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Enhance Evidence Based Care

With Ethical Decision-Making

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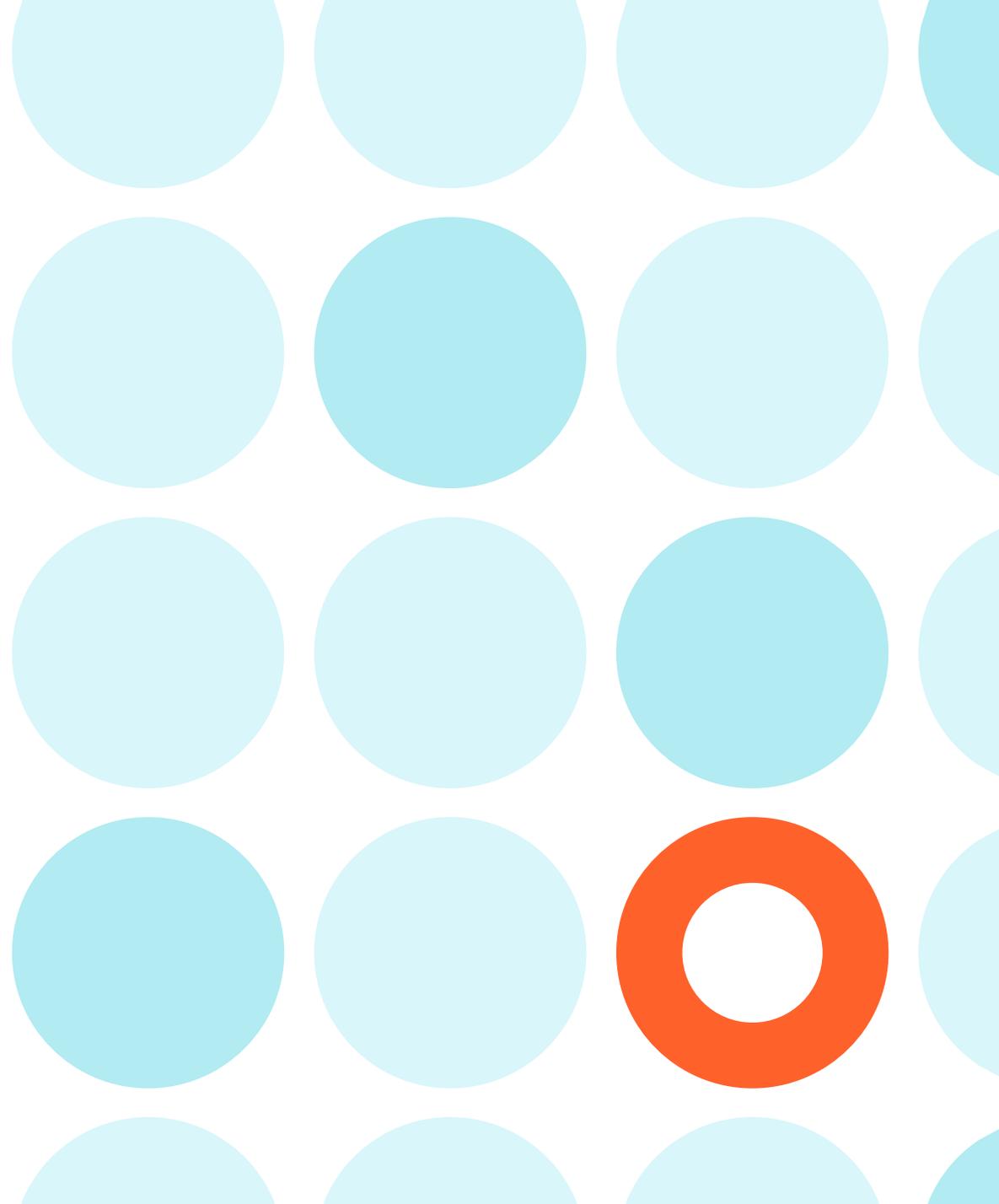
Learning Objectives

1 **Identify** the ethical dimensions of common dilemmas arising in clinical practice

2 **Apply** and practice ethical decision-making models.

3 **Discuss** strategies to collaborate effectively with interprofessional teams to promote overall mental wellness, including engaging in regular team meetings, sharing insights from different disciplines, and developing integrated care plans that address holistic needs of patients.

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Definitions

Ethical **Principles**

- Moral values informing ethical codes, standards, & guidelines
- Examples: Social justice, confidentiality

Ethical **Codes**

- System of principles governing morality & conduct
- Discipline or profession-specific

Ethical **Standards**

- Specific & enforceable requirements
- Designed to fulfill professional obligations

Ethical **Guidelines**

- Recommendation w/ modifiers (e.g., "reasonable")
- Address need for professional judgement in unique scenarios

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Ethical Principles

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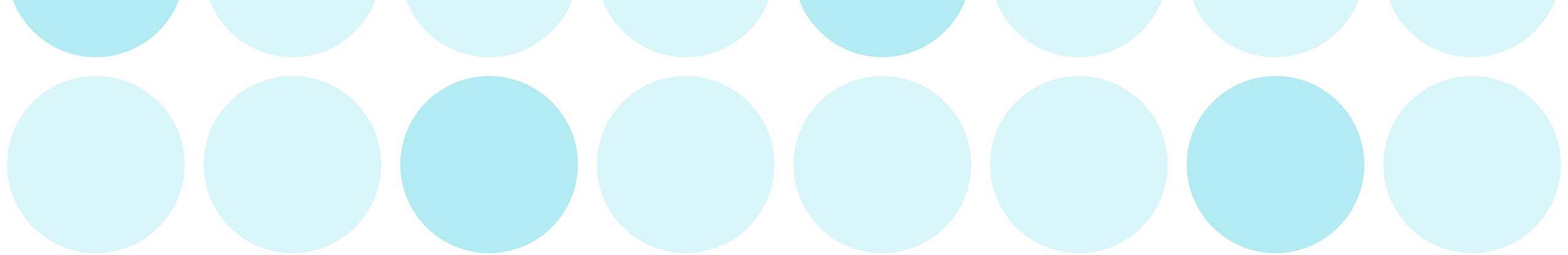
American Psychological Association
General Principles

Beneficence & Nonmaleficence

Do good and do no harm with clients.

