



Professional Ethics: Navigating the Current Landscape

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1



My name is
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I do not have any financial
or nonfinancial disclosures
to report relative to this
session

2



Goals for Today's Presentation

- Discuss ethics and professionalism including:
 - Ethical standards for professional conduct
 - Ethical dilemmas and how to manage them
 - Conflicts of interest
 - The role of professional associations
 - Ethical issues in practice management, supervision, and academia
 - The unethical behavior complaint process
 - The importance of ethics education
- Discuss recent changes and future directions
- Review of some critical thinking questions related to ethical practice

3



Standards of Professional Conduct

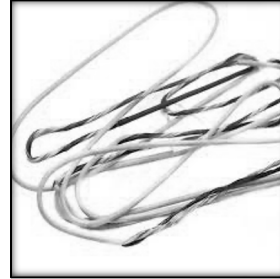
- Established by various entities
 - Professional associations
 - Legal and regulatory bodies
 - Places of employment
- Audiologists and SLPs must understand
 - Codes of Ethics of professional associations
 - Licensure regulations
 - Standard practice guidelines

4



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



5



When There are “Strings”

- It is important to think about the motivation of the person who is inviting you to an event
 - Accepting lunch from a manufactures representative
 - A physician who refers patients to you preferentially
 - Someone you know from a volunteer activity hoping that you will recommend her graduate program to students you know
- We all need to be aware of real and perceived conflicts of interest

6



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 outlined in each Code

7



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

<https://www.asha.org/practice/ethics/>

8



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

9



ASHA Code of Conduct for Meetings

- Individuals are expected to:
 - Uphold the professional and educational purposes of meetings by respecting the rights, privacy, safety, and dignity of all persons.
 - Exercise professionalism, consideration, and respect in their speech and actions.
 - Refrain from harassing speech and other harassing behavior.
- If, at any time, you feel that this code of conduct has been violated, please inform the meeting organizer. Those who have been found to be in violation can be removed from the meeting and may be prohibited from participation in future events. If you do not feel comfortable informing the meeting organizer, you may notify another ASHA staff member.

10

ASHA Code of Conduct for Meetings

- All forms of bullying, discrimination, and harassment are prohibited
 - It is a violation of this code to retaliate against individuals who report such behaviors
 - Filing a false report about these behaviors is also prohibited
- This code of conduct applies to every individual at the meeting, whether attendee, speaker, facilitator, guest, ASHA staff, contractor or other
- It applies to all ASHA meetings as well as those sponsored by other organizations held in conjunction with ASHA events

11

MSHA Code of Ethics

- Principles of Ethics' areas of responsibility
 - To persons served
 - For one's own professional relationships
 - Other responsibilities including
 - Guarding against conflicts of interest
 - Announcing clinical services in a manner consistent with State of Michigan professional standards
- Sections D and E speak to development of specialized Codes and revision to the Code, respectively
- Questions can be addressed to the MSHA Committee on Ethics

https://michiganspeechhearing.org/by-laws_and_code_of_ethics.php

12



The Relationship Between Ethics and the Law

- Professional codes of ethics compel audiologists and speech-language pathologists to adhere to state licensure requirements
 - Public Health Code 333.16083 specifies the requirements relative to the practice of audiology in Michigan – effective 9/4/2004
 - Public Health Code 333.17607 specifies the requirements for the practice of speech-language pathology in Michigan – effective 1/13/2009
 - Public Health Code 333.16221 specifies the policies and procedures regarding allegations of violations of licensure laws for health professionals in Michigan
- Violations of licensure laws are considered to be unethical

13



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



14



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15



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16



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
- Supervision of audiology and speech-language pathology assistants
- Excellent guidance available at www.asha.org

17



Ethical Issues in Academia

- Specific issues for academia include
 - Academic honesty
 - Research responsibilities
 - Student/faculty relationships
- Complexity of relationships in student-supervision-client paradigm
- The impacts of Covid 19 on the delivery of academic and clinical content

18

Ethical Dilemmas

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



19

Unethical Complaints to 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

20



Important Information About the Board of Ethics

- ASHA does not allow anonymous complaints
- ASHA respondent notified immediately of complaint
- BOE does not meet until response is received
- No investigative ability

21



Possible Sanctions for Code Violations

- 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

22



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

23



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

24

ASHA Ethics Education

- Ethics section under Practice Management on the ASHA website with active links to the Code, processes and procedures, and the area for Ethics Education
 - https://www.asha.org/practice/ethics/ethics_issues_index/
- Here is an example of a new ethics education piece about discrimination
 - <https://www.asha.org/practice/ethics/prohibitions-against-discrimination-under-asha-code-of-ethics/>

25

Ethics Resources Page on ASHA Website

ASHA / Practice Management /

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.

