



2022
ND SYMPOSIUM
ON ADULTS, AGING
AND DISABILITIES

**WORKING TOGETHER,
CONNECTING INDIVIDUALS
TO HOME AND COMMUNITY
BASED SERVICES**

NORTH
Dakota | Health & Human Services
Be Legendary.

HIERARCHY OF ETHICAL DECISION-MAKING

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Learning Objectives

1. To enable participants to **understand** and **describe** ethics concepts and approaches that impact professional practice.
2. To provide opportunities for participants to **acquire knowledge** about professional, legal and ethical standards of practice with particular attention to recent updates to the NASW Code of Ethics.
3. To enable participants to increase their ability to **recognize** ethical issues **and** to **apply** ethical decision-making frameworks and protocols.

Our Journey...

Ethics: Definitions and Overview

Working ethically

Ethical Decision Making

Addressing Ethical Dilemmas

The Changing Context

Culturally Sensitive Ethical Decision Making

Ethics Committees



Ethics



DEFINITIONS & INTRODUCTION

What are Ethics

Ethics are **a code** of morals or a moral philosophy **that governs an individual's behaviors and actions**. Social work ethics are guidelines that social workers must abide by when **acting in their professional capacity**.

<https://mastersinsocialworkonline.org/resources/social-work-ethics/>

Ethics refers to **standards and practices** that tell us how **human beings ought to act** in the many situations in which they find themselves—as friends, parents, children, citizens, businesspeople, professionals, and so on.

<https://www.scu.edu/ethics/ethics-resources/a-framework-for-ethical-decision-making/>

Ethics examines values and principles that can guide behavior and allow movement towards deciding on a preferred course of action in a particular situation

Ethics are not...

- ❖ based upon feelings
- ❖ the same as religion
- ❖ the same as following the law
- ❖ the same as following cultural norms

<https://www.scu.edu/ethics/ethics-resources/a-framework-for-ethical-decision-making/>

Ethical Principles

These are the **overarching ideals** to which all social work professionals should **aspire**. These ethical principles **lay the foundation** for specific ethical **standards** that social workers need to follow.

<https://mastersinsocialworkonline.org/resources/social-work-ethics/>

Ethical principles refers to those **general judgments that serve as a justification for particular ethical prescriptions** and evaluations of human actions.

<https://www.stmarys-ca.edu/institutional-review-board/basic-ethical-principles>

Ethical Decision-Making

Ethical decision-making refers to **the process of evaluating and choosing among alternatives in a manner consistent with ethical principles**. In making ethical decisions, it is necessary to perceive and eliminate unethical options and select the best ethical alternative.

