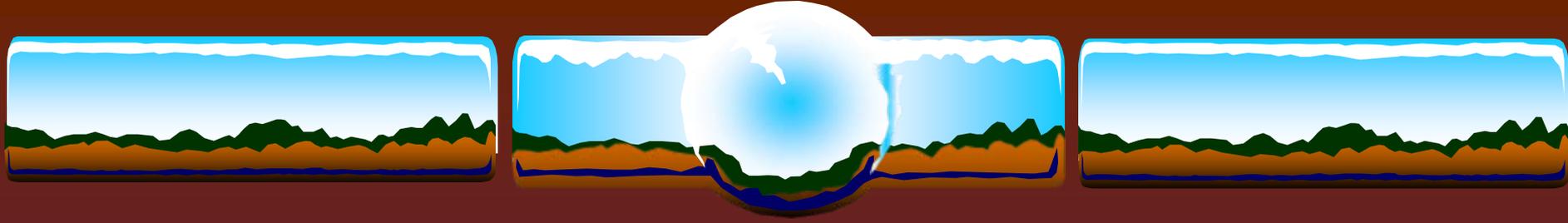
Principle 2: Client Welfare

I understand that the ability to do good is based on an underlying concern for the well being of others. I shall act for the good of others and exercise respect, sensitivity, and insight. I understand that my primary professional responsibility and loyalty is to the welfare of my clients, and I shall work for the client irrespective of who actually pays his/her fees.



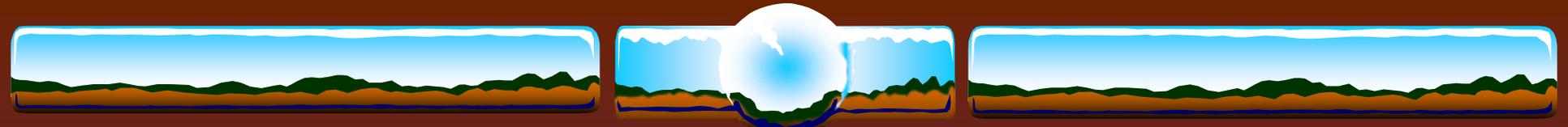
Principle 3: **Client Relationship**

I understand and respect the fundamental human right of all individuals to self-determination and to make decisions that they consider in their own best interest. I shall be open and clear about the nature, extent, probable effectiveness, and cost of those services to allow each individual to make an informed decision of their care.



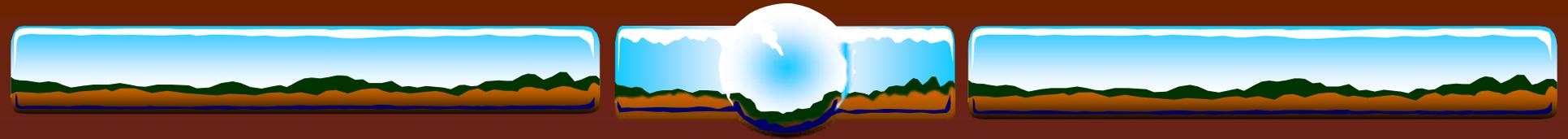
Principle 4: **Trustworthiness**

I understand that effectiveness in my profession is largely based on the ability to be worthy of trust, and I shall work to the best of my ability to act consistently within the bounds of a known moral universe, to faithfully fulfill the terms of both personal and professional commitments, to safeguard fiduciary relationships consistently, and to speak the truth as it is known to me.



