Ethics In a Managed Care Environment

Barbara Hallisey, MSW, LCSW
Jeffrey Sanders MPA, MSW, LCSW
Overview
How Do I View Myself And My Life Right Now?

I. Who I am
a. Influences from childhood
b. Influences from adolescence
c. Influences of Chance

II. How I describe my present position
a. What type of person I am
b. How would I describe myself
c. How well I get along with others
d. What is important to me
e. My experiences in life
How Do I View Myself And My Life Right Now?

III. What I would like to see happen

a. What my ideal life would be like
b. How I am currently working toward my ideal
c. What role others play in my future
d. What obstacles can keep me from my ideal
Considering the questions from the previous two slides to answer the following

1. What does this have to do with ethics?
2. How does this have an affect on me and my job?
3. What difference does this make in my life?
The aim of ethics education is not to change one’s behavior, but to give them an understanding of the nature of ethics so that they can develop approaches to analyzing ethical dilemmas

-Norman Linzer-
What would you do in the following example?

You are working with a female individual who is 28 years old with a history of overuse of prescription medications, and diagnosed of Bi-Polar. The individual is currently 22 week pregnant with twins. She has not received any prenatal care but has an appointment scheduled in one week. The individual states that she has bought Heroin and Methadone off the street when she cannot get her prescription medications. The individual states that she does not have a problem with prescription drugs and she does not need treatment at this time. The individual does not take any psychotropic medication at this time.
The individual stated that she will be ok and really does not want this pregnancy but will carry to term. The individual is currently living with “friends” but you are unsure of this.

1. What concerns do you have?
2. Do you make a DSS referral?
3. What recommendation would you make?
4. What ethical problems have you identified?
What is the Purpose of Ethics?
What things contribute to our ethical decision making?
What does ethics mean to you?
Definitions

- Ethics - the discipline of dealing with what is good and bad and with moral duty and obligation.
- Ethics - a set of moral principles or values
- Ethical - involving or expressing moral approval or disapproval
- Ethical - conforming to accepted professional standards of conduct.
What does dilemma mean to you?
Definitions

- Dilemma- an argument presenting two or more equally conclusive alternatives against an opponent
- Dilemma- a problem involving a difficult choice.
What is Ethical Dilemma?
Ethical Dilemma

An issue that is especially complex because every option for action-including no action-will result in some degree of harm or wrongdoing. One is forced, therefore, to make a choice among conflicting ethical duties or obligations.
Ethics is the non-abuse of power

Those you “are helping” may assign power to you that you may not really have. The more intimate the situation...the more power that may be assigned.
Components of An Ethical Code

- Non-Discrimination
- Responsibility
- Competence
- Legal and Moral Standards
- Public Statements
- Publication Credit
Components of An Ethical Code

- Client Welfare
- Confidentiality
- Client Relationship
- Interpersonal Relationship
- Societal Obligations
Who are code of ethics designed for?

- The professional: for guidance
- The field: for the science of practice and integrity of our business
- The consumers/client: to establish boundaries and to have expectations and recourse
To whom does Social Workers/Counselors have an ethical responsibility?
Social Workers/Counselors have an Ethical Responsibility to:

- Consumers
- Colleagues
- Other Professionals
- Agencies
- Social Work Profession
- Society
- Our Selves
- Insurers/Taxpayers
“Do not judge my story by the chapter you walked in on.”

- Unknown -
CASE STUDY 1
How do stressors play a part in ethics?
What are stressors social workers and other counseling professionals face today?
Stressors include:

- Boundaries
- Performance Expectations
- Ethical conflicts
- Finances
- System changes
- Limited resources
- Life Changes
Do Ethics evolve over time?
What are different types of ethical problems/violations, conflicts?
When does the “professional relationship” begin?
When does the “professional relationship” end?
Professional Mission Statement of Social Work

- Enhance human well being
- To help meet the basic human needs of all people
- To pay attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty
- To promote social justice and social changes with and on behalf of clients
Professional Mission Statement of Social Work