<https://blink.ucsd.edu/finance/accountability/ethics-awareness.html>

Ethical Lenses

The Rights Lens

The Justice Lens

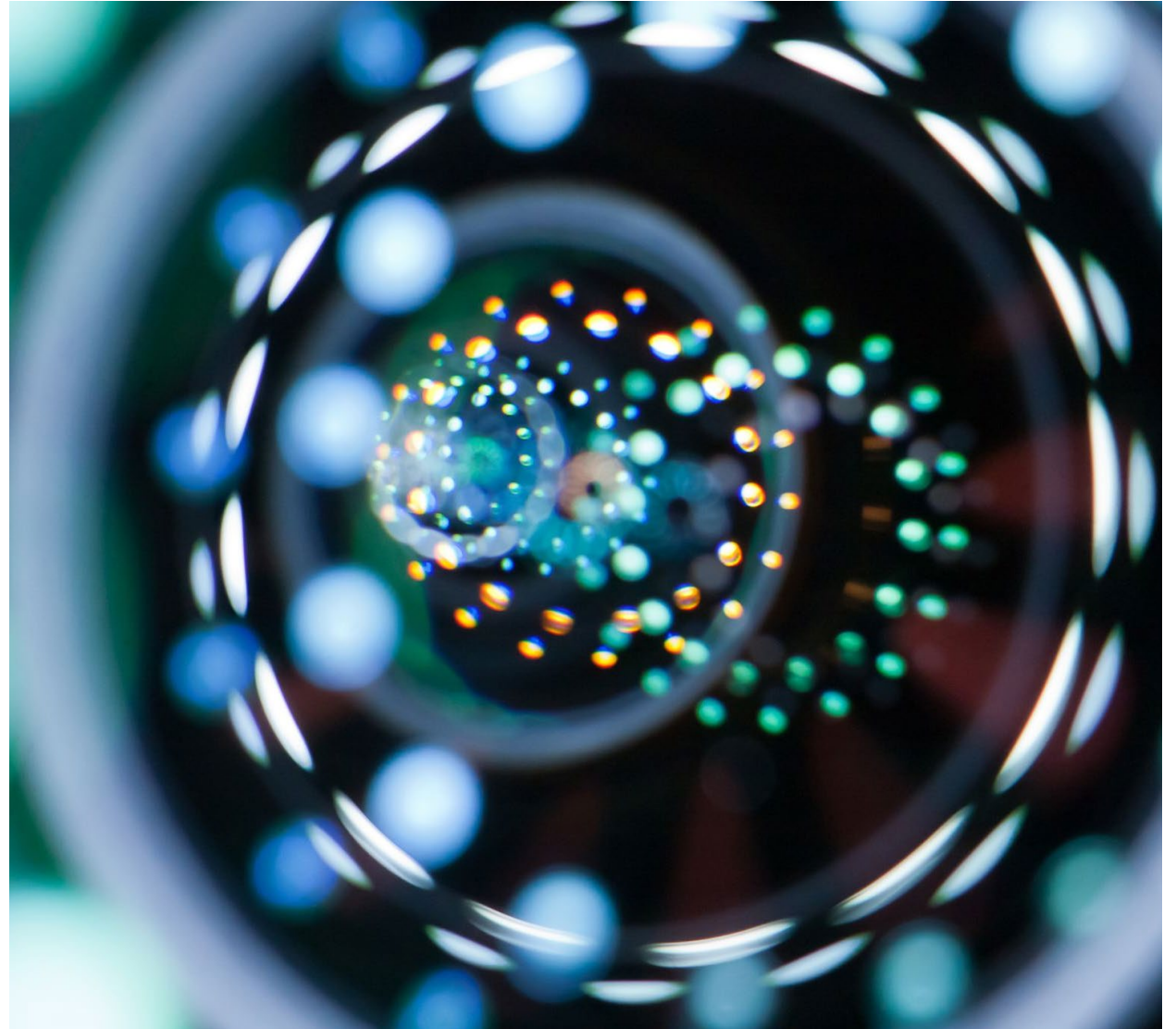
The Utilitarian Lens

The Common Good Lens

The Virtue Lens

The Care Lens

<https://www.scu.edu/ethics/ethics-resources/a-framework-for-ethical-decision-making/>



Ethical Dilemma

“a situation in which a difficult choice has to be made between two courses of action, either of which entails transgressing a moral principle.” Oxford Dictionary

According to the **NASW**, an ethical dilemma in social work is **a circumstance in which two or more professional ethical principles conflict.**

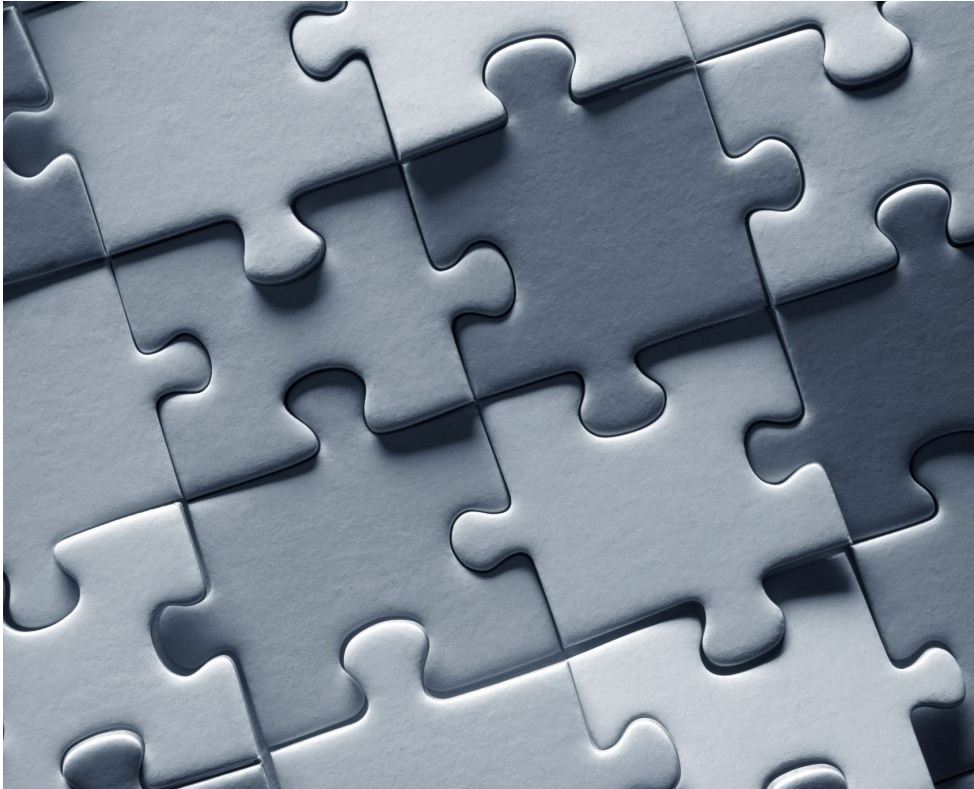
What are some ethical dilemma's do you encounter in the course of your work?





