

Ethical Dilemmas and Solutions: Speech-Language and Audiology Practice Today

**MICHIGAN SPEECH-LANGUAGE-HEARING
ASSOCIATION**

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Financial Disclosures

- Associate Professor, Vanderbilt University Medical Center. Receives a salary from that institution.
- Received MSHA conference registration and lodging

Non-Financial Disclosures

- Vice President for Standards and Ethics in Audiology for the American Speech-Language-Hearing Association
- BOD liaison to the Board of Ethics (BOE) but the current presentation is not an official presentation of the BOE.
- The presentation represents the viewpoints of the presenter and not the Ethics Office at ASHA.

Learning Objectives

At the end of this presentation members will be able to:

- ✓ Describe the rationale for upholding professional codes of ethics
- ✓ Recognize the Principles and Rules of the ASHA Code of Ethics
- ✓ Summarize the processes for filing ethical complaints to the ASHA Board of Ethics
- ✓ Identify possible sanctions for ethical violations according to the ASHA Code of Ethics
- ✓ Locate resources available through ASHA National Office

CODES OF ETHICS

**SOCIETAL UNDERPINNINGS
RATIONALE**

Societal Underpinnings

- Guide decision-making
 - Belmont Report
- ASHA COE not written in a vacuum
 - Common set of principles

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- A decorative graphic on the right side of the slide. It features two overlapping circles: a smaller light gray one on the left and a larger teal one on the right. Below the circles is a colorful waveform with multiple lines in red, blue, green, and yellow. The teal circle contains a list of five principles.
- Autonomy
 - Justice
 - Beneficence
 - Nonmaleficence
 - Fidelity

RATIONALE

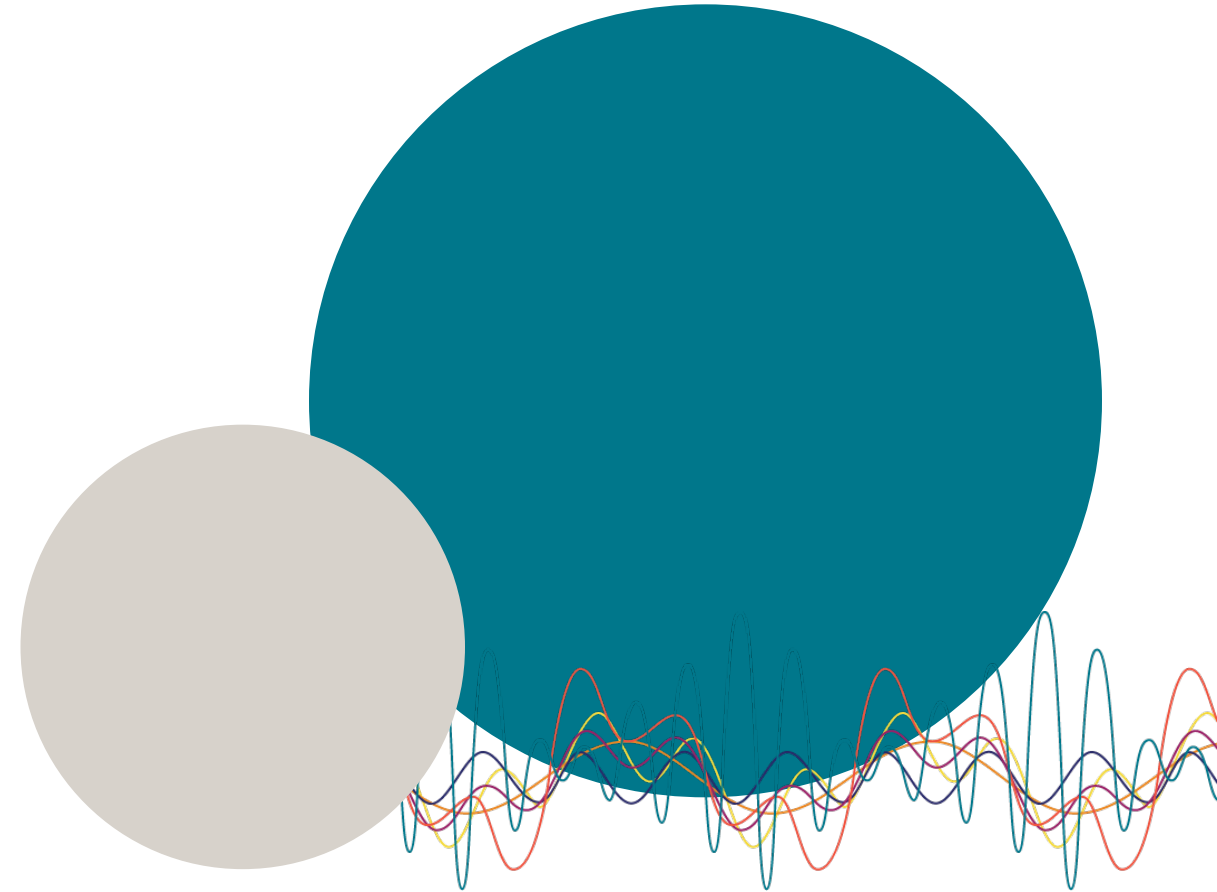
- Provide guidance
- Define acceptable conduct
- Promote high standards of practice
- Promote public trust
- Establish common set of values

