course objectives

- examine ethical dilemmas in the age of technology
- illustrate the development of values
- define ethics
- review the various codes of ethics
- discuss the major ethical principles
- review unprofessional conduct
- list the steps of ethical decision-making and apply to the scenarios

section I: ethical dilemmas in the age of technology

Ethical Codes and Licensing Boards have not caught up with the TECHNOLOGY

In some cases … provide little guidance

INTROSPECTIVE activity

list as many ethical dilemmas involving technology that you have or a “friend of yours” have encountered at work?
ethics codes cannot do our questioning, thinking, feeling, and responding for us. such codes can never be a substitute for the active process by which the individual therapist or counselor struggles with the sometimes bewildering, always unique constellation of questions, responsibilities, contexts, and competing demands of helping another person. ethics must be practical. clinicians confront an almost unimaginable diversity of situations, each with its own shifting questions, demands, and responsibilities. Every clinician is unique in important ways. Every client is unique in important ways. ethics that are out of touch with the practical realities of clinical work, with the diversity and constantly changing nature of the therapeutic venture, are useless.

POPE & VASQUEZ, 1998, XIII–XIV

1995: “Today Show”: What is the Internet, anyway? link: https://www.youtube.com/watch?v=UlJku_CSyNg

1995: “Today”: What is the Internet, anyway?

DIGITAL DIVIDE

‘native speakers’ of the digital language of computers, cell phones, video games, and the Internet

DIGITAL NATIVES

ZUR, 2012
digital natives grouping

- avoiders: do not feel an affinity for digital technologies
- minimalists: use technology minimally and when they perceive it necessary
- enthusiastic participants: enjoy technology

digital natives vs digital immigrants

- those who grew up using technology because and are comfortable in the digital age
- they don’t know a world without it

digital immigrants

...people born before or about 1964 and who grew up in a pre-computer world

digital immigrants’ groups

- avoiders: prefer a relatively minimal technology, or technology-free lifestyle
- reluctant adopters: accept technology and are trying to engage with it, but feel unintuitive
- enthusiastic adopters: digital immigrants that have the potential to keep up with natives

social media is a broad term that refers to online forms of communicating that any individual can employ as opposed to ‘industrial media’ which refers to professionally-produced radio, television, and film.

KAPLAN & HAENLEIN, 2010: http://www.pcmag.com/encyclopedia/term/61162/social-media
96% of surveyed mobile health users and medical professionals said mobile health apps “improve their quality of life.”

80% of surveyed mobile health users and medical professionals said mobile health apps “improve their quality of life.”

Examples of Social Network Sites
- Facebook
- LinkedIn
- Instagram
- Snapchat
- Pinterest
- Virtual Worlds
- Blogs
- Micro Blogs-Twitter
- Counselor List Serves

Social media guidelines
Jamie has been working in healthcare for the last six years and one of her patients, Maria, maintained a hospital-sponsored communication page to keep friends and family updated on her battle with cancer. One day, Maria posted about her depression. As her nurse, Jamie wanted to provide support, so she posted, “I know the last week has been difficult. Hopefully the new happy pill will help, along with the increased dose of morphine. I will see you on Wednesday.” The site automatically listed the user’s name with each comment. The next day, Jamie was shopping at the local grocery store when a friend stopped her to ask about Maria’s condition. “I saw your post yesterday. I didn’t know you were taking care of Maria,” the friend said. “I hope that new medication helps with her pain.”

CASE STUDY

Sheriff ordered deletion of Kobe Bryant crash photos
https://www.youtube.com/watch?v=btuzvodkauc

As smartphones have allowed us to have our computers, emails, social media feeds, and a full surveillance system in our pockets at all times, stories of the law enforcement’s unease with that have been popping up in the press. And of course, the ones that become viral videos aren’t exactly flattering for law enforcement.

Sarah Lacy
section II: development of values

value formation

- How were your values formed?
- Who are the influences in your life?
- Think about where your ideas and feelings come from regarding these values?

examples of common values

<table>
<thead>
<tr>
<th>compassion</th>
<th>confidentiality</th>
<th>fidelity</th>
<th>golden rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>empathy for and actions to relieve other's suffering</td>
<td>keeping a secret</td>
<td>keeping a promise; fulfilling obligations and duties</td>
<td>treating others only as you consent to be treated</td>
</tr>
<tr>
<td>honesty</td>
<td>integrity</td>
<td>privacy</td>
<td>respect</td>
</tr>
<tr>
<td>telling the truth</td>
<td>conforming to one's ethical principles and moral values</td>
<td>kept from public view</td>
<td>regard for the dignity of self and others</td>
</tr>
</tbody>
</table>

Ethics is knowing the difference between what you have a right to do and what is right to do.