Fidelity & Responsibility

Maintain professional standards of conduct.

Integrity

Maintain honesty in professional practice.

Justice

Uphold fair and just practices.

Respect for People's Rights & Dignity

Honor clients' rights, identity and culture, and autonomy.

Review for more information on above

APA Ethics Code

Resolving Ethics Issues

Competence

Human Relationships

Privacy and Confidentiality

Advertising & Public Statements

Record Keeping and Fees

Education and Training

Research and Publication

Assessment

Therapy

(Lavik, et al, 2018)

American Counseling Association

General Principles

The Counseling Relationship

Foster the welfare of the client.

Professional Responsibility

Practice in non-discriminatory manner, within boundaries of competency, and with honesty.

Confidentiality & Privacy

Maintain and communicate limits to confidentiality and respect client for privacy.

Relationship with Other Professionals

Foster quality interactions with colleagues.

Review for more information on above:

American Association for Marriage & Family

General Principles

Responsibility to Clients

Practice principles of non-discrimination, informed consent, minimal multiple relationships, and so forth.

Confidentiality

Maintain responsibility of disclosing limits, protection and access to records, respecting the confidences of each person, and so on.

Professional Competency & Integrity

Know regulatory standards, identify conflicts of interest, practice within scope, develop new skills, etc.

Technology- Assisted Professional Services

Appropriate, competent use of tech with informed consent, HIPAA compliance.

Review for more information on above

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National Association of Social Workers

General Principles

Service

Help those in need.

Social Justice

Challenge social injustice.

Dignity & Worth of the Person

Maintain respect for all.

Importance of Human Relationships

Recognize as central.

Integrity

Practice in a trustworthy manner.

Competence

Practice within scope and develop expertise.

Review for more information on above

Ethical Responsibility

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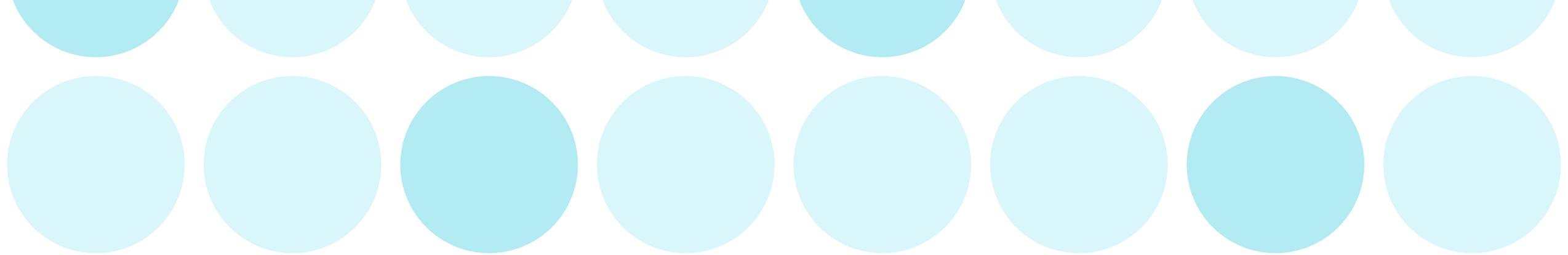
Self-Care as an Ethical Responsibility

Prolonged stress and compassion fatigue can impact decision making.

Self-care can impact ethical practice by:

- Enhancing clinical competence
- Supporting professional boundaries
- Promoting consistence in ethical standards
- Encouraging reflective practice
- Foster support systems, resilience building skills, meaning and purpose, flexibility and adaptability

Ethical Domains

Competence

Dual Relationships

Informed Consent

Due Process

Confidentiality

Liability

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Professional Ethical Acculturation

Foster an environment centered in mutual care & support

Share appreciation of ethics effectively guiding practice

Create open space for ethical discussions & foster proactive consultation

Support personal & professional ethical integration

Foster

Share

Establish

Create

Support

Model

Dedicate

Model ethical reflectiveness & decision-making

Establish the importance of ethics in quality care & therapeutic outcomes

Dedicate time for ethical reflection & skill development

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Instilling Ethical Responsibility

Ensure awareness of potential dilemmas

Ensure ability to identify ethical ways to resolve

Create space to openly explore ethical issues

Address timely and effectively

Be aware of tendency to avoid

Instilling Ethical Responsibility

Let's discuss.

Can you think of other ways to instill ethical responsibility than these examples?

