Clinical Ethical Decision-Making:
Behavioral Health Professionals and Paraprofessionals

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Small Group Activity

List as many ethical dilemmas that you can think of... that you have or a “friend of yours” have encountered at work?
Course Objectives

- 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
part II: development of values
“What is wrong is wrong, even if everyone is doing it.

Right is still right, even if no one else is doing it.”

WILLIAM PENN
Group Discussion

What is a value that is important to you?
integrity

People of different races, of different social and economic backgrounds, and of different ages, can all share the virtue of integrity. It is a quality associated with the state of being honest, with absolute integrity, with formal integrity.

Removing the obstacles to true integrity means embracing the full complexity of human nature, the full range of human experience, and the full spectrum of human values.
Examples of Values

- **Compassion** – Empathy for and actions to relieve other’s suffering
- **Confidentiality** – Keeping a secret
- **Fidelity** – Keeping a promise; fulfilling obligations and duties
- **Golden Rule** – Treating others only as you consent to being treated
- **Honesty** – Telling the truth
- **Integrity** - Conforming to one’s ethical principles and moral values
- **Privacy** – Kept from public view
- **Respect** – Regard for the dignity of self and others
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?

Good v. Evil
Stealing…
Major Sources of Ethical Values

- Religion
- Philosophy
- Culture
- Law
Morals are often used as a synonym for ethics... and morals are defined as actions, behavior, and the principles that guide them.
part III: define ethics
Ethics

1. a system of moral principles: the ethics of a culture.

2. the rules of conduct recognized in respect to a particular class of human actions or a particular group, culture, etc.: medical ethics; Christian ethics.

3. moral principles, as of an individual: His ethics forbade betrayal of a confidence.

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

LARRY MCCULLOUGH, PhD.
Importance of Code of Ethics

Why do we need a Code of Ethics?
Guides

- **Ethics:** Rules of conduct based on consensually-accepted standards of behavior (Conventional Approach)

- **Morals:** Absolute Precepts of personal behavior based on religion or philosophy (Principles Approach)

- **Law:** Formal standards that permit or forbid certain behaviors
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
The most frequently identified form of unethical behavior reported by practicing mental health professionals is BREACH OF CONFIDENTIALITY.
part IV: various codes of ethics
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
Group Discussion

- What code of ethics guide you?
- Are unlicensed providers required to follow a code of ethics?
Four Major Ethical Principles

- **Autonomy** - Freedom to make one’s own decisions
- **Beneficence** - Doing what is best
- **Justice** - Being fair
- **Nonmaleficence** - Avoiding harm

*These major ethical principles act as the backbone for various Codes of Ethics.*
Ethical Standards

- Commitment to Client
- 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
Ethics and Law
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
CODE OF CONDUCT
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
part V: discuss the major ethical principles
5 Ethical Approaches

- The Utilitarian Approach
- The Rights Approach
- The Justice Approach
- The Common Good Approach
- The Virtue Approach
Ethical Approaches

- The Utilitarian Approach
  - Which option will produce the most good and do the least harm?
- The Rights Approach
- The Justice Approach
- The Common Good Approach
- The Virtue Approach
Ethical Approaches

- The Utilitarian Approach
- The Rights Approach
  - Which option best respects the rights of all who have a stake?
- The Justice Approach
- The Common Good Approach
- The Virtue Approach
Ethical Approaches

- The Utilitarian Approach
- The Rights Approach
- The Justice Approach
  - Which options treats people equally or proportionately?
- The Common Good Approach
- The Virtue Approach
Ethical Approaches

- The Utilitarian Approach
- The Rights Approach
- The Justice Approach
- The Common Good Approach
  - Which option best serves the community as a whole, not just some members?
- The Virtue Approach
Ethical Approaches

- The Utilitarian Approach
- The Rights Approach
- The Justice Approach
- The Common Good Approach
- The Virtue Approach

  *Which option leads me to act as the sort of person I want to be?*
Ethics don’t exist in a vacuum.
part VI: differentiate between the various 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.
Ethics is knowing the *difference* between what you have a right to do and what is right to do.

