



Ethical Considerations for Speech Language Pathologists
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THE STEPPING STONES GROUP
 Transforming Lives Together Prepared May, 2021

1

Course Objectives:

Course participants will be able to

- ❖ Recognize ethical considerations for practice and supervision.
- ❖ Access resources for problem-solving ethical dilemmas in SLP practice.
- ❖ Assess ethical scenarios and determine if these would be reportable.

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2



Ethics and Clinical Practice

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3

ASHA Code of Ethics

How to access the ASHA Code of Ethics?

<https://www.asha.org/policy/et2016-00342/>



4

Why review the ASHA Code of Ethics?

- ❖ Our imperfect memories
- ❖ “Someone” tells you “something” is against ASHA Code of Ethics, Is it really?
- ❖ You are responsible for adhering to the ASHA Code of Ethics whether you have read it or not!
- ❖ You sign off on your yearly membership that you agree to adhere to the ASHA Code of Ethics.



5

Let's look at the ASHA Code of Ethics

The ASHA Code of Ethics

Four Principles

- Principle I has 20 rules
- Principle II has 8 rules
- Principle III has 7 rules
- Principle IV has 20 rules



6

Let's look at the ASHA Code of Ethics: Overview

Principle I: Welfare of clients

Principle II: Professional Competence and Performance

Principle III: Responsibility to the Public

Principle IV: Dignity and Autonomy of the Professions, and Interprofessional and Intraprofessional Relationships



7

Let's look at the ASHA Code of Ethics: Preamble

The Preamble

This Code of Ethics sets forth the fundamental principles and rules considered essential to this purpose and is applicable to the following individuals:

- Ø a member of the American Speech-Language-Hearing Association holding the Certificate of Clinical Competence (CCC)
- Ø a member of the Association not holding the Certificate of Clinical Competence (CCC)
- Ø a nonmember of the Association holding the Certificate of Clinical Competence (CCC)
- Ø an applicant for certification, or for membership and certification

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



8

Let's look at the ASHA Code of Ethics: Terminology

There is a list of 21 terms that are defined for the reader of the ASHA Code of Ethics:

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



9

Let's look at the ASHA Code of Ethics: Principle I

Individuals shall honor their responsibility to hold paramount the welfare of persons they serve professionally or who are participants in research and scholarly activities, and they shall treat animals involved in research in a humane manner.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



10

Let's look at the ASHA Code of Ethics: Principle I, Rules

A. Individuals shall provide all clinical services and scientific activities competently.

B. Individuals shall use every resource, including referral and/or interprofessional collaboration when appropriate, to ensure that quality service is provided.

C. Individuals shall not discriminate in the delivery of professional services or in the conduct of research and scholarly activities on the basis of race, ethnicity, sex, gender identity/gender expression, sexual orientation, age, religion, national origin, disability, culture, language, or dialect.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



11

Let's look at the ASHA Code of Ethics: Principle I, Rules

D. Individuals shall not misrepresent the credentials of aides, assistants, technicians, support personnel, students, research interns, Clinical Fellows, or any others under their supervision, and they shall inform those they serve professionally of the name, role, and professional credentials of persons providing services.

E. Individuals who hold the Certificate of Clinical Competence may delegate tasks related to the provision of clinical services to aides, assistants, technicians, support personnel, or any other persons only if those persons are adequately prepared and are appropriately supervised. The responsibility for the welfare of those being served remains with the certified individual.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



12

Let's look at the ASHA Code of Ethics: Principle I, Rules

F. Individuals who hold the Certificate of Clinical Competence shall not delegate tasks that require the unique skills, knowledge, judgment, or credentials that are within the scope of their profession to aides, assistants, technicians, support personnel, or any nonprofessionals over whom they have supervisory responsibility.

G. Individuals who hold the Certificate of Clinical Competence may delegate to students tasks related to the provision of clinical services that require the unique skills, knowledge, and judgment that are within the scope of practice of their profession only if those students are adequately prepared and are appropriately supervised. The responsibility for the welfare of those being served remains with the certified individual.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



13

Let's look at the ASHA Code of Ethics: Principle I, Rules

H. Individuals shall obtain informed consent from the persons they serve about the nature and possible risks and effects of services provided, technology employed, and products dispensed. This obligation also includes informing persons served about possible effects of not engaging in treatment or not following clinical recommendations. If diminished decision-making ability of persons served is suspected, individuals should seek appropriate authorization for services, such as authorization from a spouse, other family member, or legally authorized/appointed representative.