Ensure awareness of potential dilemmas

Address timely and effectively

Ensure ability to identify ethical ways to resolve

Be aware of tendency to avoid

Create space to openly explore ethical issues

Ethical Dilemmas

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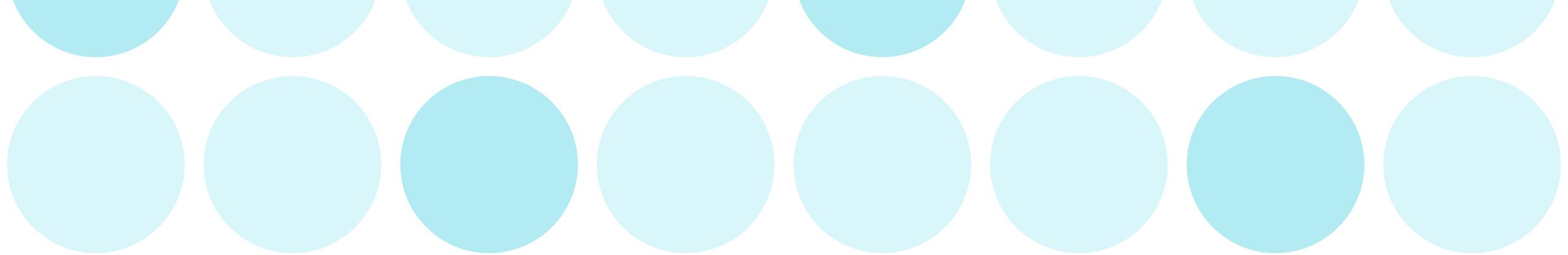
What is an Ethical Dilemma?

When adhering to one ethical principle may violate another

Making a decision when two or more ethical principles conflict with each other

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What is an Ethical Dilemma?
Let's discuss. There is no "right answer."

Common Ethical Dilemmas

Self-Report Data- Most common ethically troubling incidents

- Confidentiality
- Blurred/dual/conflictual relationships
- Payment sources, plans, settings, and methods
- Competency concerns
- Professional Misrepresentation

Top 3 most common reasons for disciplinary action (ASPPB, 2024):

- Failure to comply with continuing education or competency requirements
- Negligence
- Unprofessional conduct

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The Evolution of Ethical Dilemmas

Figure 1
Factors That Influence the Evolution of Ethical Dilemmas and Resolutions

Confidentiality

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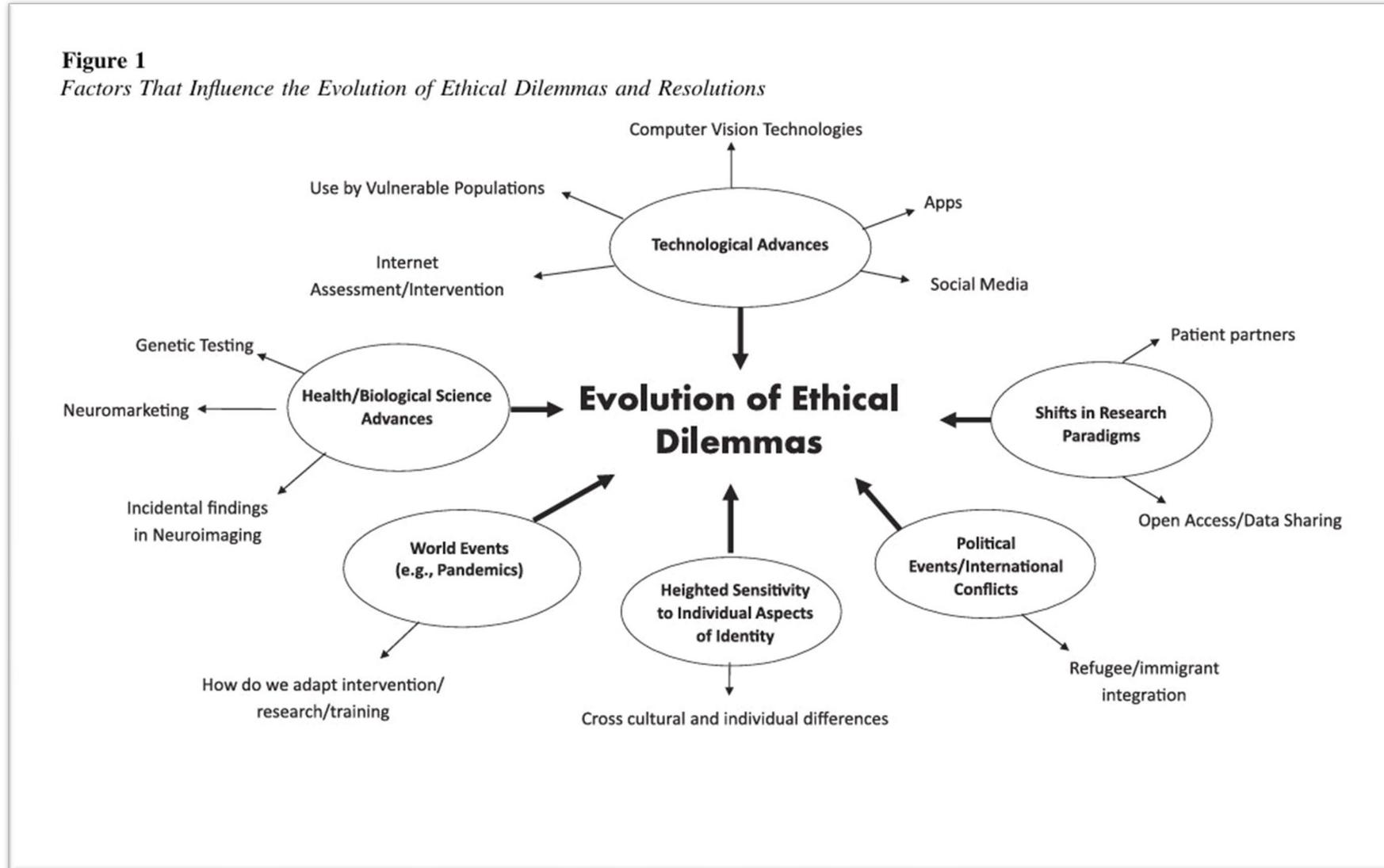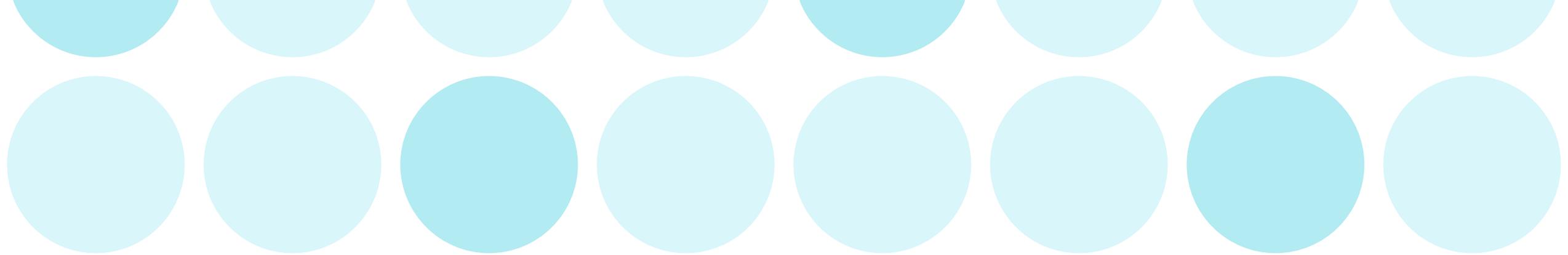
Confidentiality and its Limits