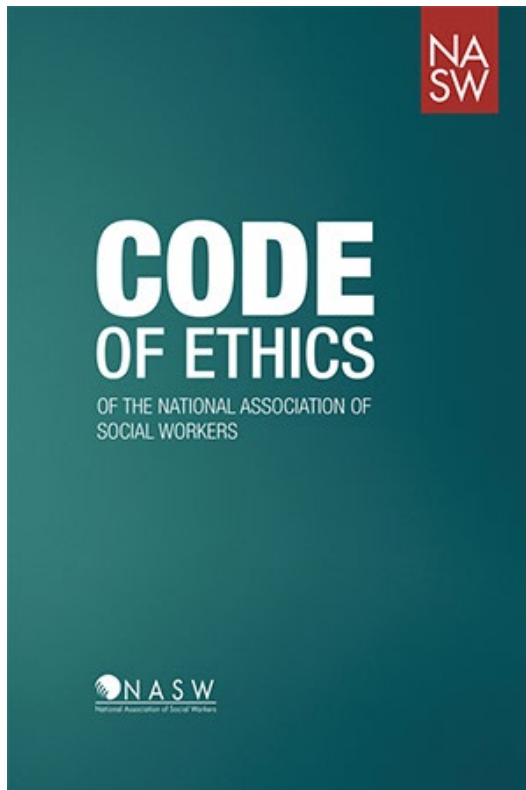
Working Ethically

Sources



- Professional Code of Ethics
- Client Wishes
- Laws and Regulations
- Community Expectations
- What sources of support are actually available
- Personal Values

NASW Code of Ethics



Current Code approved in 1996, revised in 2008 and 2017

Updated in 2021

Used to guide ethical practice in order to enhance human well-being and help the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty

Code of Ethics

VALUES

Service

Social justice

Dignity & worth of the person

PRINCIPLES

Help people in need and to address social problems

Challenge social injustice

Respect the inherent dignity and worth of the person

VALUE

Importance of human relationships

Integrity

Competence

PRINCIPLE

Recognize the central importance of human relationships

Behave in a trustworthy manner

Practice within areas of competence and develop and enhance their professional expertise

Standards

- 1) Social Workers Ethical Responsibilities to Clients – 17 Standards
- 2) Social Workers Ethical Responsibilities to Colleagues – 10 Standards
- 3) Social Workers Ethical Responsibilities in Practice Settings – 10 Standards
- 4) Social Workers Ethical Responsibilities as Professionals – 8 Standards
- 5) Social Workers Responsibilities to the Social Work Profession – 2 Standards
- 6) Social Workers Responsibilities to the Broader Society – 4 Standards

Changes 2017

Effective 01-01-2018

Preamble:

A new aspirational paragraph was added to the Preamble, identifying ways that technology may be used in various aspects of practice and reminding social workers that similar ethical standards apply whether social workers are communicating in person or through the use of technology

“Disability” to “Ability

Informed Consent (1.03)

A new standard, 1.03(e), encourages social workers to discuss policies concerning use of technology in the provision of professional services.

A new standard, 1.03(f), encourages social workers who plan to use technology in the provision of services to obtain client consent to the use of technology from the outset.

