

FIFTY SHADES OF ETHICS

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AGENDA

Introduction

Learning Outcomes

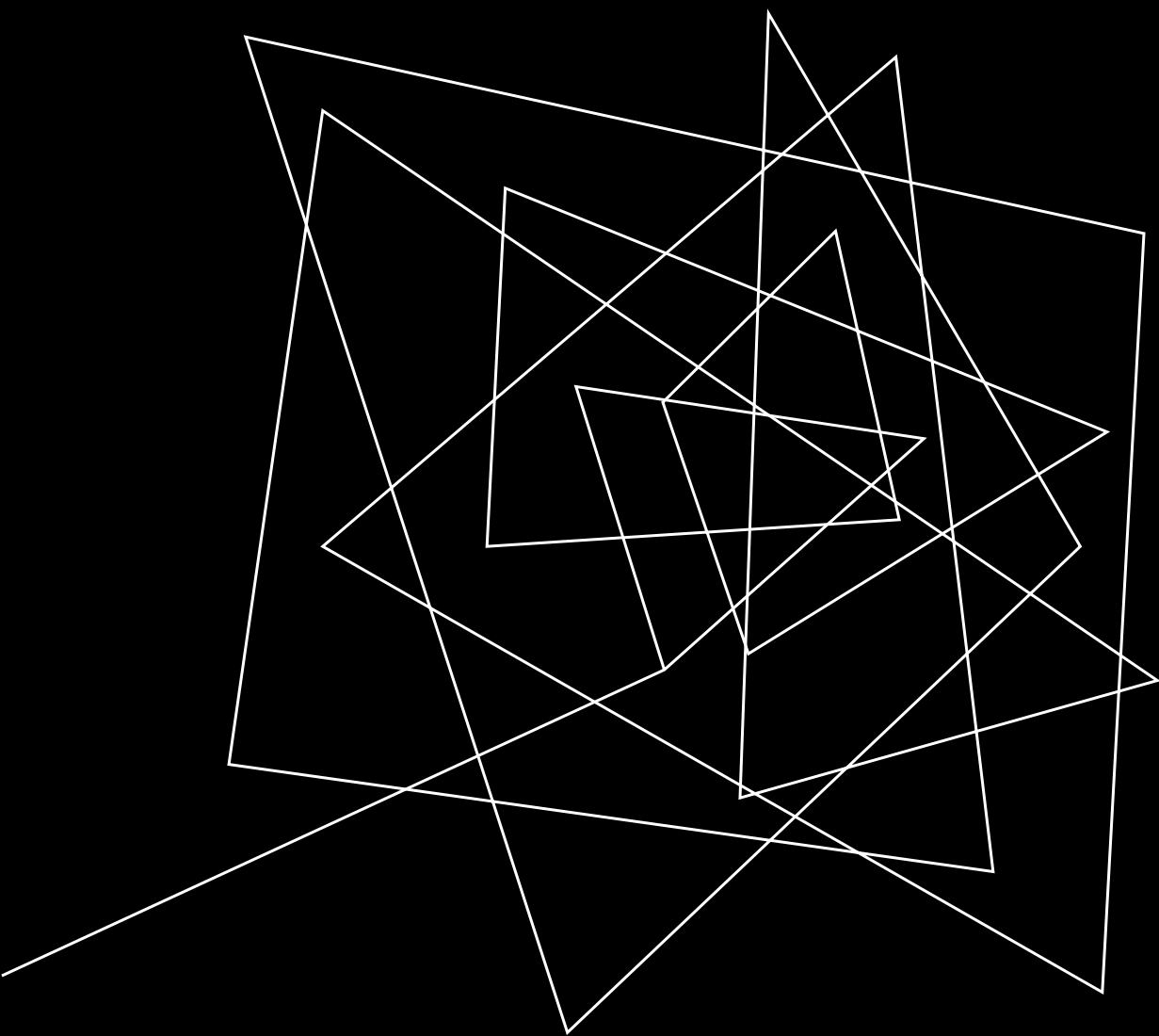
Hypotheticals

INTRODUCTION


Ethics involves systematizing and recommending concepts of right and wrong behavior;

Expectations; and

Excuse (defense)



LEARNING OUTCOMES

- 
1. LEARN THE GENERAL TENANTS OF ETHICS
 2. ANALYZE ETHICAL DILEMMAS
 3. DESCRIBE SOLUTIONS



THE AMERICAN ACADEMY OF AUDIOLOGY'S CODE OF ETHICS

What

Establishes professional standards that allow for the proper discharge of an audiologist's responsibilities while maintaining the integrity of the profession.