Mandated Reporting	Vulnerable Adults	Legal Requirements	Minors

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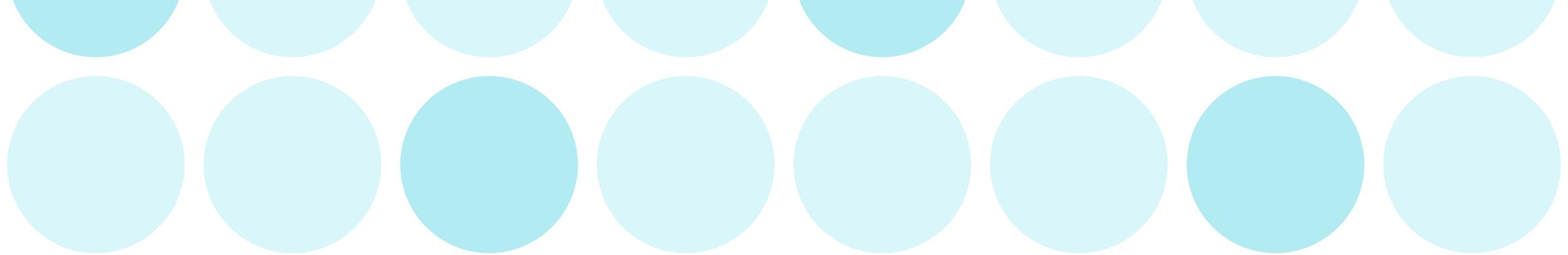
Other Considerations

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General Considerations

Maintaining **objectivity**

Fostering **self-awareness**

Use of **supervision** & consult

Personal **therapy**

Fidelity for using clinically appropriate assessments

Competency with certain presenting concerns

Informed **consent** for specialized treatments

Dialogues on **safety** for client and community members

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(Lavik, et al, 2018)

Telepsychology Ethical Considerations
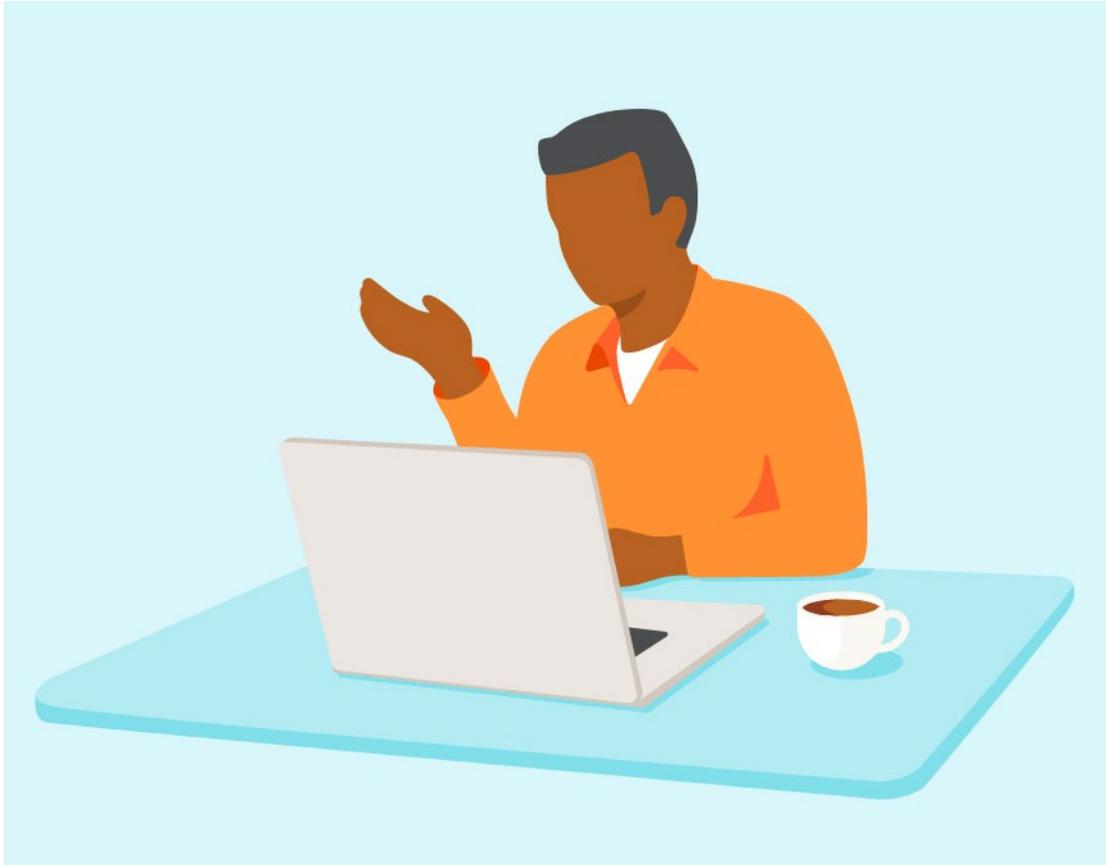
Applicability
- Case by case
- Continual needs assessment

