

Preamble

The *Michigan Speech-Language Hearing Association* (MSHA) is committed to the preservation of the highest standards of integrity and ethical principles which are vital to the successful discharge of the responsibilities of all its members. This Code of Ethics has been published by MSHA in an effort to highlight the fundamental rules for professionals and is considered essential to this basic purpose. The failure to specify any particular responsibility or practice in the Code of Ethics should not be construed as denial of the existence of other responsibilities or practices that are equally important. Any act that is in violation of the spirit and purpose of this Code of Ethics shall be considered unethical practice. It is the responsibility of each member to advise the *Committee on Ethics and Standards* of instances of violation of the principles incorporated in the Code.

Principal I

Professionals will protect the safety of the people they serve professionally. This includes those served professionally in the workplace, through research (including animal research), and in academic settings.

Rules of Ethics

- A. Clinical, research and scientific activities will be administered with competency.
- B. Professionals will use all resources available to them to provide the best care, including referral to other professionals and collaboration.
- C. Individuals will not discriminate in the delivery of their clinical, research or scientific activities on the basis of race, ethnicity, sex, gender identity/gender expression, sexual orientation, age, religion, national origin, disability, culture, language or dialect.
- D. Individuals should honestly represent the credentials of those providing services in their workplaces. This includes the credentials of aides, assistants, technicians, support personnel, technicians, research interns, Clinical Fellows and any others under direct supervision of those holding the Certificate of Clinical Competence. Professionals will inform those they serve of the name, role, and credentials of the individuals providing services.
- E. Individuals holding the Certificate of Clinical Competence may assign tasks related to clinical services to aides, assistants, technicians, support personnel, technicians, research interns and Clinical Fellows, if they are properly trained and supervised. The licensed professional is responsible for the quality of the services provided.
- F. Individuals holding the Certificate of Clinical Competence may not assign tasks to aides, assistants, technicians, support personnel, technicians, research interns and Clinical Fellows, if the tasks require knowledge, analysis and judgment unique to the profession. Individuals should not hire or supervise speech-language pathology assistants (SLP-A) in the State of Michigan.

- G. Individuals holding the Certificate of Clinical Competence may assign tasks to students related to clinical services that require knowledge, analysis and judgment unique to the profession if the students are fully prepared and properly supervised. The licensed professional is responsible for the quality of the services provided
- H. Professionals will obtain informed consent from the people they serve. Informed consent should cover the type of care, possible risks, technology and products used. Professionals should also inform the people they serve about the risks of not following the intended course of treatment. Informed consent from an authorized person (e.g., a family member) should be sought if an individual is impaired or is a minor.
- I. Professionals will include patients and/or research participants in research activities or teaching presentations when the participation is voluntary, uncoerced and with informed consent.
- J. Professionals will accurately portray the purpose of their clinical services, products or research. Professionals will follow established guidelines for clinical practice and the responsible conduct of research.
- K. Individuals holding the Certificate of Clinical Competence will evaluate their services provided (including products and technology used) and will only provide services that have a reasonably expected benefit.
- L. Professionals may make a reasonable statement of prognosis but may not guarantee the results of treatment.
- M. Individuals holding the Certificate of Clinical Competence will use both independent and evidence-based judgment and will prioritize interests of those they serve.
- N. Individuals holding the Certificate of Clinical Competence will provide service via face-to-face or telehealth modeling as allowed by professional standards and state and federal regulations. Services shall not be provided by correspondence only.
- O. Professionals will protect the confidentiality and security of their clinical, research and scholarly records. Access to records will be limited to those who have professional necessity and those who have legal authorization.
- P. Professionals will protect the confidentiality and security of the persons served clinically and those participating in research. Knowledge of those served or participating in research will be limited to those who have professional necessity and those who have legal authorization.
- Q. Professionals will protect the confidentiality of the populations they serve by refraining from posting pictures and/or other identifying information online in social media outlets without written permission from the person receiving services.
- R. Professionals will maintain their records in a timely manner and record their billing accurately. Professionals shall not misrepresent services provided or research conducted.
- S. Professionals will practice while healthy and safe. Professionals will not practice when environmental, mental or physical concerns negatively impact a patient's or student's care.

- T. Professionals who are aware of a colleague who is unable to safely provide clinical or research services will report this (either internally or externally), in a timely manner.
- U. Professionals will provide the people they serve reasonable notification and alternatives for care if they can no longer provide care.

Principal II

Professionals will perform at the highest levels of competence and performance.

- A. Individuals holding the Certificate of Clinical Competence will practice only in those areas of the profession that are within their scope of practice.
- B. Professionals will take into consideration their certification status, level of education, training and experience when agreeing to provide clinical services. Professionals will seek supervision and/or ongoing training for treatment modalities they are inexperienced in.
- C. Professionals who do not hold the Certificate of Clinical Competence may not administer clinical services. The exception is professionals engaging in the certification application process and students training in an accredited SLP program. These individuals may provide clinical services in accordance with ASHA certification requirements and state and federal regulations.
- D. Professionals who engage in research will follow all institutional, state and federal regulations, including those that regulate research with humans and animals.
- E. Professionals will continue to educate themselves by seeking out continuing education that enhances their professional development.
- F. Professionals in leadership or supervisory positions shall not require or allow their staff to carry out clinical or research services that are not within the staff members' scope of practice or level of training.
- G. Professionals in leadership or supervisory positions shall not require or allow their staff to carry out clinical or research services that undermine their independent or objective professional judgment.
- H. Professionals shall use materials and technology that are current and up to date. When such materials are not available, an appropriate referral may be made.
- I. Professionals shall keep all technology and instrumentation in good working order and properly calibrated.