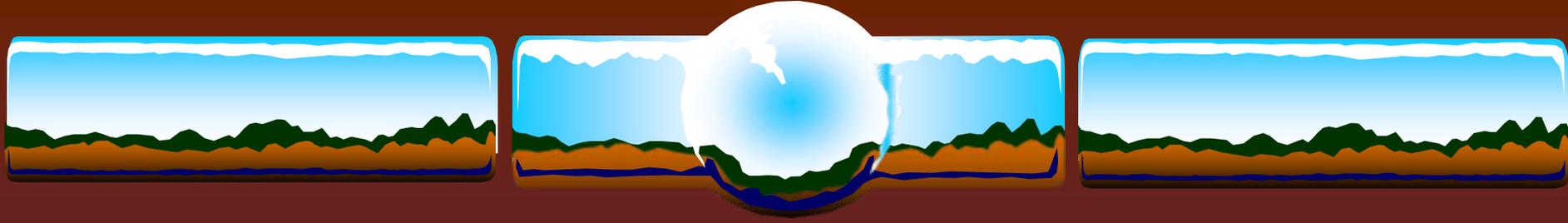
BOUNDARIES

- ❖ The line that separates where I end and you begin
- ❖ The emotional and physical space that gives our clients room to focus on their own healing and not on us
- ❖ The limits that control the professional's power to prevent harm
- ❖ The dictate of our interactions with clients/others
- ❖ The ever-changing limits that fluctuate depending on others vulnerability and our role
- ❖ The parameters that keep the professional as objective as possible



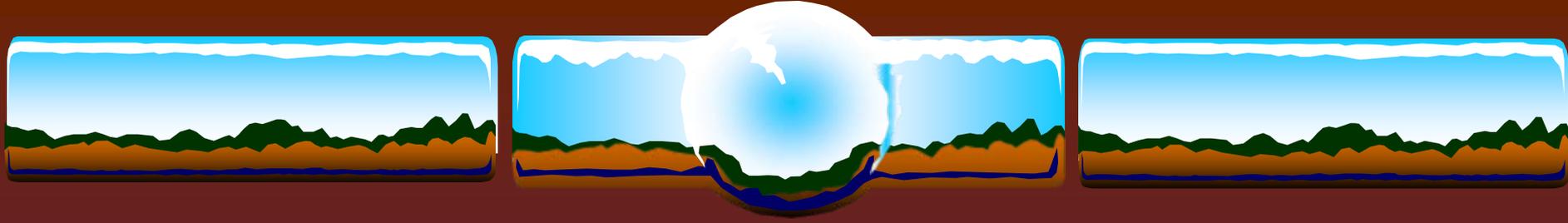
POWER DIFFERENTIAL

- ❖ The Ideal: Close enough to be emotionally involved, Client feels protected and supported, distant enough to allow client the autonomy they need to heal
- ❖ Too Close: Positioning ourselves as buddies, peers, Client may feel confused, angry, unsafe
- ❖ Too Distant: Too detached may appear as clients are walking diagnoses, objects to be acted upon, results in Client feeling vulnerable and abandoned, alone, unheard, unsafe



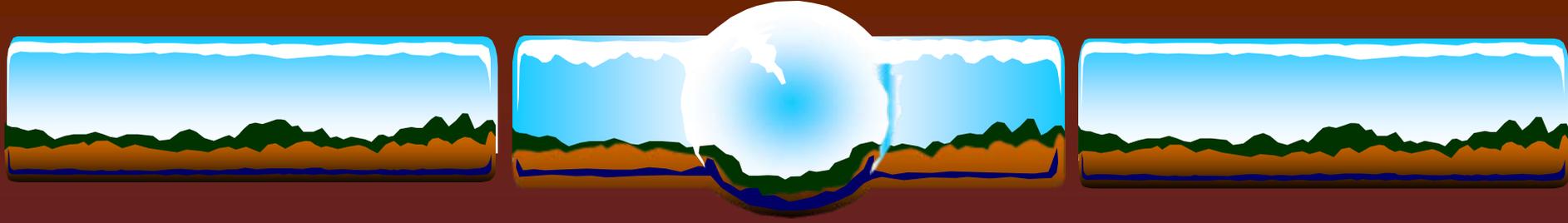
Principle 5: Compliance with Law

I understand that laws and regulations exist for the good ordering of society and for the restraint of harm and evil, and I am aware of those laws and regulations that are relevant both personally and professionally and follow them, while reserving the right to commit civil disobedience.