ASHA Code of Ethics (2016)

FRAMEWORK
FILING ETHICAL COMPLAINTS

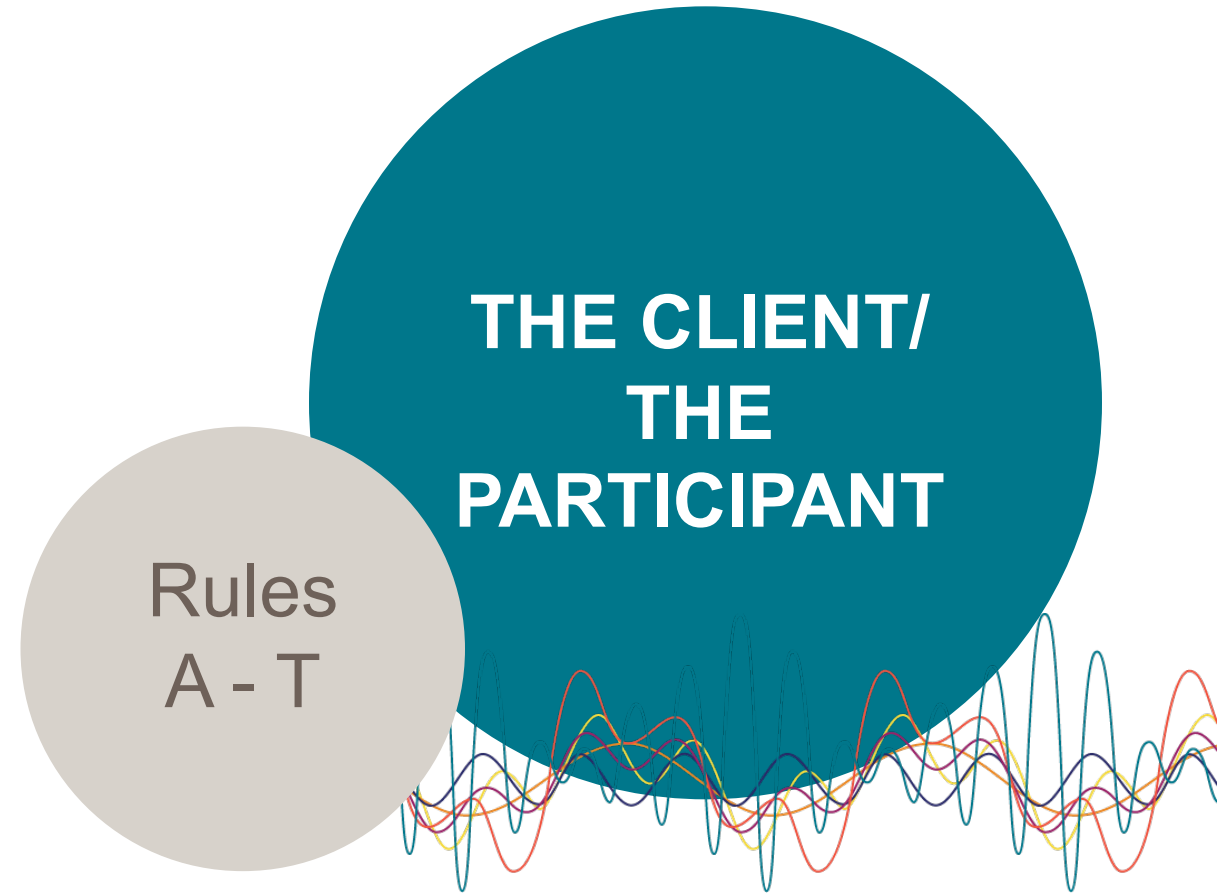
FRAMEWORK

- Preamble
- Glossary of Terms
- Four Principles of Ethics
 - Underlying philosophical basis
 - Big picture statements about ethics
- Rules of Ethics
 - Minimally acceptable professional conduct
 - Applications of each principle



Principle of Ethics I

“Individuals shall honor their responsibility to hold paramount the welfare of persons they serve professionally or who are participants in research and scholarly activities, and they shall treat animals involved in research in a humane manner.”



