

***ETHICAL & PROFESSIONAL COMPLIANCE: ADDRESSING  
REHABILITATION, PSYCHOTHERAPY, & SERVICE  
PROFESSION CONCERNS***



*Dr. Phillip D. Lewis, crc, IaDC-C*  
*Oklahoma statewide independent living counsel*

**LANGSTON**  
UNIVERSITY

# ABSTRACT:

- Does Ethics Matter within the Rehabilitation/Mental Health Counseling Profession? In fact, Compliance with Ethical and Professional Compliance has long been a public health concern for many consumers within the U.S. Whether in Rehabilitation Counseling, Mental Health, and/or other Allied Health related Professions. Lack of Ethical censorship and professional service provision has caused many consumers to suffer emotionally and psychosocially. The better we perform ethically and professionally; the better consumers will comply to the rehabilitation/counseling intervention clinically. Today, many persons with disabilities have experienced various Rehabilitation/Mental Health crisis and are still challenged by acts of unethical practice by service providers personally or vicariously, which may cause them to be less likely to be receptive to rehabilitation, counseling and guidance. The purpose of the presentation is to address the various Ethical, professional, mental health, and crisis intervention concerns among consumers. Presenter shall promote awareness and educate Rehabilitation/Mental Health Counseling professionals of those Ethical and Professional practices that will better assist practitioners with a plausible understanding of the importance of shared psychological safety, cultural sensitivity, and recommended strategies for implementing favorable service provision.



# OBJECTIVES

1. PRESENT A COMPREHENSIVE REFLECTION OF THE MAJOR ETHICAL & PROFESSIONAL STANDARDS TO ADDRESS COUNSELING CONCERNS.
2. DEFINE & RECOGNIZE THE IMPORTANCE OF ETHICS WITHIN THE REHABILITATION/COUNSELING PROFESSION.
3. GRASP ETHICAL COMPLIANCE FOR VARIOUS CLINICAL CONTROVERSIES.

# LEARNING OBJECTIVES

- 1. PRESENT A COMPREHENSIVE REFLECTION OF THE MAJOR ETHICAL & PROFESSIONAL STANDARDS TO ADDRESS COUNSELING CONCERNS.
- 2. DEFINE & RECOGNIZE THE IMPORTANCE OF ETHICS WITHIN THE REHABILITATION/COUNSELING PROFESSION.
- 3. GRASP ETHICAL COMPLIANCE FOR VARIOUS CLINICAL CONTROVERSIES.
- 4. ULTIMATELY, THIS PRESENTATION SHALL IDENTIFY THE ETHICAL STANDARDS FOR REHABILITATION COUNSELING PRACTICE, PROVIDING EXAMPLES OF THE APPLICATION AND USE FOR PROFESSIONAL DECISION MAKING.

# THE NEED FOR ETHICS

- “Strong ethical practice is very important in the field of counseling, especially for counseling professionals
- Why?
- Often Clients come to  
Instability



# WHAT IS ETHICS?

- “Ethics” derived from the GREEK WORD “ETHOS”, which means Character!
- Ethics guide behaviors that are deemed GOOD for SOCIETY and Individually.
- When someone identify him or herself as Rehabilitation Counselor/ Mental Health Professional, we are positioning ourselves to uphold the Ethical Standards put fourth by the Profession.
- 1947- The Social Work adopted The Code of Ethics
  - Revised The Agency
  - AMERICAN PSYCHIATRIC ASSOCIATION
  - AMERICAN PSYCHOLOGICAL ASSOCIATION
  - AMERICAN ASSOCIATION OF MARITAL & FAMILY THERAPIST
  - AMERICAN COUNSING ASSOCIATION




# UNETHICAL PRACTICE CASE EXAMPLE

- 'I'm a new racist.' Local judge removed from docket after court official shares audio recordings

<https://www.wxyz.com/news/local-news/investigations/im-a-new-racist-local-judge-removed-from-docket-after-court-official-shares-audio-recordings>


- She's a judge who makes life altering decisions for families and those with disabilities. Now Judge Kathleen Ryan is accused of making racist comments and using shocking derogatory language.

- 
- ❑ Counselors must repeatedly face a variety of ethical issues and dilemmas.
  - ❑ Specific standards and general principles are, therefore, intended to guide the counselor toward the highest ideals of practice.
  - ❑ The focus of this chapter, and presentation, will mostly be on the general principles, or guidelines, which govern ethical practice and conduct.
  - ❑ Deriving primarily from biomedical ethics, there are six ethical principles that underly the counseling profession today:
    - Autonomy
    - Beneficence
    - Nonmaleficence
    - Justice
    - Fidelity
    - Veracity



# ***THE HISTORICAL IMPORTANCE OF ETHICAL PRINCIPLES TO MENTAL HEALTH PROFESSIONS***

- ❑ In counseling, the principles are described as foundational guidelines of specific standards that address everyday practice.
  
- ❑ **Principle Ethics**, the model of ethical reasoning for the mental health profession, calls for the counselor to reason through an ethical dilemma by analyzing and balancing the ethical principles in order to arrive at a virtuous and honorable solution.
  - Several principles are usually involved in a dilemma, therefore, after carefully considering which principles are applicable, they should be weighed in terms of applicability or importance.
  
  - Principles must be carefully considered and weighed in all situations and if, set aside, valid and compelling evidence, or reasoning, must be given.
    - Such evidence-based reasoning should be established on situational factors and a greater importance of other core principles that may pertain to the issue at hand.
  