I. Individuals shall enroll and include persons as participants in research or teaching demonstrations only if participation is voluntary, without coercion, and with informed consent.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



14

Let's look at the ASHA Code of Ethics: Principle I, Rules

J. Individuals shall accurately represent the intended purpose of a service, product, or research endeavor and shall abide by established guidelines for clinical practice and the responsible conduct of research.

K. Individuals who hold the Certificate of Clinical Competence shall evaluate the effectiveness of services provided, technology employed, and products dispensed, and they shall provide services or dispense products only when benefit can reasonably be expected

L. Individuals may make a reasonable statement of prognosis, but they shall not guarantee—directly or by implication—the results of any treatment or procedure.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



15

Let's look at the ASHA Code of Ethics: Principle I, Rules

- M. Individuals who hold the Certificate of Clinical Competence shall use independent and evidence-based clinical judgment, keeping paramount the best interests of those being served.
- N. Individuals who hold the Certificate of Clinical Competence shall not provide clinical services solely by correspondence, but may provide services via telepractice consistent with professional standards and state and federal regulations.
- O. Individuals shall protect the confidentiality and security of records of professional service provided, research and scholarly activities conducted, and products dispensed. Access to these records shall be allowed only when doing so is necessary to protect the welfare of the person or of the community, is legally authorized, or is otherwise required by law.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



16

Let's look at the ASHA Code of Ethics: Principle I, Rules

- P. Individuals shall protect the confidentiality of any professional or personal information about persons served professionally or participants involved in research and scholarly activities and may disclose confidential information only when doing so is necessary to protect the welfare of the person or of the community, is legally authorized, or is otherwise required by law.
- Q. Individuals shall maintain timely records and accurately record and bill for services provided and products dispensed and shall not misrepresent services provided, products dispensed, or research and scholarly activities conducted.
- R. Individuals whose professional practice is adversely affected by substance abuse, addiction, or other health-related conditions are impaired practitioners and shall seek professional assistance and, where appropriate, withdraw from the affected areas of practice.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



17

Let's look at the ASHA Code of Ethics: Principle I, Rules

- S. Individuals who have knowledge that a colleague is unable to provide professional services with reasonable skill and safety shall report this information to the appropriate authority, internally if a mechanism exists and, otherwise, externally.
- T. Individuals shall provide reasonable notice and information about alternatives for obtaining care in the event that they can no longer provide professional services.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



18

Let's look at the ASHA Code of Ethics: Principle II

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

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



19

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Let's look at the ASHA Code of Ethics: Principle II, Rules

A. Individuals who hold the Certificate of Clinical Competence shall engage in only those aspects of the professions that are within the scope of their professional practice and competence, considering their certification status, education, training, and experience. (<https://www.asha.org/policy/sp2016-00343/>)

B. Members who do not hold the Certificate of Clinical Competence may not engage in the provision of clinical services; however, individuals who are in the certification application process may engage in the provision of clinical services consistent with current local and state laws and regulations and with ASHA certification requirements.

C. Individuals who engage in research shall comply with all institutional, state, and federal regulations that address any aspects of research, including those that involve human participants and animals.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



20

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Let's look at the ASHA Code of Ethics: Principle II, Rules

D. Individuals shall enhance and refine their professional competence and expertise through engagement in lifelong learning applicable to their professional activities and skills.

E. Individuals in administrative or supervisory roles shall not require or permit their professional staff to provide services or conduct research activities that exceed the staff member's certification status, competence, education, training, and experience.

F. Individuals in administrative or supervisory roles shall not require or permit their professional staff to provide services or conduct clinical activities that compromise the staff member's independent and objective professional judgment.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



21

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Let's look at the ASHA Code of Ethics: Principle II, Rules

G. Individuals shall make use of technology and instrumentation consistent with accepted professional guidelines in their areas of practice. When such technology is not available, an appropriate referral may be made.

H. Individuals shall ensure that all technology and instrumentation used to provide services or to conduct research and scholarly activities are in proper working order and are properly calibrated.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



22

Let's look at the ASHA Code of Ethics: Principle 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.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



23

Let's look at the ASHA Code of Ethics: Principle III, Rules

A. Individuals shall not misrepresent their credentials, competence, education, training, experience, and scholarly contributions.