Standards of Care
- Establish benefits & risks
- Collaborate on appropriateness

Informed Consent
- Appropriateness
- Limits to confidentiality
- Emergency procedures
- Identify cultural factors
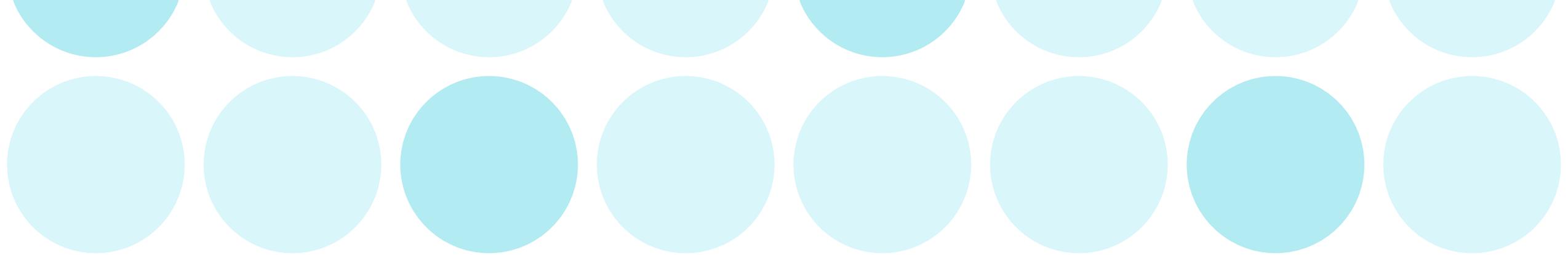
Ethical Decision-Making Approaches

What is Ethical Decision- Making?

The process by which behavioral health professionals identify, analyze, and resolve ethical dilemmas

Importance in clinical practice to ensure integrity, trust, and the best interest of clients

Includes use of evidence- based framework for clinician to follow each time

What is Ethical- Decision Making?

Let's discuss.

In your own words, what is ethical- decision making, and what does that mean for you as a provider?

Why is Ethical Decision-Making Important?
Let's discuss.

☑ Promotes client welfare

☑ Protects clients and professionals from harm

☑ Ensures ethical standards and professional integrity

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Fostering Ethical Decision Making

- Foster supportive collegial relationships for co-workers to bring ethical concerns

- Preemptively review ethical/legal issues that arise in consultation

- Discuss ethical principles, codes, standards regularly

- Provide information on agency-specific policies

- Normalize the occurrence of ethical dilemmas

- Support recognizing subtle & overt ethical dilemmas

- Consider cultural factors related to dilemma

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Ethical Decision-Making: Best Practices

Cognitive and Emotional Process:
- Ethical decision-making involves both aspects
- Identify/explore: issues, values, principles, & regulations

Comprehensive Discussion:
- Discuss consequences & benefits of potential actions
- Explore actions that best achieve fairness, justice, fidelity

Decision-Making Steps:
- Guide decision-making process in ethical dilemmas
- Evaluate actions to ensure ethical principle alignment

Addressing Ethical Mistakes:
- Dyad works to ameliorate any negative outcome
- Focus on learning from mistakes to prevent recurrence

Reporting Violations if Necessary:
- Report ethical violations to Board when necessary
- Adherence & accountability to professional standards