A new standard, 1.03(g), alerts social workers to the need to assess clients' ability to access and use technology, particularly for online and remote services

An addition was made to 1.03(h) to update language from “audiotaping and videotaping” to making “audio or video recordings,” given that digital recording is now more common than analog and tape recording.

A new standard, 1.03(i), guides social workers to obtain client consent before conducting an electronic search on clients. This fits with other informed consent procedures, ensuring clients are informed about the worker's plans for gathering information, assessing, and intervening with a client. An exception is provided for compelling professional reasons, such as the need to prevent serious, foreseeable, and imminent harm (e.g., a client who is suicidal or homicidal).

Competence (1.04)

A new standard, 1.04(d), extends the concept of competence to include the ability to use technology in a competent manner

A new standard, 1.04(e), guides social workers using technology to ensure that they comply with the laws of both the jurisdiction where the social worker is regulated and located, as well as where the client is located.

Conflict of Interest (1.06)

A new standard, 1.06(e), discourages social workers from communicating with clients using technology for personal or non-work-related purposes.

A new standard, 1.06(f), suggests that social workers should be aware that posting personal information on professional websites or other media could cause boundary confusion, inappropriate dual relationships, or harm to clients.

A new standard, 1.06(g), suggests that social workers should be aware that clients may discover personal information about them based on their personal activity

A new standard, 1.06(h), suggests that social workers should avoid accepting requests from or engaging in personal relationships with clients on social networks or other electronic media and use of social media.

Sexual Relationships (1.09)

Standard 1.09 was amended to prohibit “inappropriate sexual communications,” in addition to sexual activities and contact with clients. This new language covers both in-person and electronic communication

<https://www.socialworkers.org/About/Ethics/Code-of-Ethics/Code-of-Ethics-English>

<https://www.socialworker.com/feature-articles/ethics-articles/the-2017-nasw-code-of-ethics-whats-new/>

2021 update

Professional self-care is paramount for competent and ethical social work practice. Professional demands, challenging workplace climates, and exposure to trauma warrant that social workers maintain personal and professional health, safety, and integrity. Social work organizations, agencies, and educational institutions are encouraged to promote organizational policies, practices, and materials to support social workers' self-care.

*5. The Code socializes practitioners new to the field to social work's mission, values, ethical principles, and ethical standards, **and encourages all social workers to engage in self-care, ongoing education, and other activities to ensure their commitment to those same core features of the profession.***

Ethical Principle: Social workers behave in a trustworthy manner.

*Social workers are continually aware of the profession's mission, values, ethical principles, and ethical standards and practice in a manner consistent with them. **Social workers should take measures to care for themselves professionally and personally.** Social workers act honestly and responsibly and promote ethical practices on the part of the organizations with which they are affiliated.*

1.05 Cultural **Competence**

(a) Social workers should **demonstrate understanding** of culture and its function in human behavior and society, recognizing the strengths that exist in all cultures.

(b) Social workers should **demonstrate knowledge that guides practice with clients of various cultures** and be able to demonstrate **skills** in the provision of **culturally informed** services that **empower marginalized individuals and groups**. **Social workers must take action against oppression, racism, discrimination, and inequities, and acknowledge personal privilege.**

(c) Social workers should **demonstrate awareness and cultural humility by engaging in critical self-reflection (understanding their own bias and engaging in self-correction), recognizing clients as experts of their own culture, committing to lifelong learning, and holding institutions accountable for advancing cultural humility.**

*(d) Social workers should obtain education about **and demonstrate understanding** of the nature of social diversity and oppression with respect to race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, and mental or physical ability.*

*(e) Social workers who provide electronic social work services should be aware of cultural and socioeconomic differences among **clients' use of and access** to electronic technology and **seek to prevent such potential barriers**. Social workers should assess cultural, environmental, economic, mental or physical ability, linguistic, and other issues that may affect the delivery or use of these services.*

<https://www.socialworker.com/feature-articles/ethics-articles/special-report-2021-revisions-nasw-code-of-ethics/>

NAPS Code of Ethics Values & Principles

Guiding Value: Every action taken by Adult Protective Services must balance the duty to protect the safety of the vulnerable adult with the adult's right to self-determination.

Secondary Value: Older people and people with disabilities who are victims of abuse, exploitation or neglect should be treated with honesty, caring and respect.

