

ETHICS AND THE PROFESSIONS OF SPEECH LANGUAGE PATHOLOGY AND AUDIOLOGY

Valenta Ward-Gravely
Member

Ohio Board of Speech-Language Pathology and Audiology

What is Ethics?

- Ethics refers to standards of behavior that tell us how human beings ought to act in various situations as friends, parents, children, citizens, businesspeople, teachers, professionals, and so on.
 - Ethics is not feelings
 - Ethics is not religion
 - Ethics is not following culturally accepted norms
 - Ethics is not following the law
 - Ethics is not science

What Does it Mean to be Ethical?

- What is good or right in terms of treatment of humans, their actions and values
- What people “ought “ to do in distinction from what individuals may be forced to do
- Remember: What is considered “normal” behavior is culturally specific
- People of good conscience decide very differently about an ethical course of action

What Does It Mean to Be Ethical

- Conscientious people who want to do their jobs well often fail to adequately consider the morality of their professional behavior.
- We must not compartmentalize ethics into two domains: private and occupational.
- If it is wrong in other contexts, it is wrong at work.
- We must remember that everyone's first job is to be a good person.

Ethical Core Values

- BASIC PRINCIPLES:
 - Beneficence (doing good for others)
 - Nonmaleficence (avoiding doing bad for others)
 - Autonomy (respecting a person's right to make choices; which protects and defends the informed choices of pat)
 - Justice (fairness of access to health care)
 - Fidelity (being faithful and keeping promises)

Ethical Conduct

- Evolves from Interaction Between
 - Experience
 - Good Judgment
 - Personal Maturity
 - Awareness of Values
 - Practitioner's Skill
 - Knowledge of Principles and Codes

Components of Moral Action

- Sensitivity to ethical issues
- Deciding on a moral course of action
 - Facts of the situation
 - Ethical rules that govern our professional behavior
 - Ethical principles from which our professional codes are derived
- Valuing the ethical choice
- Ego strength

The Relation of Ethics and The Law

- Ethical values and legal principles are usually closely related
- Ethical obligations typically exceed legal duties
- In some cases, the law mandates unethical conduct
- When individuals in the professions believe a law is unjust, they should work to change the law



Ethics Vs the Law

- Ethical responsibilities should supersede legal obligations in the exceptional circumstances of unjust laws.

Laws: Common Elements

- Patient Protection
- Maintenance of Competency
- Professional relationships
- Impaired Practice
- Breach of Confidentiality
- Improper Billing Issues
- Conflict of Interest
- Reporting violations
- Unlicensed Practice
- Practicing outside the scope of licensure
- Convictions (Post Licensure)
- Failure to Pay Child Support

Sources for Codes of Ethics

- Traditions
- Societal Evolution
- Professional Organizations
- Laws

Traditions: **Hippocratic Oath**

- **Hippocratic Oath -- Modern Version**

I swear to fulfill, to the best of my ability and judgment, this covenant:

I will respect the hard-won scientific gains of those physicians in whose steps I walk, and gladly share such knowledge as is mine with those who are to follow.

I will apply, for the benefit of the sick, all measures which are required, avoiding those twin traps of overtreatment and therapeutic nihilism.©

Traditions: **Hippocratic Oath**

■

I will remember that there is art to medicine as well as science, and that warmth, sympathy, and understanding may outweigh the surgeon's knife or the chemist's drug.

I will not be ashamed to say "I know not," nor will I fail to call in my colleagues when the skills of another are needed for a patient's recovery.

©

Traditions: **Hippocratic Oath**

- I will respect the privacy of my patients, for their problems are not disclosed to me that the world may know. Most especially must I tread with care in matters of life and death. If it is given me to save a life, all thanks. But it may also be within my power to take a life; this awesome responsibility must be faced with great humbleness and awareness of my own frailty. Above all, I must not play at God.

©

Traditions: **Hippocratic Oath**

■ I will remember that I do not treat a fever chart, a cancerous growth, but a sick human being, whose illness may affect the person's family and economic stability. My responsibility includes these related problems, if I am to care adequately for the sick.

I will prevent disease whenever I can, for prevention is preferable to cure.

©

Traditions: **Hippocratic Oath**

- I will remember that I remain a member of society, with special obligations to all my fellow human beings, those sound of mind and body as well as the infirm.
- If I do not violate this oath, may I enjoy life and art, respected while I live and remembered with affection thereafter. May I always act so as to preserve the finest traditions of my calling and may I long experience the joy of healing those who seek my help.©

Audiology Oath

Used at Doctor of Audiology White Coat Ceremonies

- As a Doctor of Audiology, I pledge to practice the art and science of my profession to the best of my ability and to be ethical in conduct. I will respect and honor my teachers, and also those who forged the path I freely follow. According to their example, I will continue to expand my knowledge and improve my skills.
- I will collaborate with my fellow audiologists and other professionals for the benefit of our patients.

Audiology Oath

- I will, to the best of my ability and judgment, evaluate, manage, and treat my patients.
- I will willingly do no harm, but rather always strive to provide care according to the standards of the profession.
- I will act to the benefit of those needing care, striving to see that none go untreated.
- I will practice when competent to do so, and refer all others to practitioners capable of providing care in keeping with this oath.