10 Steps for Ethical Decision- Making

Identify those affected by decision

1

Identify ethical issues

2

Consider personal bias/ interest influencing

3

Develop several action plans

4

Analyze ST/LT risks and benefits

5

Take action to reduce future risks

10

Assume responsibility

9

Evaluate outcome

8

Take action

7

Apply principles, values, standards

6

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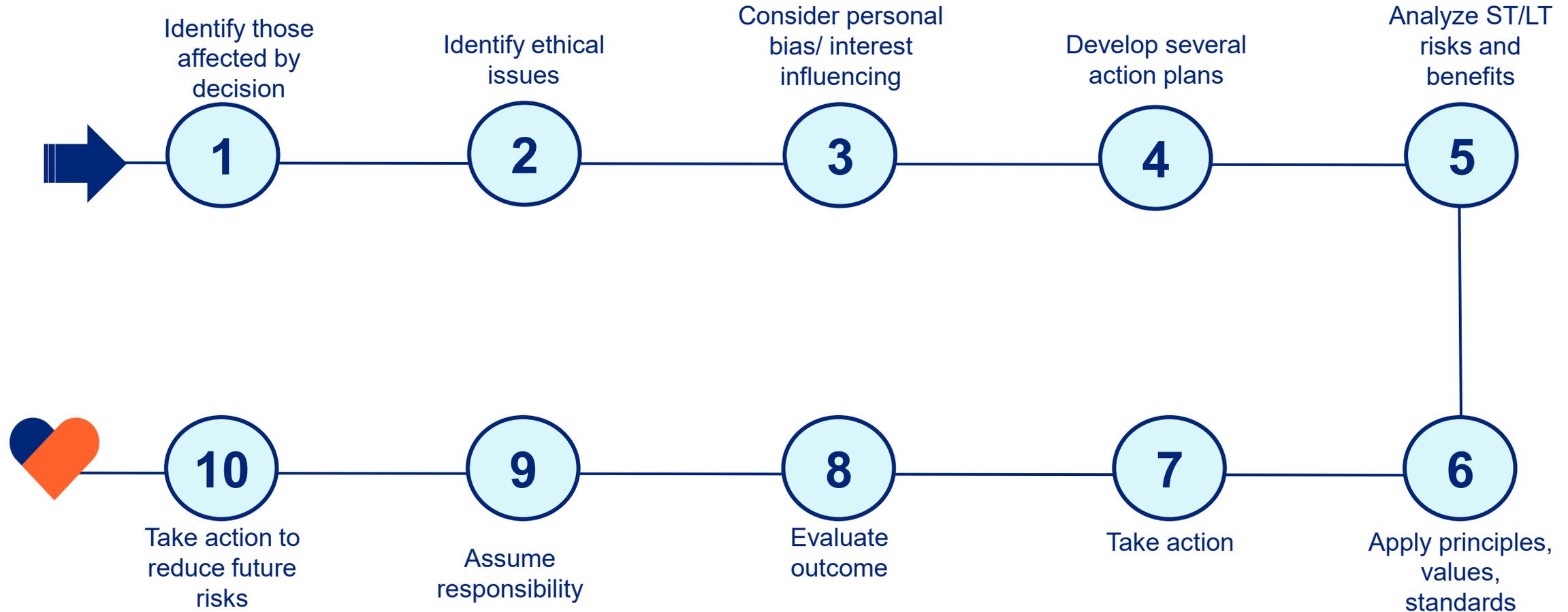
Steps for Ethical- Decision Making
Let's discuss.

Can you think of a time when you weren't able to follow the necessary steps for ethical decision-making?

What is an action plan that you have created in the past in regard to ethical decision-making?

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Best- Practices for Ethical Consultation

Build a strong working alliance to support navigating ethical dilemmas with colleagues

Draw from own experiences, model nuance/reflection to explore points of conflict/connection

Explore how beliefs impact work & collaborate on ethically-minded approaches

Engage thoughtfully, empathically, sensitively, nondefensively & without accusation

Maintain respect for provider autonomy, disclose areas of discomfort, & discuss difficult issues

(Smith et al., 2011)

Ethical Topics for Preemptive Exploration
Let's discuss. For each topic, answer the following questions:

- What is the motivation/rationale?

- How may it harm the client?

- How may is possibly benefit?

- What would be follow up to the outcome?

- How do I monitor my motivations?

Social Media Searches

Romantic Transference

Physical Touch

Billing

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(Smith et al., 2011)
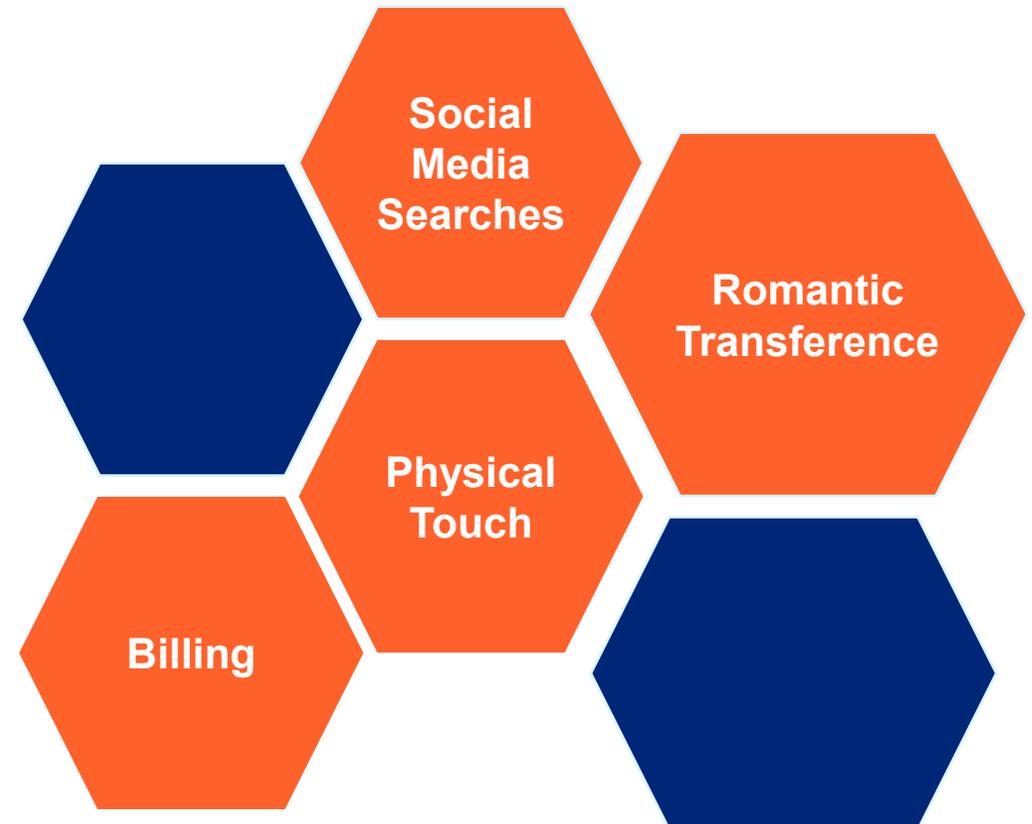
Ethics Decision-Making Model