- To strive to end discrimination, oppression, poverty, and other forms of social injustice.
- To promote the responsiveness of organizations, communities and other social institutions to individuals’ needs and social problems.
What are the six purposes of the code of ethics?
Purpose of Code of Ethics

- Identifies core values on which social work’s mission is based
- Summarizes broad ethical principles that reflect the profession’s core values and establishes a set of specific standards that should be used to guide social work practice.
- Help social workers identify relevant considerations when professional obligations conflict or uncertainties arises.
Purpose of Code of Ethics

- Provides ethical standards in which the general public can hold the social work profession accountable
- Socializes practitioners new to the field to social work’s mission, values, ethical principles and ethical standards
- Articulates standards that the social work profession itself can use to assess whether social workers have engaged in unethical conduct.
The code of ethics offers a set of values, principles, and standards to guide decision making and conduct when ethical issues arises.

IT DOES NOT PROVIDE A SET OF RULES THAT PRESCRIBE HOW SOCIAL WORKERS SHOULD ACT IN ALL SITUATIONS.
Ethical responsibilities flow from all human relationships, from the personal and familial to the social and professional.
What are the six core values of the Social Work Profession?
Six Core Values

- Service
- Social Justice
- Dignity and worth of the person
- Importance of human relationship
- Integrity
- Competence
Core Values

Service

Primary goal is to help people in need and to address social problems
Core Values

Social Justice

Challenge social injustice
Core Values

Dignity and Worth of the Person

Respect the inherent dignity and worth of the person.
Core Values

Importance of Human Relationship

Recognize the central importance of human relationship.
Core Values

Integrity

Behave in a trustworthy manner.
Core Values

Competence

Practice within area of competence and develop and enhance their professional expertise.
What are the six ethical standards?
Ethical Standards

- Social workers’ ethical responsibilities to clients
- Social workers’ ethical responsibilities to colleagues
- Social workers’ ethical responsibilities in practice settings
- Social workers’ ethical responsibilities as professionals
- Social workers’ ethical responsibilities to the social work profession
- Social workers’ ethical responsibilities to the broader society
“Perfect courage is to do without witnesses what one would be capable of doing with the world looking on.”

- Francois, Duc De La Rochefoucauld -
Ethical Dilemma

UM has denied the request for a clinical service you think is critical for the consumer’s treatment.
What if you think it is critical to his/her health and safety?
Ethical Dilemmas often arise as the unintended consequences of well-intentioned actions, not from unethical motives.

Michael Rions, Ethics Consultant
Ethical decision making in a given situation must apply the informed judgment of the individual worker and should also consider how the issues would be judged in a peer review process where the ethical standards of the profession would apply.
Ethical Decision Making

7 step Model (Foster-Miller and Davis )

1. Identify the problem
2. Apply the appropriate code of ethics
3. Determine the nature of the dilemma
4. Generate potential course of action
5. Consider the potential consequences of all options and choose a course of action
6. Evaluate the selected action
7. Implement the course of action
Decision Making Model

- Describe the Issue
- Consider the Ethical Guidelines
- Examine the Conflicts
- Resolve the Conflicts
- Generate Action Alternatives
- Examine and Evaluate the Action Alternatives
- Select and evaluate the Preferred Action
- Plan the Action
- Evaluate the outcome
- Examine the Implications
Five Questions for Ethical Decision-Making

- Who will be helpful?
- What are my Choices?
- Where have I faced a similar dilemma?
- Where do laws, regulations, standards and principles lead me?
- Why am I selecting a particular course of action?
- How should I enact my decision?
The Five Principles of Ethical Power for Individuals

- **Purpose**: I see myself as being an ethically sound person. No matter what happens, I am always able to face the mirror, look myself straight in the eye, and feel good about myself.

- **Pride**: I feel good about myself. A balanced self-esteem keeps my ego and my desires to be accepted from influencing my decisions.

- **Patience**: I believe that things will eventually work out well. I don’t need everything to happen right now.

- **Persistence**: I stick to my purpose, especially when it seems inconvenient to do so! My behavior is consistent with my intentions.

- **Perspective**: I take time to enter each day quietly in a mood of reflection. This helps me to get myself focused and allows me to listen to my inner self and to see things more clearly.