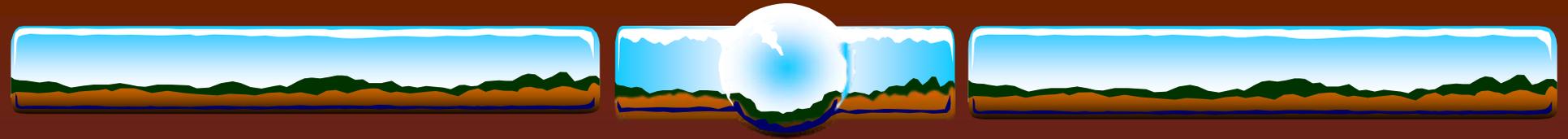
Principle 6: **Rights and Duties**

I understand that personal and professional commitments and relationships create a network of rights and corresponding duties. I shall work to the best of my ability to safeguard the natural and consensual rights of each individual and fulfill those duties required of me.



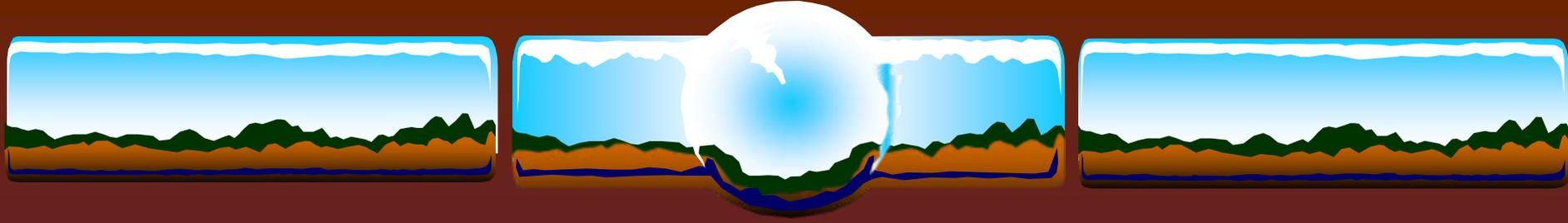
Principle 7: **Dual Relationships**

I understand that I must seek to nurture and support the development of a relationship of equals rather than to take unfair advantage of individuals who are vulnerable and exploitable.



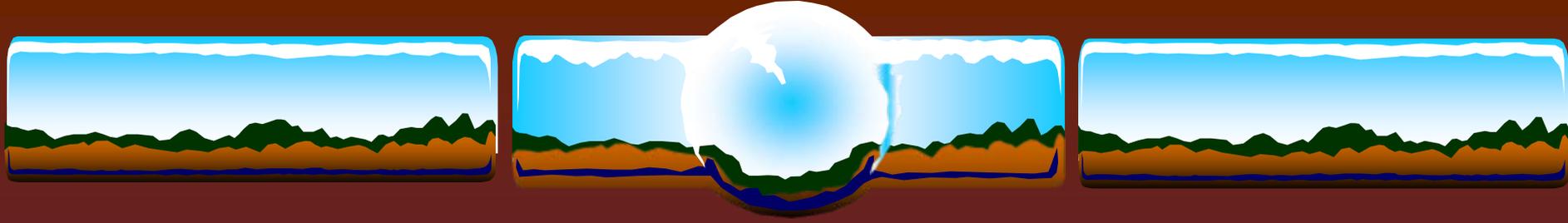
Boundary Needs

- ❖ Privacy
- ❖ Vulnerability
- ❖ Recognition
- ❖ Expression of Emotions
- ❖ Touch
- ❖ Confidentiality



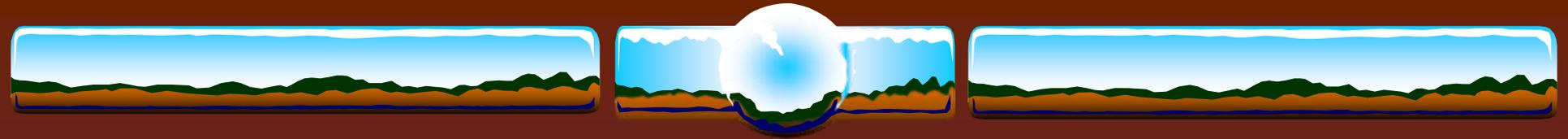
Principle 8: Preventing Harm

I understand that every decision and action has ethical implication leading either to benefit or harm, and I shall carefully consider whether any of my decisions or actions has the potential to produce harm of a physical, psychological, financial, legal, or spiritual nature before implementing them.