E ➡ **Evaluate** the dilemma

T ➡ **Think** ahead

H ➡ **Help**

I ➡ **Information**

C ➡ **Calculate** Risk

S ➡ **Select** an Action and Document

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Effectiveness of Ethical Decision- Making Models
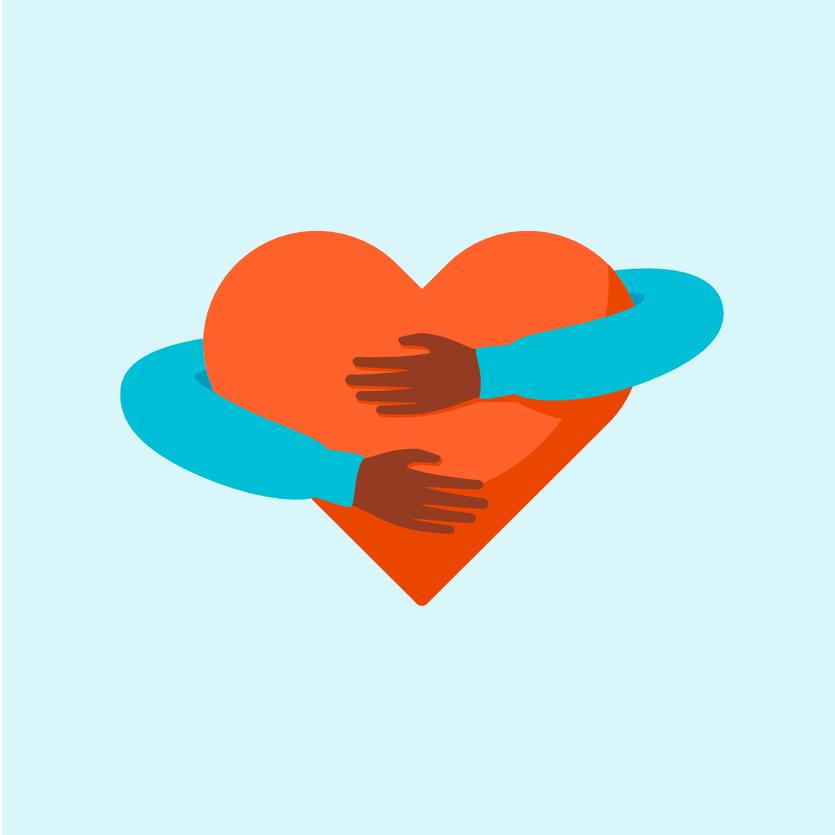
Relationship between self-efficacy and ethical decision-making model impacting ethical decision making:

Self-efficacy may impact perceptions of moral intensity.

- Lower self-efficacy associated with lower empathy
- Empathy associated with more sound ethical decision making

Use of cognitive (structured tool) associated with more sound ethical decision making.

- Compared to lack of use of a structured tool

Cultural Considerations: Body-Based Ethical Decision-Making

Embodied ethical decision-making (EEDM)

Combination of traditional cognitive approaches with body-based approaches – as ethics is often linked to bodily sensations of right and wrong

Incorporate bodily sensations into ethical decision-making model. Bodily responses in ethical dilemma include a sense of urgency, feeling shaky, tingling, "flutters" in stomach

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Pairing EEDM with Cognitive Approach
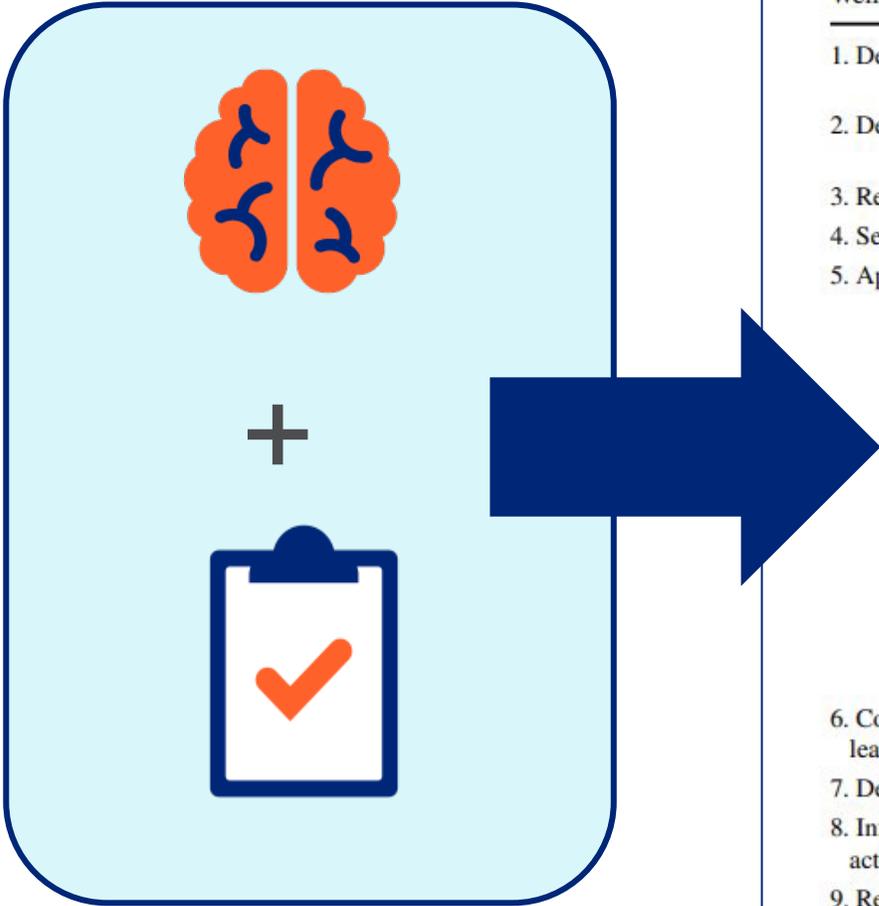
Table 1 Ethical model paired with EEDM steps