Conflict between code of ethics and agency’s policies

When such a conflict occurs the individual should make an effort to resolve the conflict in a manner that is within the code of ethics and when that is not possible seek further consultation.
Never let your sense of morals prevent you from doing what is right.

-Isaac Asimov-
What role does ethics play in clinical supervision?
Things to consider when providing clinical supervision

- Appropriate evaluation
- Ethical principles
- Dignity/Self-Worth
- Competence
- Duty of Care
- Breach of Duty
- Causation
- Damage/Injury
- Record Keeping
Case Study 2
How has social media had an effect on ethics?
Social Media

How does Twitter, Facebook, Instagram, Snapchat, LinkedIn and other social media impact our field today?

How do you use social media to advertise your business?

Do you have a business page/account and a personal page/account?

What would you do if a current or past consumer requested to be your friend?

What about peers/coworkers being your friend on social media?
Social Media

Things to consider when participating in social media

- What does your page say about you?
- What does your pictures say about you?
- What does you post say about you?
- What personal information is on you profile?
- What information about your family is posted online?
- How what you post will have an impact on your consumer?
- How what you post impact current or future employment?
Duty To Warn!
Court Cases

- Tarasoff vs Regents of the University of California (1976)
- Currie vs. United States (1987)
- Gregory vs Kilbride (2002)
*Arizona, Delaware and Illinois have different duties for different professions.
Tarasoff does not apply in NC. NC does not require a duty to warn, but the clinician may still do so. Most attorneys will say they would rather defend you taking an action than failing to act. The “best medical practice” standard applies here. Some guidelines to use when deciding whether you warn are:

1. The therapist must have a professional relationship with the patient making the threat.
2. The threat must be made in the presence of the mental health professional.
Issues to Consider continued

3. The threat must be toward an identified or identifiable person
4. The threat must pose a serious threat of physical harm to the person.
5. The staff must assess the patient for potential dangerousness to that person, which also goes to seriousness of the threat.
Case Study 3
Basic factors of giving a warning

~Document the threat
~Identify potential victim
~Assess seriousness of the threat and potential for harm
~Attempt by expeditious means to notify potential, identifiable victim of the threat of harm
~Document notification
Rationalizations That Allow For Unethical Behavior

- The belief that what I’m doing is really not unethical, illegal or immoral.
- The belief that there are times when the end justifies the means.
- The belief that what I’m doing is important to the welfare of the organization and the organization would support.
“Facts do not cease to exist because they are ignored”

-Aldous Huxley-
Rationalizations That Allow For Unethical Behavior

- The Belief that I’m expected (by my organization, peers, colleagues) to do this; or ...it’s the norm
- The belief that no one will ever know or find out.

Based upon Management Values In Perspective, Warren
We are Vulnerable to Boundary Violation when:

Unhappy in personal life/relationship

Job frustration/Compassion fatigue/Burnout

Disappointment with profession, career or accomplishments

Not attending to personal issues

Isolation from social outlets

Lack of training and/or experience
Most common Ethical Violations

- Dual Relationships
- Breaches of Client Confidentiality
- Incompetence
- Prevent suicide attempts
Things To Remember

- Do Not cause any further harm
- Help the client become self dependent and not system dependent
- Treat everyone the way you would like to be treated.
- MAKE SURE TO TAKE TIME FOR YOURSELF TO RELAX AND HAVE FUN!!!!!
Always continue to question your certainties, assumptions, long held beliefs and basic approaches. You may discover unexpected and new meanings to your truths

Unknown
Acknowledgements

- Merriam-Webster Collegiate Dictionary
- National Association of Social Workers
- American Psychological Associations
- American Counseling Association
- Time Hall of Robeson Health Care
- Ethical Pitfalls: Avoiding Professional Hazards by Steve Polovick
- What would you do? By Patricia Kenyon
- Values & Ethics in Social Work by Chris Beckett and Andrew Maynard
- The ethics of Administration by Kim Strom-Gottfried
- Keeping Ethics in Clinical Practice: Everyday Issues & Dilemmas By Frances Patterson, PHD