Who

Under this code, student academy members are included and required to abide by the code, the same as practicing members.

How

The code is composed of a preamble and eight principles.



PREAMBLE (WHEN?)

The Code of Ethics of the American Academy of Audiology specifies professional standards that allow for the proper discharge of audiologists' responsibilities to those served, and that protect the integrity of the profession.

The Code of Ethics consists of two parts.

- The first part, the Statement of Principles and Rules, presents precepts that all categories of members of the Academy agree to uphold.
- The second part, the Procedures, provides the process that enables compliance with and enforcement of the Principles and Rules. (WHY?)

GIFTS



CANDY



PSL



WALLET



TIMESHARE

Principle 1

PRINCIPLE 1: Members shall provide professional services and conduct research with honesty and compassion, and shall respect the dignity, worth, and rights of those served.

Rule 1a: Individuals shall not limit the delivery of professional services on any basis that is unjustifiable or irrelevant to the need for the potential benefit from such services.

Principle 2

PRINCIPLE 2: Members shall maintain the highest standards of professional competence in rendering services.

Rule 2a: Members shall provide only those professional services for which they are qualified by education and experience.

Rule 2b: Individuals shall use available resources, including referrals to other specialists, and shall not give or accept benefits or items of value for receiving or making referrals.

Principle 4

Principle 4: Members shall provide only services and products that are in the best interest of those served.

Rule 4a: Individuals shall not exploit persons in the delivery of professional services.

Rule 4b: Individuals shall not charge for services not rendered.

ANALYSIS

BRENNAN AND COLLEAGUES (2006) POINTED OUT THAT PROFESSIONAL ORGANIZATIONS AND INDUSTRY HAVE WORKED FROM TWO KEY ASSUMPTIONS

1. “SMALL” GIFTS DO NOT SIGNIFICANTLY INFLUENCE HEALTH CARE PROVIDER BEHAVIOR
2. DISCLOSING CONFLICT OF INTEREST IS SUFFICIENT TO PROTECT THE INTEREST OF THE PATIENT/CONSUMER

GIFTS



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TIMESHARE



THROWING SHADE

Social science research suggests that when we are conflicted, we don't operate in rational ways but we are not cognizant of that

Dana and Lowenstein (2003): Individuals have an impulse to reciprocate for even small gifts and that influences a person's behavior, objectivity, and changes their behavior in light for the gift

Cain et al (2005) suggests that in some cases, reciprocity is the primary motivation for gift giving

Clinician decisions are clearly affected by these interactions •
(DeAngelis, 2000)

GIFTS



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TIMESHARE

DOCUMENTATION

School cuts back on SLPs – Keeps SLP with 16 years of experience BUT that one SLP has to manage 5 districts – 9 schools – 53 children.

SLP sees all the students but is too rushed to take notes – and gets confused as to which notes belong to whom when she finally has time to prepare.

Some of the students receive services they don't need.

No one dies.

All gets sorted out mid-semester.

DOCUMENTATION RESULT

BOE Adjudicated Findings: Documentation Lapses

In 2017, the Board imposed Censure on a school based SLP with 26 years of experience who was already publicly disciplined by the South Carolina licensing board, because she failed to properly document and provide services based on students' IEPs; failed to accurately document therapy sessions; and falsely documented sessions that were not conducted.

Code of Ethics (2010r): I, I-A, I-M, II, III, III-D, IV, IV-E The ASHA Leader, April 2017, 22(11), 63. doi.org/10.1044/leader.AN7.22112017.63



CONFIDENTIALITY

SLP with 21 years of experience is getting to retire and is trying to inspire other folks to get into the field

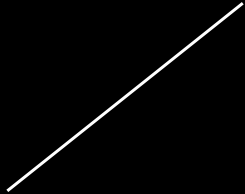
She goes to career day at university and has a sign up sheet for a presentation on what she does

On the day she is to present – not only do the people who have signed up come, they bring their friends

There is a full house! She is sooo excited!

She plays a video of a student eval and goes through all the steps and how much the student has improved since the evaluation.

The college students are inspired! And go back to university and change their majors accordingly!





CONFIDENTIALITY RESULT

BOE Adjudicated Findings: Confidentiality

In 2019, the Board imposed Suspension for 6 months on a school based SLP with 21 years of experience who allowed unauthorized, unidentified, and non-school personnel to view a video of a student as a component of a speech-language evaluation process, thereby violating the IDEA and FERPA.

