Up Your Ethics Game.
Tips and Tricks for Ethical Challenges
ISHA Convention- Rosemont, IL
February 8, 2019

Learning Objectives

▶ Identify a minimum of one option in dealing with scenarios that challenge professional ethics.
▶ Apply ASHA Code of Ethics principles to challenges within a variety of practice settings.

About Us

▶ Michelle Zemsky Dineen, MA, CCC-SLP- ISHA Ethics Education Committee, Chair
▶ Danielle R. Osmelak, EdD, CCC-SLP- ISHA Ethics Education Committee, Member

Special thanks to our committee colleagues
Meredith Baker-Rush
Judith Ball
Melanie Frazek
Ilene Ross
Laura Wilber
About you

- Schools
- Private Practice
- University
- SNF/subacute
- Inpatient rehab
- Home Health
- Outpatient

NEW Requirement

- ISHA Practice Act - 2018
  - IDFPR responsible for all licensure requirements
- ASHA - 2020 Certification Standards
  - https://www.asha.org/Certification/2020-SLP-Certification-Standards/

Why Ethics?

- Is it more important than everything else we do?
- "But I'm ethical..."
- Follows ASHA/AOTA/APA Joint Consensus Statement, 2014
  - Available at https://www.asha.org/Practice/Ethics/Consensus-Statement-ASHA-AOTA-APA
- Needs to be embedded in all decision making
- Foundational to the profession
What do YOU think of when you think about ethics?

- Billing
- Competency
- Documentation
- Productivity
- Caseload development
- Protocols
- Assistants
- Supervision
- Evidence-Based Practice (EBP)
- Related terms:
  - Morality
  - Legality

Terminology

**Morals:** One’s idea of morals tends to be shaped by one’s surrounding environment (and sometimes their belief system). Moral values shape a person’s ideas about right and wrong.

- **Origin:** Latin word “mores” meaning “custom”
- **Ethics:** pertaining to or dealing with morals or the principles of morality; pertaining to right and wrong in conduct, being in accordance with the rules or standards of a profession.
  - **Greek word** “ethos” meaning “character”
- **Values:** basic and fundamental beliefs that guide or motivate attitudes and actions (variable among people)
- **Legal:** “Permitted by law, pertaining to law connected with the law or that is connected with law”
  - Rules based “rightness” (right & wrong determined by others/government)

Source: dictionary.com
Tips & Tricks: How do you avoid ethical pitfalls? Your bag of tricks

- Be prepared - Boy Scout Motto
  http://usscouts.org/advance/boyscout/leasethlaw.asp
- Knowledge is power - Sir Francis Bacon, 1597
- Know your resources
  - what are yours?

Resources

- Policies & Procedures
- State Practice Act
- ASHA
- State Department of Professional Regulation
- State Organization
- Peers, Mentors, others
Pitfall Danger Zones

- Competency
- Billing and Coding
- Supervision
- Staffing and Coverage issues
- Social Media

Pitfall Danger Zones: Competency

- How do you measure?
- Says who?
- Frequency?
- Self-assessment accuracy?

Pitfall Danger Zones: Billing and Coding

- ICD10 codes- what’s covered
- CPT codes
- Feedback from denials or errors
- How do you stay current?
Pitfall Danger Zones: Supervision

- Role of the Student
- Role of the CF
- Role of the Student/CF Supervisor
- Role of Leadership

Pitfall Danger Zones: Staffing and Coverage

- Acute
  - ED/ICU
- Rehab
  - Groups
  - High minute requirements/low level patients
  - Discharge planning
- Outpatient
  - Assisted/Independent Living
  - Consistency of treatment
- School
  - Collaboration
  - Groups

Pitfall Danger Zones: Social Media

- The Great Unknown
- Ripple effects
- Protecting your client
- Is it worth your license?
ASHA Schools Survey 2018: SLP Workforce and Work Conditions Report

SLPs were asked to identify which of six issues presented them with significant ethical challenges.

- 41% identified compromising quality of services as an issue.
  - Responses varied by type of facility, from 22% in administrative offices to more than 30% in combination of school settings (34%), secondary schools (35%), and special day/elementary schools (37%), and more than 40% in elementary schools (45%) and preschools (46%; p = .000).

- 21% selected adhering to administrative and regulatory mandates.

- 18% selected completing Medicaid billing.

- 13% identified feeling pressured by an employer, administrator, or supervisor to provide or deny a service, report scores, etc. that would be in violation of the ASHA Code of Ethics as a challenge.

- 40% selected none of the above.


Ethical Decision Making Steps

- Gather the facts
- Define the ethical issues
- Identify the affected parties (stakeholders)
- Identify the consequences
- Identify the obligations (principles, rights, justice)
- Consider your character and integrity
- Think creatively about potential actions
- Check your gut
- Decide on the proper ethical action and be prepared to deal with opposing arguments

Source: STEPS OF THE ETHICAL DECISION MAKING PROCESS - Ethical Decision Making - Faculty Development - Working Group & Dr. May, Professor and Director International Center for Ethics in Business

Let’s Practice!

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Situation

Your company is short speech pathologists and you’re asked to write documents (progress note, recertification) for residents you have not seen regularly, or at all.

What thoughts do you have on the ethics of this practice?
What about moral and legal issues?

Situation

You’re asked to cover an evaluation (speech/language/cognition) for a sister building knowing there is little chance they will be seen for follow-up due to staffing.

How do you feel about doing the evaluation.
What are the up/downsides from an ethics perspective?

Get involved:

“Ethics is not an inoculation; it’s a process. Most of us would scoff at a physical fitness program that says you can take a magic potion once in your life and be physically fit forever. Similarly being ethically fit involves constant practice and challenging yourself. You don’t “get” ethics by reading one article, talking to one guru, or going to one seminar. You learn a lot of fundamental ideas and get a conceptual platform to work with. But you need to do something to develop your skill, just as runners or musicians develop theirs.” (Rushworth Kidder, Ethical Fitness: Choosing Between Right vs. Right)

ISHA:
Friday, February 8th, 2019: Ethics Education Committee Meeting: 10:00 AM - 11:30 AM, Room 29

ASHA (student involvement):
ASHA Student Ethics Essay Award (Submit your essay and application by 11:59 a.m. ET on Friday, April 12, 2019)
https://www.asha.org/practice/ethics/essay_award/