POTTER STEWART

integrity

confidentiality

public trust

ethics

responsibility

core values

informed consent

beneficence

stealing...cheating...not reporting something...
next time you are confused about something, ask yourself these 3 questions:

1.) Does the action you are thinking of taking harm or defraud others?
2.) Does the potential action violate the rights of others?
3.) Would you like to be on the receiving end of this particular action?

future thinking...

section III: define ethics

ethics defined

ethics defined: ethics

http://www.commonsenseethics.com/

http://www.youtube.com/watch?time_continue=91&v=4vWXpzL7Mo&feature=emb_title

“That branch of philosophy dealing with values relating to human conduct, with respect to the rightness and wrongness of certain actions and to the goodness and badness of the motives and ends of such actions.”

MERRIAM-WEBSTER

ethics defined
“Ethics brings structure & order to the decision-making process about our responsibilities for patient care and institutional management.”

LARRY MCCULLOUGH, PhD.

The most frequently identified form of unethical behavior reported by practicing mental health professionals is BREACH OF CONFIDENTIALITY.

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importance of code of ethics

- establish guidelines to behavior and professional conduct
- protect the recipient of services
- protect the provider of services
- development of boundaries

section IV: various codes of ethics

importance of code of ethics

- establish guidelines to behavior and professional conduct
- protect the recipient of services
- protect the provider of services
- development of boundaries

codes of ethics

- ACA - American Counseling Association
- NASW - National Association of Social Workers
- USPRA - United States Psychiatric Rehabilitation Association
- NAADAC - National Association for Alcoholism and Drug Abuse Counselors
- APA - American Psychological Association
- AAMFT - American Association of Marriage and Family Therapists
AAMFT code of ethics
American Association for Marriage and Family Therapy

1. responsibility to clients
2. confidentiality
3. professional competence and integrity
4. responsibility to students and supervisees
5. research and publication
6. technology-assisted professional services
7. professional evaluations
8. financial arrangements
9. advertising

ethical principles of psychologists

general principles:
• beneficence and nonmaleficence
• fidelity and responsibility
• integrity
• justice
• respect for people's rights and dignity

NAADAC: The Association for Addiction Professionals principles

Principle I: the counseling relationship
Principle II: confidentiality and privileged communication
Principle III: professional responsibilities and workplace standards
Principle IV: working in a culturally diverse world
Principle V: assessment, evaluation and interpretation
Principle VI: e-therapy, e-supervision

Board of Behavioral Health Examiners powers and duties

• promote the improvement of the standards of the practice of behavioral health, protect the health and welfare of the public or assist and facilitate the work of the board
• may enter into stipulated agreements with a licensee for the confidential treatment, rehabilitation, and monitoring of chemical dependency or psychiatric, psychological or behavioral health disorders
• establish a confidential program for the monitoring of licensees
• audio record all meetings and maintain all audio and video recordings or stenographic records of interviews and meetings
unprofessional conduct

- A.R.S. 32-3251(12) identifies items that are considered unprofessional conduct by a licensed behavioral health professional in Arizona
- those individuals licensed as behavioral health professionals should become familiar with these items and their reporting procedures
- post-professional relationships with clients after therapy ends is no longer allowed in Arizona

unprofessional conduct

- conviction of a felony
- use of fraud or deceit in connection with rendering services as a licensee or in establishing qualifications pursuant to this chapter
- any oral or written misrepresentation of a fact by an applicant or licensee
- any false, fraudulent or deceptive statement connected with the practice of behavioral health, including false or misleading advertising by the licensee or the licensee’s staff or a representative compensated by the licensee
- securing or attempting to secure the issuance or renewal of a license by knowingly taking advantage of the mistake of another person or the board
- active habitual intemperance in the use of alcohol or active habitual substance abuse – medical marijuana cards