Principles

- Adults have the right to be safe
- Adults retain all their civil and constitutional rights unless some of these rights have been restricted by court action
- Adults have the right to make decisions that do not conform with societal norms as long as these decisions do not harm others
- Adults are presumed to have decision-making capacity unless a court adjudicates otherwise
- Adults have the right to accept or refuse services

Practice Guidelines

- Recognize that the interests of the adult are the first concern of any intervention
- Avoid imposing personal values on others
- Seek informed consent from the adult before providing services
- Respect the adult's right to keep personal information confidential
- Recognize individual differences such as cultural, historical and personal values
- Honor the right of adults to receive information about their choices and options in a form or manner that they can understand
- To the best of your ability, involve the adult as much as possible in developing the service plan
- Focus on case planning that maximizes the vulnerable adult's independence and choice to the extent possible based on the adult's capacity

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- Use the least restrictive services first community-based services rather than institutionally based services whenever possible
 - Use family and informal support systems first as long as this is in the best interest of the adult
 - Maintain clear and appropriate professional boundaries
 - In the absence of an adult's expressed wishes, support casework actions that are in the adult's best interest
 - Use substituted judgment in case planning when historical knowledge of the adult's values is available
 - Do no harm. Inadequate or inappropriate intervention may be worse than no intervention

Ethical Decision- Making Frameworks

A Framework for Ethical Decision Making

Markkula Center for Applied Ethics

Identify the Ethical Issues

1. Could this decision or situation be damaging to someone or to some group, or unevenly beneficial to people? Does this decision involve a choice between a good and bad alternative, or perhaps between two “goods” or between two “bads”?
2. Is this issue about more than solely what is legal or what is most efficient? If so, how?

Get the Facts

3. What are the relevant facts of the case? What facts are not known? Can I learn more about the situation? Do I know enough to make a decision?
4. What individuals and groups have an important stake in the outcome? Are the concerns of some of those individuals or groups more important? Why?
5. What are the options for acting? Have all the relevant persons and groups been consulted? Have I identified creative options?

Evaluate Alternative Actions

6. Evaluate the options by asking the following questions:

- Which option best respects the rights of all who have a stake? (The Rights Lens)
- Which option treats people fairly, giving them each what they are due? (The Justice Lens)
- Which option will produce the most good and do the least harm for as many stakeholders as possible? (The Utilitarian Lens)
- Which option best serves the community as a whole, not just some members? (The Common Good Lens)
- Which option leads me to act as the sort of person I want to be? (The Virtue Lens)
- Which option appropriately takes into account the relationships, concerns, and feelings of all stakeholders? (The Care Ethics Lens)

Choose an Option for Action and Test It

7. After an evaluation using all of these lenses, which option best addresses the situation?
8. If I told someone I respect (or a public audience) which option I have chosen, what would they say?
9. How can my decision be implemented with the greatest care and attention to the concerns of all stakeholders?

Implement Your Decision and Reflect on the Outcome

10. How did my decision turn out, and what have I learned from this specific situation? What (if any) follow-up actions should I take?

<https://www.scu.edu/ethics/ethics-resources/a-framework-for-ethical-decision-making/>

Ethics Framework

1. **Examine** relevant personal, societal, agency, client, and professional values.
2. **Think** about what ethical standard of your professional code applies to the situation, and consider relevant laws and case decisions.
3. **Hypothesize** about possible consequences of different decisions.
4. **Identify** who will benefit and who will be harmed in view of professionals' commitment to the most vulnerable people.
5. **Consult** with one's supervisor and colleagues about the most ethical choice.

Addressing Dilemma's



Hierarchy of Ethical Decision-Making

Loewenberg, F.M. & Dolgoff, R. (2000). *Ethical Decisions for Social Work Practice* (6th ed.). Itasca, IL: FE Peacock

An ordering of principles to assist with decision making.

Principle of:

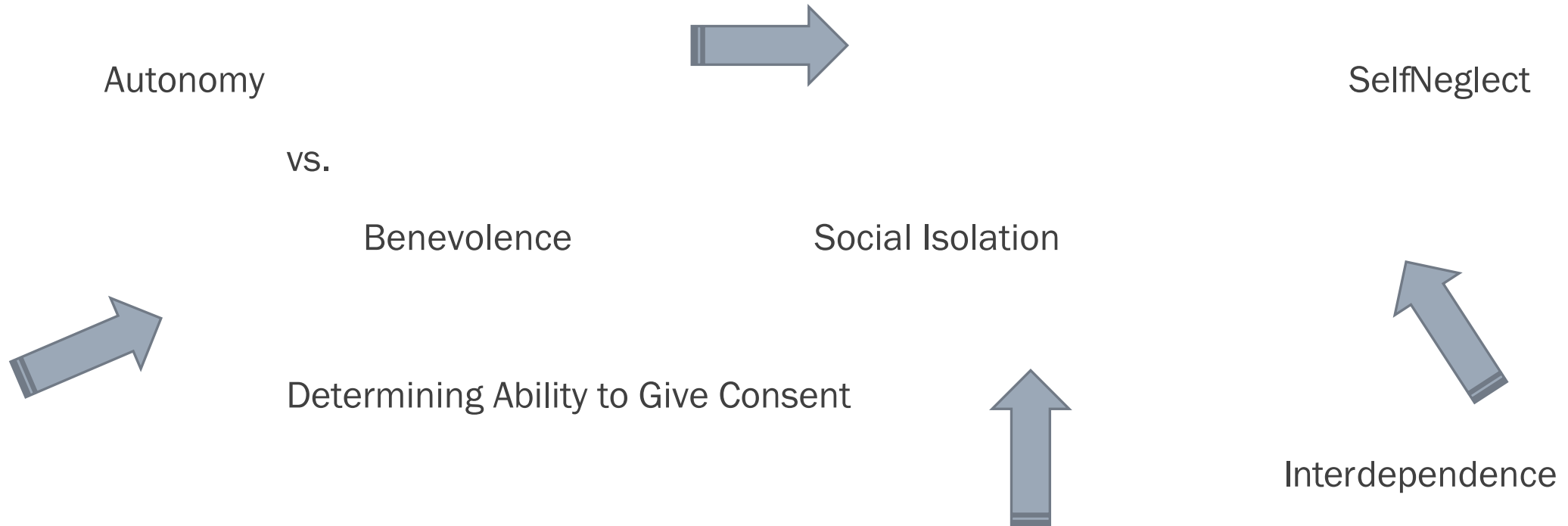
- the protection of life
- equality and inequality
- autonomy and freedom
 - least harm
 - quality of life
- privacy and confidentiality
- truthfulness and full disclosure

Reamer Social Work Values Hierarchy

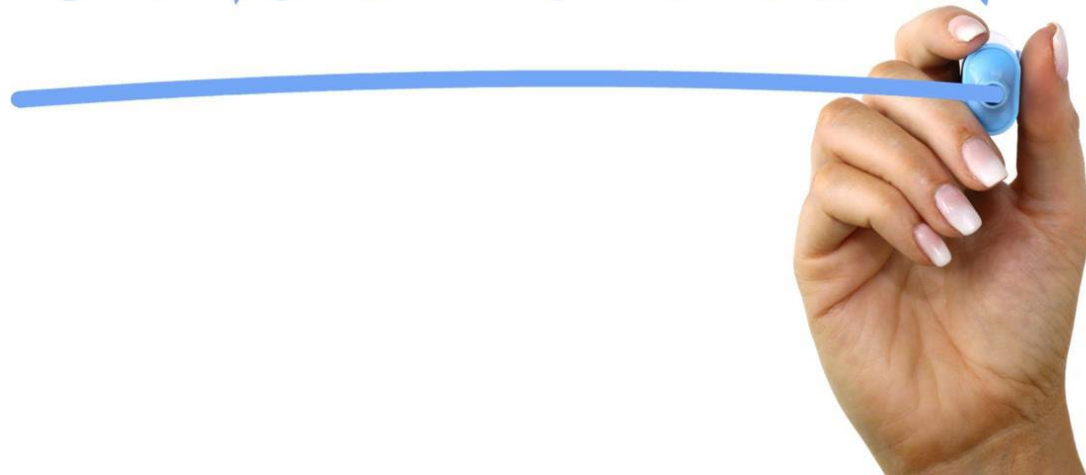
from Reamer, F.G. (1999). *Social Work Values and Ethics* (2nd ed.). New York: Columbia University Press

- Rules against basic harm to an individual's survival take precedence over rules against harms such as lying or revealing confidential information or threats to additive goods;
- An individual's right to basic well-being takes precedence over another individual's right to self determination;
- An individual's right to self-determination takes precedence over his or her right to basic well-being;
- The obligation to obey laws, rules and regulations to which one has voluntarily and freely consented ordinarily overrides one's right to engage voluntarily and freely in a manner that conflicts with these;
- Individuals' rights to well-being may override laws, rules, regulations and arrangements of voluntary associations in cases of conflict;
- The obligation to prevent basic harms and to promote public goods such as housing, education and public assistance overrides the right to complete control over one's property.