Welfel's Ethical Decision-Making Steps	Hervey's EEDM Steps
1. Develop ethical sensitivity	Notice shifts in body; Explore movement in horizontal plane
2. Define the dilemma and options	Recreate movement postures of people involved; move most outrageous options
3. Refer to professional standards	Use of weight in vertical plane
4. Search out ethics scholarship	Move ethical dilemma
5. Apply ethical principles to the situation	Autonomy Create imaginary space & boundaries; move in vertical plane Nonmaleficence Careful & cautious movement using bound flow & lightness Beneficence Shaping, widening, opening with horizontal plane Justice Balancing movements Fidelity Movement with weight Additional: Veracity Spinal movements and free flow
6. Consult with supervisor and respected colleagues	Use of verbal or movement communication to create way of sharing dilemma
7. Deliberate and decide	Move alone; rehearse acting out plans and decisions
8. Inform supervisors, implement and document actions	Use of time in sagittal plane
9. Reflect on the experience	Reflect & evaluate

Adapted from Welfel (2001) and Hervey (2007)

Active Multicultural Diversity

Using the EEDM model promotes the 3Ms:

Movement toward Mutuality:

Participants in the ethical dilemma must be willing to change where possible and appropriate in order to see each other as equal individuals while collaborating to resolve the ethical dilemma.

Mutual empowerment:

Both providers and clients experiencing the feeling of having control and understanding one's own life.

Mutual empathy:

The ability to be impactful and to be impacted in the relationship through seeing and feeling within the experience

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42

(Smith et al., 2011)

Four Bin Approaches to Ethics

LEGAL	CLINICAL	ETHICAL	RISK MGMT
Laws	Objectivity	Principles	Increased
Regulations	Boundaries	Guidelines	Decreased
Statutes	Relationship	Codes	Liability

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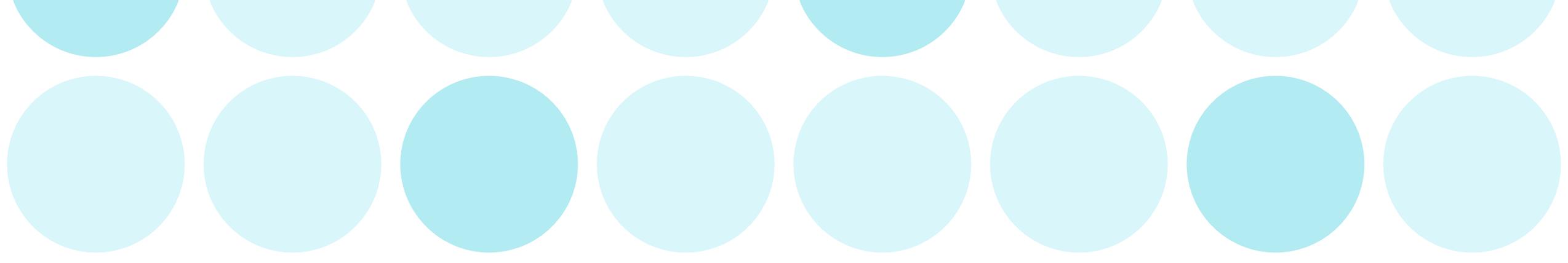
Multidisciplinary Care Supports Ethical Decision-Making

Care Coordination

Who do you need to coordinate with?

- PCP
- Previous Providers
- Other service providers

Documentation

- Be mindful of what/ how documentation is done
- What is disclosed in documentation

Forms/FMLA

- Will client be looking for something from provider?
- Can provider complete request?
- How does it impact treatment?

Care Coordination

Let's discuss.

Can you think of a time when you had to consider what/how documentation is done/ what is disclosed?

Can you think of a time a provider you have coordinated with has impacted treatment?

Working as a Team to Support Ethical Decision- Making

- Attend regular consultation meetings

- Initiate consultation when necessary

- Building rapport with other providers, multidisciplinary relationships

- Obtain ROI from clients for care coordination

- Honor client's autonomy by sharing benefits/risks of signing ROI and allowing them to make fully informed decision

- Remain open to other providers' practices and ethical obligations

- Use ethical decision making model when there is a dilemma (ETHICS)

- Use information shared to create plan/goals to benefit client

- Can incorporate other disciplines' perspectives in Ct's treatment plan when appropriate (medication compliance, strategies for remembering to take medication)

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Social Work Ethical Decision- Making Model

1) What is the ethical dilemma? Clearly articulate the professional values that are in conflict. What personal values if any may be influencing my decision making? Is there a conflict between my personal and professional values?

2) What is my immediate reaction or instinct for the best way to address the ethical dilemma?

3) Consult the CASW (2005) Code of Ethics and Guidelines for Ethical Practice. Does the Code provide direction and guidance? Identify the sections from the Code of Ethics and Guidelines for Ethical Practice that are applicable to the dilemma.

4) Consult applicable agency policies and best practice standards (e.g., NLASW Standards for Technology Use in Social Work Practice).

5) Are there legal considerations? Consult relevant legislation where necessary.

6) What are some of the cultural considerations?

7) Was this issue addressed through informed consent?

8) What are some of the available options or choices for resolving the dilemma? Analyze the risk and benefits of each option. What steps do I need to take to minimize risk and not compromise my ethical responsibilities?

9) Consultation with a peer, manager or supervisor can be extremely helpful.

10) Does the context of practice make a difference?

11) Discuss the dilemma with the client where appropriate.

12) Consider the impact on the therapeutic relationship.

13) What other resources might be helpful in my decision-making?

14) Document the ethical decision-making process. For additional information refer to the NLASW Standards for Social Work Recording (2014).

15) Monitor and evaluate the impact of the decision and modify if necessary.

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Reflections and Questions?

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