4 major ethical principles

- autonomy - freedom to make one’s own decisions
- beneficence - doing what is best
- justice - being fair
- non-maleficence - avoiding harm

these major ethical principles act as the backbone for various Codes of Ethics

integrating ethics: ethical decision-making

link: https://www.youtube.com/watch?v=IwK-CshmH7M
ethical decision making

ethical decision making: the process of evaluating a choosing actions consistent with ethical principles
• necessary to eliminate unethical options

process of making ethical decisions:
• commitment: desire to do the right thing regardless of cost
• consciousness: awareness of moral convictions and applying it to daily behavior
• competency: ability to collect and evaluate information and foresee potential risks or consequences

ethical standards
• commitment to client: DTS - DTO
• informed consent
• competency
• dual relationships
• conflicts of interest
• confidentiality/access to records

confidentiality is the most common identified form of unethical behavior
• do not engage in sexual relationships with clients or their family members

TARASOFF DUTY
In 1968, Tatiana Tarasoff was a student at the University of California at Berkeley. She was dating a fellow student by the name of Prosenjit Poddar, who was obsessed with her. When Tarasoff broke off their relationship, Poddar bought a gun to orchestrate a life-threatening situation to prove his love. His psychiatrist, Dr. Lawrence Moore, believes he had a DX of paranoid schizophrenia with psychotic delusions. He informed the campus police, but they determine Poddar stable and released him.

The duty to warn with anything requires that you go the person being threatened and the authorities.
Tarasoff case background
- Police talk to Poddar
- Poddar is released
- October 27, 1969
- Poddar confronts Tarasoff at her home
- Tarasoff attempts to leave
- Poddar stabs Tarasoff to death with a kitchen knife he brought with him
- Poddar is charged with first-degree murder
- Dr. Powelson (Moore's supervisor) orders therapy notes destroyed

Tarasoff case results
- Tarasoff's parents were angry with the university mental health professionals
- Tarasoff's parents brought a wrongful death suit against the Regents of the University of California
- The case was brought to the California Supreme Court
- Made a ruling in 1976
- They ruled that it is the therapist's obligation to report threats
- Created the duty to warn

Tarasoff case as a model
- The Tarasoff case can serve as a model for ethical decision-making in clinical care
- There are often several solutions to a problem:
  - Examine the facts of the case
  - Judge the significance of the facts
  - Background material and analogous cases should be researched
  - Few solutions can be labeled as perfect solutions

Ethics in public safety
- Greatest influence in ethical conduct in an organization is role models (Examples include formal and informal leaders, supervisors, FTO's, fellow officers)
- Conduct on and off duty is important
  - One bad officer/incident has potential to fail the "headline test"

Unprofessional conduct
- Conviction of a felony
- Use of fraud or deceit in connection with rendering services as a licensee or in establishing qualifications pursuant to this chapter
- Any oral or written misrepresentation of a fact by an applicant or licensee
- Any false, fraudulent or deceptive statement connected with the practice of behavioral health, including false or misleading advertising by the licensee or the licensee's staff or a representative compensated by the licensee
- Securing or attempting to secure the issuance or renewal of a license by knowingly taking advantage of the mistake of another person or the board
- Active habitual intemperance in the use of alcohol or active habitual substance abuse – medical marijuana cards

Ethical standards
- Commitment to client: DTS - DTO
- The duty to warn refers to a counselor's obligation to warn identifiable victims
- The duty to protect is a counselor's duty to reveal confidential client information in the event that the counselor has reason to believe that a third party may be harmed
once a client, always a client.

ethics is not…

- ethics is not religion
- ethics is not science
- ethics is not the same as feelings
- ethics is not following the law
- ethics is not following culturally accepted norms

section V: discuss the major ethical principles

5 ethical approaches

- utilitarian approach
- rights approach
- justice approach
- common good approach
- virtue approach

ethical approaches

- utilitarian approach
  - which option will produce the most good and do the least harm?
- rights approach
- justice approach
- common good approach
- virtue approach

ethical approaches

- utilitarian approach
- rights approach
  - which option best respects the rights of all who have a stake?
- justice approach
- common good approach
- virtue approach
ethical approaches
- utilitarian approach
- rights approach
- justice approach
  - which option treats people equally or proportionately?
- common good approach
- virtue approach

ethical approaches
- utilitarian approach
- rights approach
- justice approach
- common good approach
  - which option best serves the community as a whole, not just some members?
- virtue approach

Ethics don’t exist in a vacuum.

