Professional Ethics: Navigating the Current Landscape

Jaynee A. Handelman, Ph.D.
March 21, 2020

Standards of Professional Conduct

- Established by various entities
  - Professional associations
  - Legal and regulatory bodies
  - Places of employment
- Audiologists and SLPs must understand
  - Codes of Ethics of professional associations
  - Licensure regulations
  - Standard practice guidelines

Conflicts of Interest

- Understanding the impact of competing priorities on decisions
  - Real conflicts of interest
  - Perceived conflicts of interest
- Avoiding engaging in conflicts of interest
- Recognizing when "strings" are attached
The Role of Professional Associations

- Moral principles that underlie most codes of conduct
  - Freedom of action and choice
  - Justice and fairness
  - Doing good for others
  - Preventing or avoiding harm
  - Fidelity and loyalty
- Standards of conduct are outlined in each Code

ASHA Code of Ethics

- Core principles
- Role of the Board of Ethics
- History of the ASHA Code of Ethics
- Purpose
  - Protect consumers
  - Protect the integrity of the discipline
- Jurisdiction

ASHA Code Principles and Rules

- Principles of Ethics’ areas of responsibility
  - To persons served and to research participants
  - For one’s own professional competence
  - To the public
  - For professional relationships
- Rules of Ethics are statements about acceptable and unacceptable behavior
  - Each Principle is supported by several Rules
MSHA Code of Ethics

• Purpose is preservation of highest standards
• Fundamental rules of ethical practice highlighted
• Any act that is in violation shall be unethical
• Each member shall advise the Ethical Standards Committee of instances of violation

MSHA Code of Ethics

• Section A and B address specific relationships
  - Client relationships
  - Professional relationships
• Section C addresses other responsibilities
• Section D addresses specialized Codes
• Section E addresses Code revision
  - Most recent revision occurred in 2010

Ethical Issues in Practice Management

• Relationships with vendors
  - Real and perceived conflicts of interest
• Professional communications
  - Individuals served
  - Other professionals
  - Dismissing patients/clients
• Other issues in practice management
Ethical Issues in Supervision

- Several ethical issues including
  - Conflicts of interest
  - Being sure to identify student status in clinical interactions
  - Balancing the need of the student experience against the need for an experienced clinician
  - Modeling professional behavior to learners
- Excellent guidance available at www.asha.org

Ethical Issues in Academia

- Specific issues for academia include
  - Academic honesty
  - Research responsibilities
  - Student/faculty relationships
- Complexity of relationships in student-supervision-client paradigm

Ethical Dilemmas

- Ethical dilemmas due to pressures applied by employers
  - Caseloads or schedules
  - Billing practices
  - Requirements for supervision
  - Academic expectations
- Ethical dilemma examples
Unethical Complaints ASHA

- ASHA Board of Ethics (BOE)
  - Jurisdiction
  - Complaints filed by ASHA affiliated individuals as well as those not ASHA affiliated
  - Respondent notified immediately and given a copy of complaint
  - Information from complainant and respondent considered in deliberations held in person only
  - Confidential process

Sanctions – ASHA

- Reprimand (private)
- Censure (public reprimand)
- Withholding, suspension, or revocation of membership and/or certification for years (up to life)
- Only public sanctions published with names

ASHA Disclosure Requirements

- Need to report one’s own Code violations
  - During application process
  - Following the application process
- Examples of violations include
  - Misdemeanors
  - Felonies
  - Public sanctions
  - Denials of license and other credentials
ASHA Appeals Process

- Two levels of appeal
  - Request for further consideration
  - with written defense
  - further consideration hearing
  - Decision by BOE
  - Appeal to the ASHA Ethics Appeal Panel

Ethics Education - ASHA

- Ethics section under Practice Management on the ASHA website with active links to the Code, processes and procedures, and the area for Ethics Education

Recent Changes and Future Directions

- Changes driven by need for efficiency and increased focus on patient/family centered care
  - Move to the use of electronic medical records
  - Increased use of technicians and assistants
  - Onset of telepractice in both professions
- Trends are likely to continue as the need for our services increase despite reduced resources
Summary of Topics Covered

- Standards of professional conduct
- Conflicts of interest
- Role of professional associations
- Ethical issues in practice management, supervision, and academia
- How to manage ethical dilemmas
- Unethical behavior complaint processes
- The importance of ethics education

Critical Thinking Questions

- What would you do if you faced an ethical dilemma that was not covered in your professional Code of Ethics? What steps are appropriate for reporting an ethical violation?
- How do the expanding scopes of practice in SLP and audiology affect our Codes of Ethics? How will you keep abreast of changes in ASHA and/or MSHA Codes of Ethics?
- Suppose you have made an “honest mistake.” Is this a violation of the Code of Ethics? What should you do?
- Use of technology presents some unique ethical challenges. How will you protect your clients’ confidentiality when you use electronic records?