

# Overview and Case Scenarios of ASHA Code of Ethics for both Children and Adults

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# Disclosure Statement

No relevant financial or nonfinancial relationships to disclose

# Speakers and backgrounds:

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# Learning Outcomes:

- describe the four Principles of ASHA Code of Ethics
- tell key points from each of the four principles as it relates to providing services to children and to adults
- describe the principle of the Code of Ethics when given specific scenarios related to children
- describe the principle of the Code of Ethics when given specific scenarios related to adults

The resources, information,  
terminology, and wording  
utilized in this presentation  
are gathered from the  
ASHA Code of Ethics

Additional resources used to gather information are  
cited at the end of the presentation.

# What is Ethics?

Right and Wrong

Responsibility

Morality

Role in decision making

(ASHA Code of Ethics, 2016)

# Who should adhere to the ASHA Code of Ethics:

- Any member of ASHA holding the Certificate of Clinical Competence (CCC)
  - Any member of ASHA not holding the Certificate of Clinical Competence (CCC)
  - A nonmember of ASHA holding the Certificate of Clinical Competence (CCC)
  - Any applicant for certification, or for membership and certification
- (ASHA Code of Ethics, 2016)

# Key Terms:

## May v. Shall:

- ‘May’ denotes an allowance for discretions
  - ‘Shall’ denotes no discretion

## Written:

- Encompasses both electronic and hard-copy writings or communications

## Jurisdiction:

- “Personal Jurisdiction” and authority of the ASHA Board of Ethics over an individual holding ASHA certification and/or membership, regardless of geographic location.

(ASHA Code of Ethics, 2016)



# Other Terminology:

-diminished decision making ability: Any condition that renders a person unable to form specific intent necessary

-informed consent: May be verbal, unless written consent is required (electronic also)

-telepractice, teletherapy: Utilizing telecommunications to delivery audiological and speech-language pathology services remotely.

Providing the equivalent services to those that would be provided in-person (ASHA Code of Ethics, 2016)

# The Four Principles of the Code of Ethics:

There are four principles that form the philosophy of the Code of Ethics for ASHA and address specific areas, a responsibility to and/or for:

- I. Those you serve professionally as well as when conducting research (human and animal)
- II. Professional competence
- III. Public responsibility
- IV. Professional relationships

(ASHA Code of Ethics, 2016)

# Principle of Ethics I

Responsibility related to persons served professionally and those who participate in research (human and animal)

(ASHA Code of Ethics, 2016)

# Key Points from I:

- Provide services competently, apply EBP
- use every resource, involve IDT
- Appropriate delegation of tasks
- Shall not discriminate in delivery of services
- HIPAA
- Statements of reasonable prognosis
- Maintain timely records and accurate billing for services
- Obtain informed consent of authorization

# Potential Ethical Challenges related to I:

- Making sure that the therapy we are providing is based on evidence, with application of clinical judgment
  - Using blogs and forums making sure those ideas are scientifically backed
- Gaining continued education and resources from ASHA, etc. to gather information in providing services
- Maintaining supervision when having a student clinician, including accurate documentation of such supervision
- Informed consent:
  - Student clients; Those who are non-verbal, or too young to talk or make decisions for themselves.
  - Adult clients: diminished decision making ability. IDT

# Potential Ethical Challenges I:

- Discussing a student who receives therapy with a teacher not assigned the student/parent; HIPAA
- Accurate billing codes to represent services delivered; Medicaid
- Knowing your abilities and knowledge base as a clinician and when to seek collaboration or referral to a professional who has expertise
- Ongoing assessment of efficacy

## Principle of Ethics II:

Individuals shall honor their responsibility to achieve and maintain the highest level of professional competence and performance

(ASHA Code of Ethics, 2016)

## Key Points related to Principle II:

- Scope of professional practice and competence
- Research compliance
- Not compromising objective professional judgment during supervisory/administrative roles
- Enhance and refine professional competence
- Appropriate use of technology and instrumentation c/w professional guidelines in areas of practice and proper working order and calibration

(ASHA Code of Ethics, 2016)



# Potential Ethical Challenges related to II:

- Evidence based practice
- Informed of state, federal regulations, and institutional regulations as applicable, pertaining to clinical practice and research
- When supervising or in an administrative role not asking those you supervise to compromise their professional judgement
- VFSS, FEES, communication devices, audiological equipment
- Knowing your professional strengths and limitations; when the referral process is needed.

## 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.

(ASHA Code of Ethics, 2016)

# Key Points Principle of Ethics III:

- Accurate professional representation, and representation of diagnostic information, services provided and results, and products dispensed
- Avoid conflicts of interest that pose potential to compromise professional judgment and objectivity
- Shall not defraud, through intent, ignorance, or negligence, with obtaining payment, reimbursements, grants of contacts
- Statements to public shall be accurate and inclusive, and adhere to prevailing professional norms

# Potential Ethical Challenges III:

- Accurate representation of SLP/AuD scope of practice

- Knowingly or unknowingly, misrepresenting information to obtain reimbursement, payment, or grants

- Utilizing equipment/devices for clients on behalf of distributors/companies for financial gain

## 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.

(ASHA Code of Ethics, 2016)

# Key Points related to Principle IV:

- Collaboration with other professionals, as appropriate, in order to provide highest quality of care
- Exercise independent professional judgment in recommending and providing services, in best interest and welfare of persons served
- Not engage in dishonesty, fraud, negligence, deceit, misrepresentation, or any form of harassment
- Comply with local, state, and federal laws and regulations as well related to professional practice, research ethics, and the responsible conduct of research
- If convicted of a crime, you must self-report by notifying ASHA Standards and Ethics in writing within 30 days of the conviction, plea, or finding of guilt

(ASHA Code of Ethics, 2016)

# Potential Ethical Challenges related to IV:

- CPSE/CSE team, IDT
- Referencing sources and assigning credit
- Reporting ourselves and other professionals when situations arise
- Being transparent about our strengths and weaknesses when collaborating
- Not engaging in ANY illegal practices, abuse, or discrimination

# Ethical Decision Making

Am I facing an ethical dilemma?

Who is involved? What are the relevant facts, values, beliefs?

State dilemma, clearly, analyze

What are the courses of action? What are the conflicts that arise?

Proposed course of action

Evaluate: ethical principles, code of ethics, social role, self interests

Hale, Sue (2009) "Ethics for Real: Case Studies Applying the ASHA Code of Ethics" Presentation at ASHA Convention



# Wrap-up/Summary

- Read through entirety of ASHA Code of Ethics; engage in discussion with other professionals (intra and inter)
- Approximately 3,000 ethics inquiries to ASHA/year (Hale, 2007)
  - Employer demands (Productivity? Workload vs caseload?)
  - Cultural competence
  - Reimbursement for services
  - Use and supervision of support personnel; CF supervision

# Questions/Comments

# References

- American Speech-Language Hearing Association. (2016). Code of Ethics [Ethics]. Available from [www.asha.org/policy](http://www.asha.org/policy)
- Hale, S. (2007). Ethics for Real: Case Studies. Applying the ASHA Code of Ethics.
- Victor, S. (2017). Ethical Decision Making. Available from [speechpathology.com](http://speechpathology.com).