Audiology Oath

I will aspire to personal and professional conduct free from corruption.

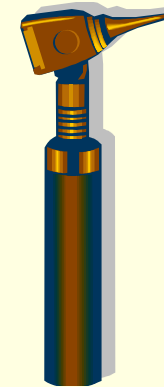
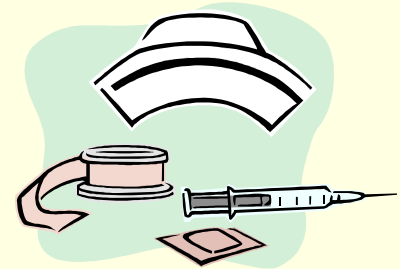
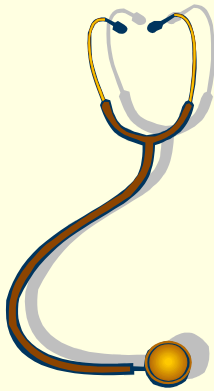
- I will keep in confidence all information made known to me about my patients.
- As a Doctor of Audiology, I agree to be held accountable for any violation of this oath and the ethics of the profession. While I keep this Oath inviolate, may it be granted to me to enjoy life and the practice of the art and science of audiology, respected by all persons, in all times.

Societal Evolution

Yesterday's acceptable custom can be today's ethical violation... *Quid pro quo*

- Yesterday's ethical violation can be today's acceptable custom... Advertising for Lawyers and Physicians, Abortion

Professional Organizations

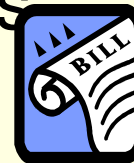
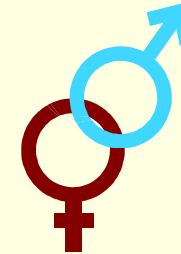


Professional Codes

- ASHA Code of Ethics
- AAA Code of Ethics
- Business Code of Conduct
- Code of Ethics in 4753 ORC

Professional Organizations: Common Elements

- Patient Protection
- Maintenance of Competency
- Professional relationships
- Impaired Practice
- Confidentiality
- Conflict of Interest
- Ethics related to students
- Billing Issues
- Reporting violations



The Law: Code of Ethics

- Rarely listed as “Code of Ethics”
- “Grounds for Denial, Suspension, or Revocation of License”
- Can be listed under specific violation: Impairment, Professional conduct, Misrepresentation, Sexual Misconduct etc.
- Word of Advice: **Read the law and rules governing your professional license thoroughly**

A framework for Ethical Decision-Making

■ Process

- Define the potential issues involved
- Describe the parameters of the situation-get the facts
- Consult the guidelines, if any, already available that might apply to the resolution of each issue
- Evaluate the rights, responsibilities and welfare of all affected parties

Decision Making Con't

- Generate the alternative decisions possible for each case
- Enumerate the consequences of making each decision
- Present any evidence that the various consequences or benefits of each decision will actually occur
- Test your decision. Could you comfortably explain your decision to your mother? The man on the street?
- Make a decision

Agency Considerations

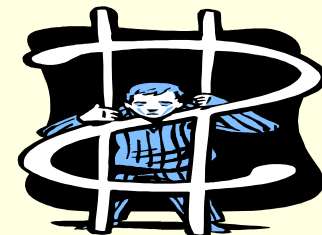
- Professionals are obligated to attempt to affect positive change within the institution if a policy appears detrimental to the client's rights or to the effective functioning of the professional.

Agency Con't

- Speech Language Pathologists and Audiologists must also consider termination of their affiliation with the institution if no agreement is reached regarding acceptable standards of ethical issues.

Penalties

- Education, Monitoring, Probation
- Reprimand
- Fines
- Denial of License
- Suspension
- Revocation: Temporary, Permanent
- Criminal Action
- Practitioners Data Bank Reporting



Disciplinary Process

- Investigation
- Review by Board
- Possible Consent Agreement
- Hearing
- Action By Board
- Possible Appeal to Board
- Possible Court Action

Ethical Dilemma

- A Speech Pathologist at the Ward Rehabilitation Center is below her “patient quota for the month. She decides that a patient has completed needed therapy, and should be dismissed, but her supervisor mandates that the speech pathologist continue providing therapy to the patient.
- *Is this an ethical violation?*

Answer

- Document your findings and discharge the patient
- Continuing unnecessary treatment is unethical and illegal
- Report supervisor and/or leave the company

Ethical Dilemma

- A school district's SLP is directed by her supervisor to supervise two recently hired SLP Assistants. Her supervisor stated that the Ohio Department of Education and the Board of Speech Pathology and Audiology had granted a waiver to the district for these individuals to practice in the schools.
- What are the ethical issues?
- Can an SLP be forced to supervise?

What Happened

- The SLP contacted the Board
- The Board investigated the School District
- The SLP refused to supervise the “SLP Assistants”
- The Board issued a cease and desist order to the School District.

Ethical Dilemma

- An audiologist works in a private audiology office. His boss has recently hired a CF in audiology. He has been informed that some of the CF's clients are eligible for state Medicaid reimbursement if they are provided by someone who holds a license or CCC-A. The audiologist is asked to sign the reports as if he had actually provided the services.
- Is this an ethical dilemma?
- What should the audiologist do? How might this affect his employment?

QUESTIONS

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