Principle of Ethics II

“Individuals shall honor their responsibility to achieve and maintain the highest level of professional competence.”

Rules
A - H

**SKILLS AND
KNOWLEDGE**

Principle of Ethics III

“Individuals shall honor their responsibility to the public when advocating for the unmet communication and swallowing needs of the public and shall provide accurate information involving any aspect of the professions.”



Principle of Ethics IV

“Individuals shall uphold the dignity and autonomy of the professions, maintain collaborative and harmonious interprofessional and intraprofessional relationships, and accept the professions’ self-imposed standards.”

**Rules
A - T**

**PROFESSIONAL
COLLEAGUES**

Organization of the Ethics Program

- Staff
- Board

Director

- Katharine F. Meyer, Esq. is the Director of Ethics at ASHA.
- She is ex officio to the Board of Ethics (BOE).
- Contact Ms. Meyer and Ethics staff at ethics@asha.org
- <https://www.asha.org/About/governance/committees/CommitteeSmartForms/Board-of-Ethics/>

Board of Ethics

- 17- member body
- Includes at least 6 audiologists, 6 speech-language pathologists, 2 public members
- Has 1 Chair and 1 Vice-Chair who both vote
- at least 4 of the 12 members are practitioners (current or within past 10 years)
- at least 2 of the 4 practitioners have school-based experience.
- The BOE has one subcommittee, the Ethics Education Subcommittee (EES).

Process for Filing Ethical Complaints

- Inquiry and Complaint
- Response
- Adjudication
- Hearings

Inquiry and Complaint

- May be an **initial inquiry**
- Then an individual files a formal complaint.
- The complaint is sent to the respondent

Response

- The complaint is sent to the *respondent* - the person who allegedly violated the Code of Ethics.
- The respondent sends back a reply with any documents deemed necessary.

Adjudication

- BOE discusses the case.
- Makes recommendations for which principles and rules were violated
- Makes recommendation for the sanction

Hearings

- ***Initial consideration hearing***
 - first time the BOE reviews the case and makes a decision.
- ***Further consideration hearing***
 - second hearing of the case with any replies regarding the initial decision.
- ***Reinstatement hearing***
 - occurs if respondent's CCCs have been suspended, revoked, or withdrawn.

ETHICAL DILEMMAS:

- **VIOLATIONS**
- **SANCTIONS**

VIOLATIONS

- Name
- Version applied
- Public sanction
- Effective date

Recent Decisions by the BOE

Violations and Sanctions

Sanctions

- Reprimand
- Censure
- Suspension of membership/
certification

Sanctions

- **Revocation of membership/certification**
- **Withholding of membership and certification**

- Decisions published in the ASHA Leader hard copy (brief statements) or in the ASHA Leader Live (more details).
- Link on the ASHA Ethics page.
- <https://leader.pubs.asha.org/doi/10.1044/leader.AN6.26102021.59/full/>

Ethics Scenario

Rural SLP

Jarod works in a rural school setting where he is the only SLP.

He holds the CCC-SLP, and state license.

A young child with autism has recently relocated to the area.

Despite over 12 years of clinical experience, Jarod has knowledge of--- but no experience working with autism. He is not familiar with therapy techniques considered effective-practices.

Jarod's supervisor indicates he is to serve this child.

Jarod would like to please his supervisor, make the school look good, and serve the child.

Questions to Consider:

- Ethical dilemma
- Application of Code
- Possible sanction

Possible Violations of the COE

- **Principle I –**

“.... hold paramount the welfare of persons they serve...”

- **Rule B** - “Individuals shall use every resource, including referral and/or interprofessional collaboration when appropriate, to ensure that quality service is provided.”

Possible Sanctions

- **Reprimand** (private): Between Complainant and Respondent
- **Censure** (public): Published in the Leader
- **Suspension of Membership and/or Certification for a period of time:** Published in Leader
 - 12 months to Life
- **Revocation of Membership and/or Certification for a period of time:** Published in Leader

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RESOURCES

ASHA NATIONAL OFFICE

Ethics Resources

Verify the public ethics violation history of an individual who holds or who held the Certificate of Clinical Competence in Audiology (CCC-A) or Speech-Language Pathology (CCC-SLP).