Principal III

Professionals will educate the public about communication and swallowing disorders, providing up-to-date and accurate information.

- A. Professionals will accurately represent their credentials, competency, level of education, training experience and scholarly activities.
- B. Professionals will avoid conflicts of interest. Conflicts of interest include but are not limited to personal and financial considerations that may influence professional decisions.
- C. Professionals shall not misrepresent their professional work, including but not limited to: research and other scholarly activities, diagnostic results,

- services provided and the results of services provided, and products dispensed and the results of those products dispensed.
- D. Professionals shall not take fraudulent payment via reimbursements or grants for services provided, research conducted or products dispensed.
 - E. Professionals shall provide accurate information to the public about communication disorders, associated professions and services, products for sale, and research and scholarly activities.
 - F. Professionals' advertisements, announcements, and promotional materials shall be accurate, including those related to services provided, products provided and research and scholarly activities.
 - G. Professionals shall not knowingly make false statements (non-financial or financial) and shall complete all materials honestly and completely.

Principal IV

Professionals will respect the role and responsibilities of speech-language pathologists, at the same time build collaborative relationships with other allied health professionals and educators to best serve the needs of the people they serve.

- A. Professionals will collaborate within their own profession and with members of other professions when appropriate to provide the highest standard of care.
- B. Professionals shall use their independent judgment when other sources are encouraging decisions that may not benefit the person being served (e.g., administrative rules, referral sources or prescriptions).
- C. Professionals shall accurately present their clinical, research and scholarly findings to other professionals.
- D. Professionals shall not engage in conduct that adversely affects their profession or their ability to perform their professional services.
- E. Professionals shall not engage in dishonesty, negligence, fraud, deceit or misrepresentation.
- F. Professionals applying for state licensure shall not knowingly make false statements and shall complete their application materials honestly and without omission.
- G. Professionals shall not engage in any form of harassment, power abuse or sexual harassment.
- H. Professionals shall not engage in sexual activities with individuals (with the exception of a spouse or an individual with whom they have a prior consensual relationship) over whom they have professional authority or power. This includes persons receiving services, assistants, students, and/or research participants. Professionals shall not engage in sexual activities with these individuals until 1 year post the discontinuation of the clinical/supervisory relationship.
- I. Professionals shall not knowingly allow persons under their supervision to engage in activities that violate the ASHA Codes of Ethics or the MSHA Codes of Ethics.
- J. Professionals shall credit only those people who have contributed to a research publication, presentation, process, or product. Credit shall be in

- proportion to the level of contribution and only with the consent of the contributor.
- K. Professionals shall reference their sources when using another person's ideas, research, presentations, or products. This includes written, oral and other media. To do so otherwise is plagiarism.
 - L. Professionals shall not discriminate on the basis of race, ethnicity, sex, gender identity/gender expression, sexual orientation, age, religion, national origin, disability, culture, language dialect or socioeconomic status.
 - M. Professionals will encourage diversity and inclusion in the workplace and with the population they serve.
 - N. Professionals who believe that the *MSHA Code of Ethics* has been violated have the responsibility to work with the *Committee on Ethics and Standards*. Professionals who believe that the *ASHA Code of Ethics* has been violated have the responsibility to work with the *Board of Ethics*.
 - O. Professionals have a responsibility to report members of other professions to the appropriate licensing or regulatory boards in the event that violations to standards of care or ethics violations have occurred.
 - P. Professionals shall not file complaints against another professional in a retaliatory manner.
 - Q. Professionals filing a complaint with the *Michigan Department of Licensing and Regulatory Affairs* (MI LARA, n.d.a) or the *Committee on Ethics and Standards* will follow their policies and comply with the decisions made.
 - R. Professionals filing a complaint with MI LARA or the *Committee on Ethics and Standards* shall not knowingly leave out information in their complaint, nor will they make false statements in their complaint.
 - S. Professionals will follow local, state and federal law and regulations applicable to professional practice, research ethics, and the responsible conduct of research.
 - T. Individuals who have had a complaint filed against them will have the complaint investigated and could be subject to any of the following disciplinary actions (MI LARA, n.d.a) :
 - a. A monetary fine
 - b. A period of probation
 - c. A reprimand
 - d. Restriction of the individual's license
 - e. Conditions for continued licensing (e.g., additional education, community service, etc.)
 - f. Suspension or revocation of the license to practice in Michigan
 - g. Dismissal of the complaint
 - U. A professional will self-report any criminal conviction within 30 after the date of the conviction (see Michigan Public Health Code, Section 333.16222(3)).

References

American Speech-Language-Hearing Association. (2023). *Code of ethics* [Ethics].
<https://www.asha.org/code-of-ethics/>

Michigan Department of Licensing and Regulatory Affairs (n.d.a). *Make a complaint about a licensed professional or business*. <https://www.michigan.gov/lara/i-need-to/make-a-complaint-about-a-licensed-professional-or-business>

Michigan Department of Licensing and Regulatory Affairs (n.d.b). *What happens after a complaint is filed*. <https://www.michigan.gov/lara/bureau-list/bpl/complaint/health/what-happens-after-a-complaint-is-filed>

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