section VI: differentiate between the various ethical dilemmas

ethical dilemmas
- an ethical dilemma is when two or more ethical standards conflict with each other
- most dilemmas are resolved by reviewing your code of ethics or what is determined to be unprofessional conduct
- when we face an ethical dilemma, it is prudent to demonstrate that the dilemma was carefully considered before a decision was made
4 types of decision-making

- clinical decision-making
- risk management
- legal decision-making
- ethical decision-making
  ✓ professional ethics
  ✓ personal values and morality

ethical dilemmas

- ethical dilemmas always involve a choice
- these choices should factor in ethical standards, state and federal law
- it is important to use available resources within your agency. those resources should include the person providing clinical supervision, risk management and legal resources when appropriate

ethical decision-making process

1. recognize an ethical issue
2. get the facts
3. evaluate alternative actions
4. make a decision and test it
5. act and reflect on the outcome

section VII: apply the ethical decision-making process to the scenarios

justifying your ethical decisions

- take approximately 10 minutes
- you will be given an ethical dilemma scenario to review and determine the proper course of action
- using the codes of ethics links provided, evaluate the situation and make a decision for the action that you will take
- provide justifications (i.e. ethical standards, reasonable expectations)
- write down your individual work in the chat window

ethical decision making
group activity
dual relationships
Monica is a case manager at Westward Agency, which follows the NASW Code of Ethics. Monica has worked for the agency since its inception 20 years ago. She is as seasoned case manager and an excellent resource for those she works with. Monica has known some of her clients for years and has been known to be affectionate with them. She says that the contact she provides is appropriate and she never has physical contact with someone who doesn’t want it. A new co-worker walks into the back room to find Monica with one of her clients and she is rubbing his shoulders. When questioned, Monica reported that she was demonstrating a technique that she had learned from her own massage therapist. She reported that she was teaching her client this technique so that he could help his spouse deal with neck pain. The client reported that this was accurate.

supervisor and subordinates
Diana is a supervisor and has over 20 subordinates. Mark is Diana’s supervisor. Mark has been addressing Diana’s subordinates and has been issuing directives that contradict what Diana has in place without her knowledge. Mark’s directives do not conform to department policy, but it is the way Mark likes things to be done. “The old way.” Diana addresses the situation with Mark but continues to disseminate the same directives.

accepting gifts
Chase has been a social worker for 15 years. He has recently noticed a colleague accepting free meals from a local restaurant. He confronts his colleague who responds, “It doesn’t really hurt anyone” and “This is just good public relations. I don’t want to offend them by saying no.” Chase is still conflicted. Although Chase understands where his colleague is coming from, he believes his colleague’s actions might create a conflict of interest and not saying anything might compromise his own job.

probation officer
Chris has recently signed a plea offer to a possession of drug paraphernalia charge. He has agreed to do probation for 12 months. He is required to abide by a 6pm-6am curfew. His probation officer, Julia, decides to do a quick drive by and notices his car is not in the driveway and he is not home. After contacting Chris, he says he had to go check on his mother at her house. As his probation officer, should Julia excuse this one incident?

section VIII: professional boundaries and ethical violations

- ACD-401 harassment and non-discrimination
- SPP-801 employee conduct and work rules
- ACD-402 amorous relationships
- What are interpersonal boundaries?
professional boundaries

- self-disclosure
- after-hours involvement
- personal phone numbers
- gifts
- money

ethical violations

- practitioners have the responsibility to report unethical practices
- there are several ways to report
- AZ Board of Behavioral Health
  
  http://www.azbbhe.us/

We are mandated to report ethical violations.

We are mandated to report ethical violations.

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summary

- Various codes of ethics follow similar value structures
- Codes of Ethics define the professional and establish boundaries that protect both parties
- There are different approaches to evaluate ethical dilemmas
- Ethical decisions should be the result of careful deliberation and consultation

section IX: next steps

resources

Arizona State University-Center for Applied Behavioral Health Policy
  
cabhp.asu.edu/professional-development
Markkula Center for Applied Ethics
  
www.scu.edu/ethics
Arizona Board of Behavioral Health
  
www.azbbhe.us/
NASW Code of Ethics
  
www.naswdc.org/pubs/code/code.asp
USPRA Code of Ethics
  
Management Study Guide
  
www.managementsudyguide.com/source
resources
ARS 32-3251 (12)http://www.azleg.state.az.us/FormatDocument.asp?InDoc=/ars/32/03251.htm&Title=32&DocType=ARS
University of Rochester https://www.urmc.rochester.edu