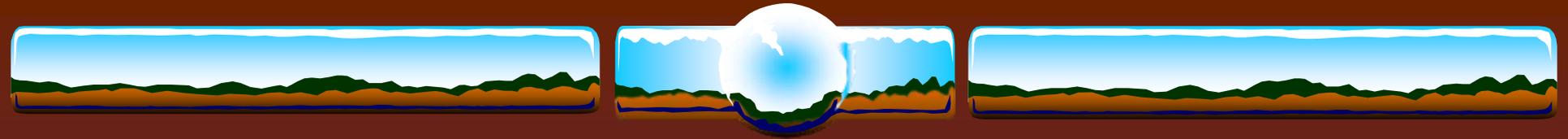
Principle 9: **Duty of Care**

I shall operate under the principle of Duty of Care and shall maintain a working/therapeutic environment in which clients, colleagues, and employees can be safe from the threat of physical, emotional or intellectual harm.



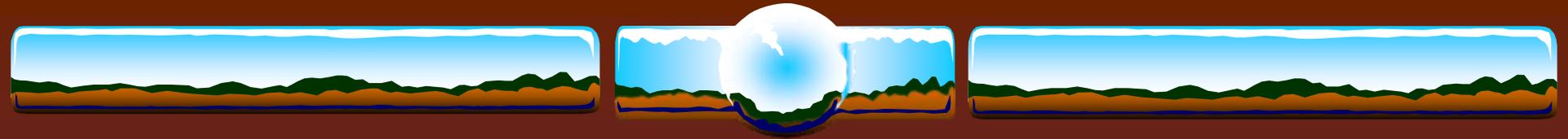
What are the appropriate actions?

- ❖ Do you
 - ❖ report the incident to the Ethics Committee
 - ❖ file a grievance or
 - ❖ tell other counselors?



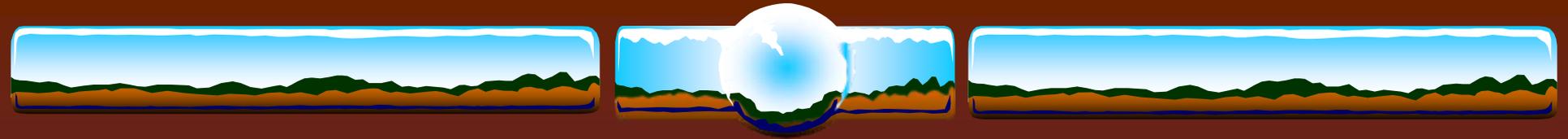
Is it different

- ❖ If the person who violated the code is
 - ❖ Your friend, you co-worker, your supervisor?
 - ❖ A person you do not know?
 - ❖ A counselor who is well known?
 - ❖ Politically connected and influential?
 - ❖ Someone who can determine the funding of your agency?



How Do We Evaluate Our Choices

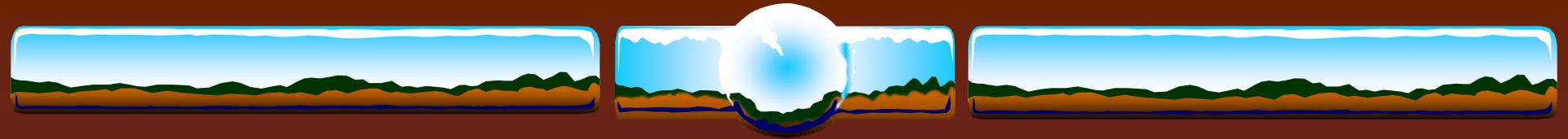
- ❖ Review the code of ethics and laws
- ❖ Consult with persons who have expertise
- ❖ Review the decision with the supervisor
- ❖ Consult an attorney



Tools of Ethical Decisions

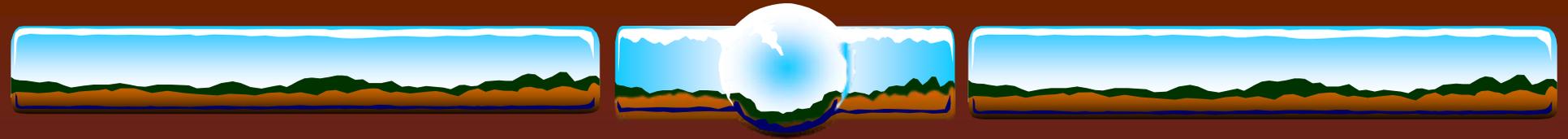
- ❖ What would the Reasonably Prudent Person do?
- ❖ How does it affect others?
- ❖ How does it impact the community?
- ❖ How does it affect me?