B. Individuals shall avoid engaging in conflicts of interest whereby personal, financial, or other considerations have the potential to influence or compromise professional judgment and objectivity.

C. Individuals shall not misrepresent research and scholarly activities, diagnostic information, services provided, results of services provided, products dispensed, or the effects of products dispensed.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



24

Let's look at the ASHA Code of Ethics: Principle III, Rules

D. Individuals shall not defraud through intent, ignorance, or negligence or engage in any scheme to defraud in connection with obtaining payment, reimbursement, or grants and contracts for services provided, research conducted, or products dispensed.

E. Individuals' statements to the public shall provide accurate and complete information about the nature and management of communication disorders, about the professions, about professional services, about products for sale, and about research and scholarly activities.

F. Individuals' statements to the public shall adhere to prevailing professional norms and shall not contain misrepresentations when advertising, announcing, and promoting their professional services and products and when reporting research results.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



25

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Let's look at the ASHA Code of Ethics: Principle III, Rules

G. Individuals shall not knowingly make false financial or nonfinancial statements and shall complete all materials honestly and without omission.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



26

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Let's look at the ASHA Code of Ethics: Principle 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.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



27

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Let's look at the ASHA Code of Ethics: Principle IV, Rules

- A. Individuals shall work collaboratively, when appropriate, with members of one's own profession and/or members of other professions to deliver the highest quality of care.
- B. Individuals shall exercise independent professional judgment in recommending and providing professional services when an administrative mandate, referral source, or prescription prevents keeping the welfare of persons served paramount.
- C. Individuals' statements to colleagues about professional services, research results, and products shall adhere to prevailing professional standards and shall contain no misrepresentations.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



28

Let's look at the ASHA Code of Ethics: Principle IV, Rules

- D. Individuals shall not engage in any form of conduct that adversely reflects on the professions or on the individual's fitness to serve persons professionally.
- E. Individuals shall not engage in dishonesty, negligence, fraud, deceit, or misrepresentation.
- F. Applicants for certification or membership, and individuals making disclosures, shall not knowingly make false statements and shall complete all application and disclosure materials honestly and without omission.
- G. Individuals shall not engage in any form of harassment, power abuse, or sexual harassment.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



29

Let's look at the ASHA Code of Ethics: Principle IV, Rules

- H. Individuals shall not engage in sexual activities with individuals (other than a spouse or other individual with whom a prior consensual relationship exists) over whom they exercise professional authority or power, including persons receiving services, assistants, students, or research participants.
- I. Individuals shall not knowingly allow anyone under their supervision to engage in any practice that violates the Code of Ethics.
- J. Individuals shall assign credit only to those who have contributed to a publication, presentation, process, or product. Credit shall be assigned in proportion to the contribution and only with the contributor's consent.
- K. Individuals shall reference the source when using other persons' ideas, research, presentations, results, or products in written, oral, or any other media presentation or summary. To do otherwise constitutes plagiarism.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



30

Let's look at the ASHA Code of Ethics: Principle IV, Rules

L. Individuals shall not discriminate in their relationships with colleagues, assistants, students, support personnel, and members of other professions and disciplines on the basis of race, ethnicity, sex, gender identity/gender expression, sexual orientation, age, religion, national origin, disability, culture, language, dialect, or socioeconomic status.

M. Individuals with evidence that the Code of Ethics may have been violated have the responsibility to work collaboratively to resolve the situation where possible or to inform the Board of Ethics through its established procedures.

N. Individuals shall report members of other professions who they know have violated standards of care to the appropriate professional licensing authority or board, other professional regulatory body, or professional association when such violation compromises the welfare of persons served and/or research participants.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



31

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Let's look at the ASHA Code of Ethics: Principle IV, Rules

O. Individuals shall not file or encourage others to file complaints that disregard or ignore facts that would disprove the allegation; the Code of Ethics shall not be used for personal reprisal, as a means of addressing personal animosity, or as a vehicle for retaliation.

P. Individuals making and responding to complaints shall comply fully with the policies of the Board of Ethics in its consideration, adjudication, and resolution of complaints of alleged violations of the Code of Ethics.