Code of Ethics (2016): I, I-H, I-O, I-P, IV, IV-RThe ASHA Leader, April 2018, 23(4), 64.
doi.org/10.1044/leader.AN6.23042018.64



CLIENT

SLP's husband got a great job out of state!

SLP gave 12 weeks notice to school and district of the move – so that they could replace him.

School sat on their hands and did not post the job until the last week.

SLP was worried that if he left the students records all summer – someone could view them – resulting in a HIPAA violation.

SLP took the records with him to new state for safe keeping until he could transfer to new SLP

CLIENT

BOE Adjudicated Findings: Client abandonment

In 2016, the Board imposed Revocation of Membership and Certification for 36 months on a school based SLP with 12 years of experience who removed from the school without authorization all critical, confidential records of students receiving speech-language services where she was the only SLP, and she subsequently moved all the records out of state which had a negative impact on continuity of services.

Code of Ethics (2010r): I, I-M, I-N, III, III-D, IV, IV-C, IV-E, IV-N The ASHA Leader, November 2016, 21(11), 61
doi.org/10.1044/leader.AN3.21112016.61



HOSPITAL

Two audiologist who are best friends work at the same hospital.

One audiologist, River, is asymptomatic with COVID but at home until she doesn't test positive. River does not want her patients to suffer while she is away and she does not want her best friend, Moon, to have to do any extra work.

Moon suggests that she screen shot the charts and send it to River so she can work from bed!

HOSPITAL RESULTS

BOE Adjudicated Findings: Audiology (Hospital)

In 2017, the Board imposed Revocation of Membership and Certification for 20 years on an audiologist who accessed and viewed without authorization electronic health records for patients not on her caseload, captured screenshots of the records, and failed to secure her medical records system user ID and password, resulting in violations of patient privacy and confidentiality necessitating notification of security breach; violated federal regulations, Health Insurance Portability and Accountability Act (HIPAA), hospital policies, and the state licensure law and regulations leading to revocation of her state audiology license; and failed to self report her professional discipline to ASHA Standards and Ethics.

Code of Ethics (2016): I, I-O, I-P, IV, IV-D, IV-P, IV-R, IV-T American Speech-Language-Hearing Association. (2016, November). The ASHA Leader, 21(11), 61. doi/10.1044/leader.an7.22112017.63



DOCTOR DOCTOR

Ariel graduated with her Phd in Audiology in May!!

CONGRATULATIONS ARIEL!!!

She had business cards made that said Dr. Ariel!

WOO!



DOCTOR DOCTOR

The American Academy of Audiology recommends that, in printed media such as on business cards, in letterhead and advertisements, audiologists with doctoral degrees in audiology or a directly relevant area refer to themselves in one of the following manners:

Jane Doe, AuD, Doctor of Audiology

Jane Doe, AuD

Jane Doe, PhD,

Audiologist Jane Doe, PhD

Dr. Jane Doe, Audiologist

Members are advised to check applicable state laws, including licensure laws, before referring to themselves in writing in another manner or using other terminology, such as Dr. Doe, without further designation of degree.



TELEHEALTH

Andrea a new patient has asked to meet with her new audiologist Jacob over zoom because she doesn't want to waste time driving across town.

COVID is over says Audiologist Jacob – to provide the best care I really need to see my patients in person – there's too much possibility of error with background noise and distractions

Andrea is disappointed



TELEHEALTH RESULTS

It is the position of the American Academy of Audiology that audiologists should provide the full range of telehealth options for the delivery of audiologic services as allowed by state licensure.

The full scope of audiological services includes services associated with the screening, assessment, and treatment of hearing loss and auditory system disorders; the delivery, follow-up, and monitoring of hearing devices; assessment and treatment of vestibular and balance disorders; consultations with other health-care professionals; and remote service delivery.

ETHICS CHART



Number of NPDB Reports by Practitioner Type 09/01/1990-12/31/2016

Report Type	Audiologists	SLPs	Total
Clinical Privileges/Panel Membership Action	1	2	3
Government Administrative Action	5	7	12
Health Plan Action	8	2	10
Judgment or Conviction	13	66	79
Malpractice Payment	56	20	76
State Licensure Actions	295	1476	1771
Total NPDB Reports	378	1573	1951

Illich, D. and Hua, J. (2017). Reporting Adverse Actions to the NPDB. *Licensure*, Summer 2017.

Report Trends 1990 - 2017

- 428 reports for audiologists
- 1667 reports for SLPs



West, W. (2018). NPDB Update. Presentation at the annual convention of the National Council of State Boards of Examiners for Speech-Language Pathology and Audiology, Vienna, VA.

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THANK YOU

QUESTIONS?