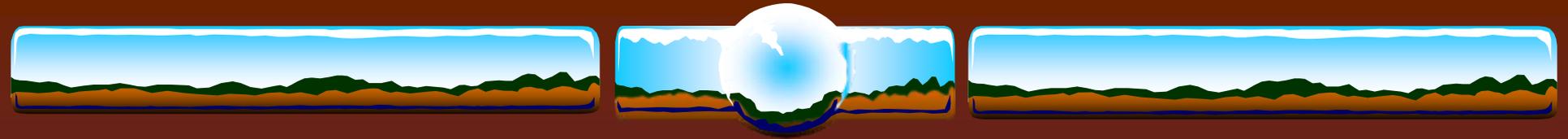
Reports of Ethics Violations

- ❖ State association ethics committee
- ❖ The state credentialing committee or the regulatory agency
- ❖ If the individual or agency is accredited through NAADAC, a report is sent to the Certification Committee



The Decision Made

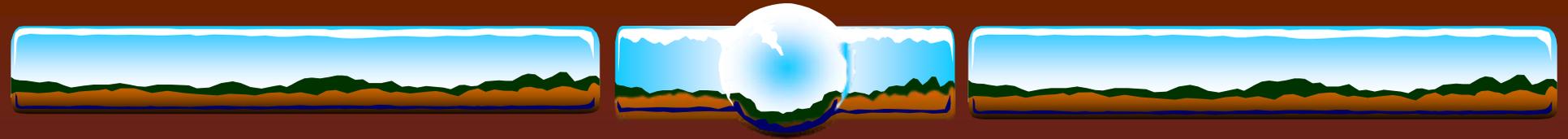
- ❖ Might be based more on politics than on the ethical standards
- ❖ Might be based on whether or not the action was illegal in that state
- ❖ States might choose to follow the law in that state instead of following the code of ethics



For the complainant

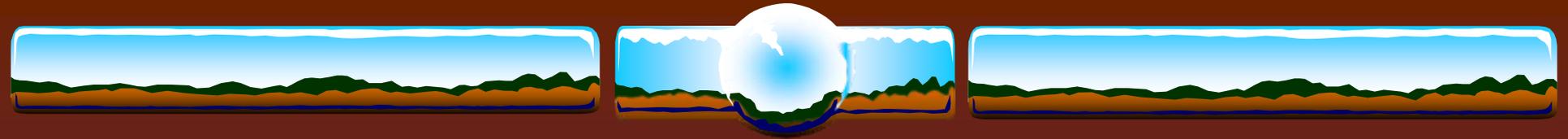
- ❖ A decision that does not meet that person's standards for professional behavior can be very frustrating.





Suggested Readings

- ❖ Taylor, Kylea, 1995, **The Ethics of Caring**, Hanford Mead
- ❖
- ❖ Bollas, Christopher and Sundelson, David, 1995, **The New Informants**, Jason Aronson, Inc.
- ❖
- ❖ Katherine, Anne, 1991, **Boundaries – Where You End and I Begin;** Fireside/Parkside
- ❖ Whitfield, Charles, MD, **Boundaries and Relationships**, HCI, Deerfield FL
- ❖ Palmer, Harry, 1994, **Living Deliberately;** Star's Edge International
- ❖ Gorski, Terence, 1990, **The Codependent Counselor;** Independence Press,
 - ❖ Allison, J. (2006). **This I believe.** Holt Pub. P 6

A decorative header at the top of the page. It features a central white globe with a blue and white pattern, set against a background of a landscape with green hills and a blue sky. The globe is flanked by two rectangular panels, each containing a similar landscape scene. The entire header is set against a dark red background.

MY WISH FOR YOU

*That happiness may put her
arms around you, and wisdom
make your soul serene.*