POTTER STEWART
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
part VII: apply the ethical decision making process to the scenarios
Ethical Decision Making

Group Activity
Justifying Your Ethical Decisions

- Break into groups (about 5 people per group)
- You will have approximately 30-40 minutes
- Each group will be given an ethical dilemma scenario to review and determine the proper course of action
- Using the codes of ethics that you are provided, come to a consensus as a group for the action that you will take
- Provide justifications (i.e. ethical standards, reasonable expectations),
- Write down your group/individual work
part VIII: professional boundaries and ethical violations
Professional Boundaries

- Self-Disclosure
- After-Hours Involvement
- Personal Phone Numbers
- Gifts
- Money
Counselor
Self Disclosure
Self-disclosure in psychotherapy is defined as the revelation of personal rather than professional information by a psychotherapist to a client.

ZUR ET AL., 2009
Use Cell Phones & Text Messages
Social Media Guidelines

- Jamie has been working in hospice care 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.”
Examples of Social Network Sites

- Facebook
- LinkedIn
- Instagram
- Snapchat
- Pinterest
- Virtual Worlds
- Blogs
- Micro Blogs-Twitter
- Counselor List Serves
All psychologists affirm the importance of being thoughtful and intentional about how they handle issues of self disclosure.

SCHWARTZ, 1993
"All disclosures reflect decisions about the boundaries between the private self and the outer world."

FARBER, 2006
Ethical Violations

- Practitioners have the responsibility to report unethical practices
- There are several ways to report
- AZ Board of Behavioral Health
  http://www.azbbbhe.us/
We are mandated to report ethical violations.
Summary

- Various codes of ethics follow similar value structures.
- Codes of Ethics define the professional and establish boundaries that protect both the client and the practitioner.
- There are different approaches to evaluate ethical dilemmas.
- Ethical decisions should be the result of careful deliberation and consultation.
part IX: next steps
### Events and Training

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<th>Location</th>
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<td>18th Annual Summer Institute</td>
<td>July 18, 2017 to July 21, 2017</td>
<td>Northern Arizona</td>
<td>Register</td>
<td>Conference</td>
<td>18.5</td>
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<td>Ethics and The Digital Age</td>
<td>July 31, 2017</td>
<td>Phoenix Metro</td>
<td>Register</td>
<td>Professional development</td>
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<tr>
<td>Cultural Competence Training</td>
<td>July 31, 2017</td>
<td>Phoenix Metro</td>
<td>Register</td>
<td>Professional development</td>
<td>3</td>
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<tr>
<td>Motivational Interviewing Intermediate Training</td>
<td>August 2, 2017</td>
<td>Phoenix Metro</td>
<td>Register</td>
<td>Professional development</td>
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<td>Compassion Fatigue &amp; Self-Care</td>
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<td>Hearing Voices Workshop</td>
<td>September 26, 2017</td>
<td>Phoenix Metro</td>
<td>Register</td>
<td>Professional development</td>
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View signature events and trainings

[Additional Information & Resources @ cabhp.asu.edu](http://cabhp.asu.edu)
Questions & Comments
Thank you!

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Resources

Arizona State University-Center for Applied Behavioral Health Policy
[cabhp.asu.edu/professional-development](cabhp.asu.edu/professional-development)
Markkula Center for Applied Ethics
[www.scu.edu/ethics](www.scu.edu/ethics)
Arizona Board of Behavioral Health
[www.azbbhe.us/](www.azbbhe.us/)
NASW Code of Ethics
USPRA Code of Ethics
Management Study Guide
[www.managementstudyguide.com/sourc...](www.managementstudyguide.com/sourc...
Resources


ARS 32-3251 (12)  [http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/32/03251.htm&Title=32&DocType=ARS](http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/32/03251.htm&Title=32&DocType=ARS)

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