    - This process allows for maintaining the structure of obligation while not forcing an individual, or client, into compliance with standards that may not fit the specific circumstance.



ETHICS

*THE ETHICAL PRINCIPLES*

# ***AUTONOMY***

- ❑ Respect for **Autonomy** is the right to self-determination of choice and freedom from the control of others.
  
- ❑ Counselors respect autonomy when they:
  - do not unnecessarily interfere in the decisions of the client.
  - provide all necessary information to the client in an understandable way.
  - determine that the client has the capacity to assess, plan, and carry out the choice he or she makes.
  
- ❑ Professional ethical standards directly related to autonomy are:
  - Professional disclosure
  - Informed consent
  - Right to privacy/confidentiality
  - Determination of client competency

# ***BENEVICENCE***



This Photo by Unknown Author is licensed under [CC BY-SA](#)

- Working for the good of others and promoting mental health and wellbeing.
  - Entails a social obligation to provide mutual assistance to members of society, and an additional obligation to assist clients.
  - Important professional duties include:
    - An obligation to establish, reach, & maintain an appropriate level of competency in terms of knowledge, skills, & ethical practices.
    - Balancing the decision to actively undertake a course of action which might result in increased growth, against the possibility that some of the client's autonomy might be sacrificed.
    - Never assume an authoritative stance, or attitude, toward a client.
    - Being ever so cautious, when it comes to working with other cultures, races, classes, or religions, to never assume you know better than the client as to what is in their best interest.

# ***NONMALEFICENCE***



- ❑ Avoiding, or refraining from, any action that might cause harm: **“Above all, do no harm”**.
  - Considered as the most pressing obligation, due to the counselor’s potential to do both good and cause harm.
  - A counselor must determine whether the benefits of diagnosis outweigh the possible harm of going through the assessment and diagnostic process, especially since diagnosing is closely intertwined with treatment planning, funding, and the effects of labeling.
    - In making an accurate diagnosis, a counselor must rely on various observations, records, comments, evaluations, and judgments.

# ETHICAL OR UNETHICAL?

- ❑ A counselor in private practice utilizes a particular therapy technique only with female clients. He firmly believes that clients with past sexual abuse issues can only make progress if they have sex with a caring, male counselor. He regularly encourages his female clients to consider, as part of the treatment plan, engaging in sexual relations with him to “work through past trauma”. **Is this ethical? If not, which principle does this violate?**

# JUSTICE



- ❑ Involves equitable treatment or fostering fairness and equality
  - Counselors must ensure their processes, agencies, and services are not discriminatory in nature, and they must not operate in a way that advances discrimination at the hands of others.
  
- ❑ **Distributive Justice** concerns a socially just distribution of resources and services.
  - If serious inequalities within the system are found to exist, either within or outside of the system, the counselor must determine which types of advocacy to use in order to address the injustice and remedy the situation.
  - Criteria for distributive justice include:
    - Equal shares
    - Distribution by need, motivation, effort, or contribution of person
    - Free market exchange or purchase
    - Fair opportunity, or equalizing unequal opportunity
  
  - Counseling approaches such as due process considerations, processes of access to grievances, and techniques of systems intervention and advocacy are activities related to this principle.

# FIDELITY



- ❑ Honoring commitments, keeping promises, and maintaining loyalty.
  - The bond of trust is of utmost importance to the counseling relationship and its effectiveness.
  - The nature of promises made to the client, as well as, the social contract between professional and client are emphasized.
  - Obligational counseling practices include:
    - Professional disclosure
    - Informed consent
    - Maintaining confidentiality
    - Avoiding harmful relationships



# *VERACITY*

- ❑ Dealing truthfully with all individuals with whom counselors come into professional contact.
  - The principle characteristic is honesty
  - Counselors should not misrepresent information, withhold the truth, or lie to clients or to any other professional contacts.
  - This implies that, as a profession, counselors who are forthcoming, not deceitful, and open to communication are of value.



shutterstock.com · 508565875

This Photo by Unknown Author is licensed under [CC BY-SA-NC](#)

# ***PRINCIPLES AND CODES OF ETHICS***

- All six principles are drawn from broader, sociocultural contexts of what is right and good.
  - Therefore, they contain great explanatory power regarding how certain professional rules and practices, such as professional codes of ethics, agree with the general sense of morals communicated in western society.
  
- Even though the mental health professions now contain competing theories of ethical decision-making, such as virtue ethics and relationship ethics, principle ethics are still the dominant foundation of mental health codes of ethics.

# ***BEYOND ETHICAL PRINCIPLES: DEFINING ETHICAL STANDARDS***

- ❑ Ethical principles underly the more specific ethical standards in all counseling specialty codes of ethics.
- ❑ Ethical standards are defined as established guidelines defined by a professional group to direct professionals when they are addressing ethical dilemmas.
- ❑ All mental health professions endorse the core ethical obligations embodied in the the six ethical principles.

# CONCLUSION

- Six ethical principles guide ethical standards in the helping professions:
  - **Autonomy** – (self-determination)
  - **Beneficence** – (To do good)
  - **Nonmaleficence** – (Do no harm)
  - **Justice** – (Fair and equal treatment)
  - **Fidelity** - (Loyalty and honesty)
  - **Veracity** – (Being truthful)



# REFERENCES

- ❑ Cottone, R.R. & Tarvydas, V. (2016). *Ethics and decision making in counseling and psychotherapy* (4<sup>th</sup> ed.). Springer