Q. Individuals involved in ethics complaints shall not knowingly make false statements of fact or withhold relevant facts necessary to fairly adjudicate the complaints.

R. Individuals shall comply with local, state, and federal laws and regulations applicable to professional practice, research ethics, and the responsible conduct of research.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



32

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Let's look at the ASHA Code of Ethics: Principle IV, Rules

S. Individuals who have been convicted; been found guilty; or entered a plea of guilty or nolo contendere to (1) any misdemeanor involving dishonesty, physical harm—or the threat of physical harm—to the person or property of another, or (2) any felony, shall self-report by notifying ASHA Standards and Ethics (see Terminology for mailing address) in writing within 30 days of the conviction, plea, or finding of guilt. Individuals shall also provide a certified copy of the conviction, plea, nolo contendere record, or docket entry to ASHA Standards and Ethics within 30 days of self-reporting.

T. Individuals who have been publicly sanctioned or denied a license or a professional credential by any professional association, professional licensing authority or board, or other professional regulatory body shall self-report by notifying ASHA Standards and Ethics (see Terminology for mailing address) in writing within 30 days of the final action or disposition. Individuals shall also provide a certified copy of the final action, sanction, or disposition to ASHA Standards and Ethics within 30 days of self-reporting.

Reference: ASHA Code of Ethics, Preamble. <https://www.asha.org/policy/et2016-00342/>



33

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Applying Ethics to Everyday Practice

34

Applying Ethics to our everyday practice

- ∅ A CF Mentor does not reply to the CF's emails and tells that CF that she has no time to do an in-person site visit.
- ∅ A parent and advocate at an IEP meeting give you a list of tests that you should give to their student.
- ∅ A school site administrator insists that you supervise an SLPA that you have not yet met. When you do meet the SLPA, you find out that the "SLPA" is NOT an SLPA at all, but an instructional assistant that usually works in the Head Start program on your school site.

35

Applying Ethics to our everyday practice

- ∅ A CF refuses to give her CF Mentor access to her reports and IEPs.
- ∅ An SLP says that they have turned in all reports, billing and attendance documents, but the school district informs you that the SLP has not turned in reports, billing and attendance documents since the first month of school.
- ∅ A CF started signing off with the CCCSLP three months into her 36 weeks of her CF.

36

Problem-solving



37

When things go WRONG...

Problem Scenarios:

- > What have you seen?
- > How have you handled these situations?



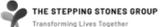

38

When things go WRONG...

- v Who can you contact?
 - v ASHA Board of Ethics
 - v Your State's licensing board



- v How do I contact them?
 - v <https://www.asha.org/practice/ethics/ethical-reporting/>
 - v Contact ASHA Board of Ethics at ethics@asha.org for further information and direction.



39

Reporting Ethical Concerns

- v **Reporting** ethically requires you to proactively and deliberately provide honest and complete information in all areas of professional practice (e.g., credentials, services, relationships, payments, and advertising).
- ❖ **Self-reporting** is a special case of reporting in which you must disclose receipt of professional discipline or criminal convictions to ASHA Standards and Ethics. ASHA members and certificate holders, and applicants for certification, must also disclose these circumstances by self-reporting the information to ASHA.
- v It is NOT your responsibility to "investigate" infractions!
 - v Report when you think there is an infraction.
 - The licensing board investigative officers will
 - v Investigate/The ASHA Board of Ethics will determine
 - If there needs to be further investigation.

<https://www.asha.org/practice/ethics/ethical-reporting/>



40

40

Reporting Ethical Concerns

- v What to report to the ASHA Board of Ethics?
 - v Cite the Principle and Rule that you feel were violated.
 - v Report the incident factually and objectively.
- v What to report to a State Licensing Board?
 - v The portion of the state laws and regulations that you feel have been violated.
 - v Report the incident factually and objectively.
 - v If you do not have all the information, you can supply the board with information on where they may be able to locate additional information.

Most licensing boards will NOT accept anonymous Complaints, but they may have a form on their website. Otherwise, you can write a letter.



41

41

Did We Address All the Course Objectives?

Course participants will be able to

- ❖ Recognize ethical considerations for practice and supervision.
- ❖ Access resources for problem-solving ethical dilemmas in SLP practice.
- ❖ Assess ethical scenarios and determine if these would be reportable.



42

42

Contact Information

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SLPAHADB www.speechandhearing.ca.gov