In This Section

- BILLING AND REIMBURSEMENT
- ETHICS
- PRACTICE POLICY
- INTERPROFESSIONAL EDUCATION / INTERPROFESSIONAL PRACTICE
- PROMOTE YOUR SERVICES
- MULTICULTURAL RESOURCES

26

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Ethics Page Showing Active Links and a Large Variety of Topics

This is a one-stop shop for all things related to Ethics under the Practice Management tab of the ASHA website

← → ↻ 🔒 asha.org/practice/ethics/

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
- Board of Ethics Practices and Procedures (2020)
- 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 and Schools Practice
- Ethical Issues in Swallowing
- 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 now closed for the 2020 SEEA competition. Read the essay topic and requirements, and view previous winners and their essays.



27

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Current List of Issues in Ethics Statements from the ASHA Website

Please note that the date is provided for the most recent update

Issues in Ethics Statements

From time to time, the Board of Ethics determines that members and certificate holders can benefit from additional analysis and instruction concerning a specific issue of ethical conduct. Issues in Ethics statements are intended to heighten sensitivity and increase awareness. These statements are illustrative of the Code of Ethics and are intended to promote thoughtful consideration of ethical issues. They may assist members and certificate holders in engaging in self-guided ethical decision making. These statements do not absolutely prohibit or require specific activity; the facts and circumstances surrounding a matter of concern will determine whether the activity is ethical.

- ASHA Board of Ethics Jurisdiction (2020)
- Audiology Assistants (2017)
- Client Abandonment (2020)
- Clinical Practice by Certificate Holders in the Profession in Which They Are Not Certified (2017)
- Clinical Services Provided by Audiology and Speech-Language Pathology Students (2017)
- Competition in Professional Practice (2017)
- Confidentiality (2018)
- Conflicts of Professional Interest (2018)
- Cultural and Linguistic Competence (2017)
- Ethical Reporting (2020)
- Ethical Use of Social Media (2020)
- Ethics and Delivery of Care in Public Health and Safety Emergencies (2020)
- Ethics in Research and Scholarly Activity, Including Protection of Research Participants (2018)
- Obtaining Clients for Private Practice From Primary Place of Employment (2017)
- Prescription (2017)
- Public Announcements and Public Statements (2018)
- Misrepresentation of Services for Insurance Reimbursement, Funding, or Private Payment (2018)
- Responsibilities of Individuals Who Mentor Clinical Fellows in Speech-Language Pathology (2017)
- Speech-Language Pathology Assistants (2017)
- Supervision of Student Clinicians (2017)
- Use of Graduate Doctoral Degrees by Members and Certificate Holders (2018)

28



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
- Additional changes are driven by an increased focus on cultural humility and diversity, equity, and inclusion
- Trends are likely to continue as the need for our services increase despite reduced resources

29



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



30



Important Resources

- ASHA Code of Ethics
 - See <https://www.asha.org/practice/ethics/>
- MSHA Code of Ethics
 - <https://www.michiganspeechhearing.org/ethics.php>

31



Critical Thinking Questions



32



Critical Thinking Questions

- Six questions are listed for attendees to consider
- The goal is to think about how each of the issues summarized might apply to their specific professional contexts
- Use of the ASHA Code of Ethics and the MSHA Code of Ethics are important resources as you consider the questions

33



Critical Thinking Question 1

- Your supervisor has asked you to bill for therapy services provided by a speech-language pathology assistant that you did not supervise
- Review the ASHA Code and determine which Principle(s) and Rule(s) are relevant
- How do you respond to your supervisor to avoid violating your ethical responsibilities?

34



Critical Thinking Question 2

- You know that one of your colleagues has been drinking alcohol in the parking lot before reporting to work and during lunch
- You notice that she is not able to responsibly perform her duties during the day
- What is your ethical responsibility to remain compliant with the Code?
- What is your colleague's responsibility?
- Where might you find additional guidance from the ASHA BOE?

35



Critical Thinking Question 3

- You are supervising a student in a clinical externship whose performance below expectations and is not responding to your attempts to improve his performance
- You are concerned that the quality of services provided might be compromised because of his placement yet the university is providing pressure on you to let him continue
- Describe the ethical dilemma that is facing you and what actions are most appropriate for you

36



Critical Thinking Question 4

- You have been assigned a speech-language pathology assistant to help you manage your growing caseload
- As a supervisor, what are some of the ethical considerations you need to address as you assume this responsibility?

37



Critical Thinking Question 5

- Telepractice and the use of technology in the supervision of students and clinical fellows have improved our ability to function in this Covid 19 world and to expand services to reach remote areas of the country
- What are some of the issues related to maintaining ethical standards of care while not being physically present with patients, students, or clinical fellows?

38



Critical Thinking Question 6

- You are a research assistant in a speech science laboratory working on a project supported by your mentor
- You are being pressured by another senior faculty member to change directions with your research
- You are enthusiastic about your project and want to see it through to conclusion
- How would you resolve the conflict between your goals and those of the other faculty member?