[Verify ASHA Public Ethics History](#)

During the time the ASHA National Office is closed due to COVID-19 concerns, the Board of Ethics will temporarily accept the [electronic submission of materials related to ethics complaints](#) at ethics@asha.org.

ASHA's Code of Ethics and Code of Conduct

- [Code of Ethics \(2016\)](#)
 - [Code of Ethics \(2016\) Summary](#)
 - [Code of Ethics Enforcement](#)
- [Assistants Code of Conduct \(2020\)](#) – effective June 1, 2020

Board of Ethics Complaint Adjudication

- [Complaint Filing Process](#)
 - [Ethics Complaint Form \[PDF\]](#)
 - [Instructions for Complaint Filing](#)
 - [Frequently Asked Questions](#)
- [Guidelines for Responding to Ethics Complaints](#)
- [Petition for Approval from Board of Ethics to Reinstate Certification and Membership](#)
- [Self-Reporting to ASHA Standards and Ethics](#)
- [Board of Ethics Practices and Procedures \(2022\)](#)
- [Appeals of Board of Ethics Decisions \(2017\)](#)

Ethics Guidance

- [State Codes and Ethical Provisions](#)
- [Articles From the Director of Ethics](#)
- [Ethics-Related Articles and Other Information](#)
- [Ethics in Research](#)
- [Ethics Information from Other Health Organizations](#)

Ethics Education

New! [Prohibitions Against Discrimination Under ASHA's Code of Ethics and Enforcement by the Board of Ethics](#)

Consult [Issues in Ethics statements](#) for analysis and instruction concerning specific issues of ethical conduct. Search for [ASHA Ethics Products](#) and read the Everyday Ethics [blog series](#).

Sanctions and Violation History

- [Search for Board of Ethics Decisions in *The ASHA Leader*](#)
- [Board of Ethics Sanction Types](#)
- [Publication of Board of Ethics Decisions](#)

Student Ethics Essay Award



Submissions are being accepted for the 2022 SEEA competition. Read the [essay topic and requirements](#), and view previous [winners and their essays](#).

In This Section

[BILLING AND REIMBURSEMENT](#)

[ETHICS](#)

[PRACTICE POLICY](#)

[INTERPROFESSIONAL EDUCATION / INTERPROFESSIONAL PRACTICE](#)

[PROMOTE YOUR SERVICES](#)

[MULTICULTURAL RESOURCES](#)

Navigating the Ethics Webpage

- Code of Ethics and Code of Conduct
 - Complete version (2016)
 - Summary
 - Enforcement
 - Assistants Code of Conduct (2020)
- BOE Complaint Adjudication
- Ethics Guidance
- Everyday Ethics

Everyday Ethics Blog

- These appear in ASHA Leader Live.
- They are in a scenario Q & A format.

Currently
12 entries
(2019 and 2021)

Written by
ASHA's
Director of
Ethics for
Educational
Purposes

Issues in Ethics

- Ethical Use of Social Media
- Ethical Reporting
- Client Abandonment
- Confidentiality
- Conflicts of Professional Interests
- Cultural and Linguistic Competence
- Public Announcements and Public Statements

Currently
21 papers

Papers present
additional
analysis and
instruction on
specific ethical
issues

More Recent Focuses in Ethics

New Requirements for Supervision and Ethics

- Require 2 CEUs in the area of supervision in order to supervise graduate students in practicum or during a clinical fellowship beginning in 2020 and beyond
- Require 1 CEU in ethics every three years for the CCC maintenance period beginning 2020-2022

New Credentialing of Assistants

- Code of Conduct for Assistants was approved in June, 2020
- Now examine what assistants and supervisors may do that violates the Codes of Conduct and Ethics, respectively.

Systemic Racism and Ethics

- **Principle I, Rule C specifically cites:** Individuals shall not discriminate in the delivery of professional services or in the conduct of research and scholarly activities on the basis of race, ethnicity, sex, gender identity/gender expression, sexual orientation, age, religion, national origin, disability, culture, language, or dialect.
- **Beginning with certificate holders in the January 1, 2023–December 31, 2025 maintenance interval:** Out of 30 required professional development hours for certification maintenance, at least 2 hours must be in cultural competency, cultural humility, culturally responsive practice, or diversity, equity, and inclusion (DEI).

Summary and Take Home Message

- The Code of Ethics (2016) is one of our key documents of ASHA.
 - Affects members (both certified and non-certified) and certified non-members.
 - Affects Clinical Fellows and those applying for certification.
 - Does not apply to students.
- The BOE has tools to help online and in the ASHA Leader.

Questions

Contact for Ethics Inquiries

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