Key Areas of Tension



CASE STUDY



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The Context

CHANGING POPULATIONS AND DYNAMICS

Baby Boomers

Increased life expectancy

Increased diversity

Longer work years

Higher rates of obesity

Higher divorce rates

Higher income

Higher number of individuals with substance use history's

<https://www.prb.org/wp-content/uploads/2019/07/population-bulletin-2015-70-2-aging-us.pdf>

<https://drugfree.org/drug-and-alcohol-news/baby-boomers-continue-substance-use-as-they-age/>

Baby Boomers

From dependence to advantaged

Contender status

Increased use and comfortability with technology

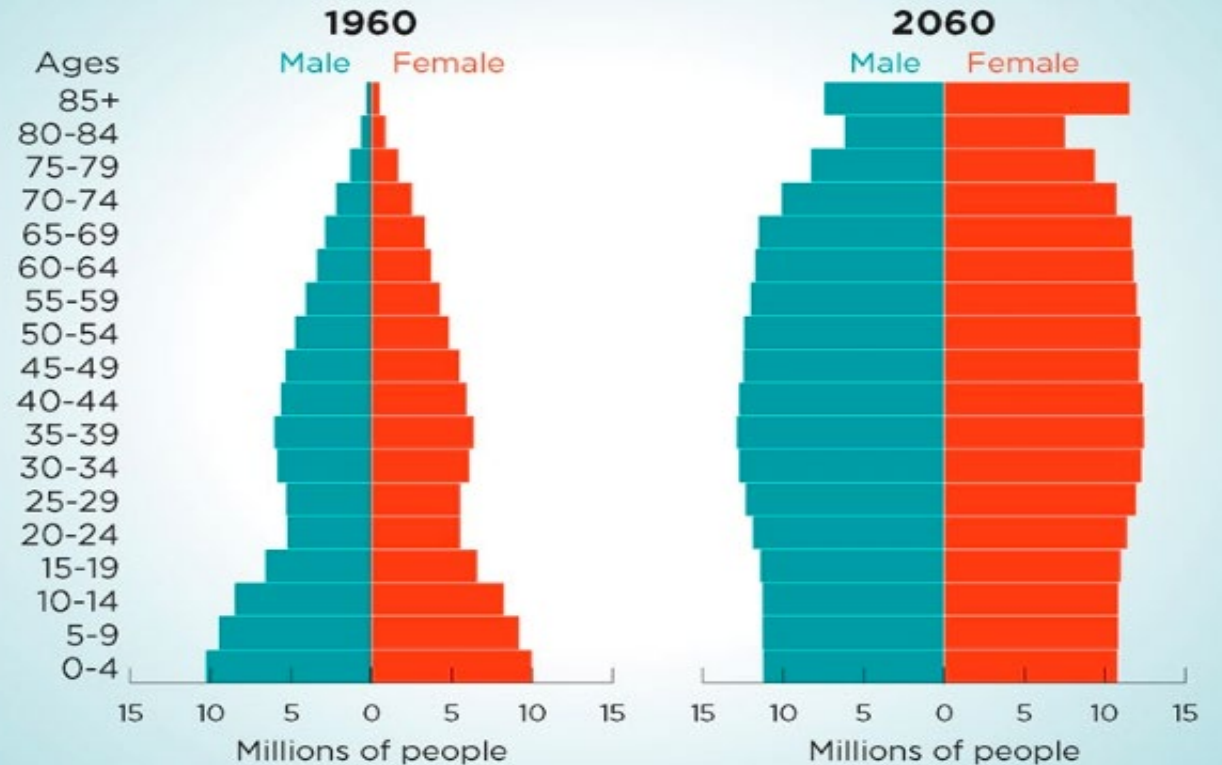
Increased use of health and social services

<https://academic.oup.com/gerontologist/article/52/2/149/618442>

The Greying of America

From Pyramid to Pillar: A Century of Change

Population of the United States



United States[™]
Census
Bureau

U.S. Department of Commerce
Economics and Statistics Administration
U.S. CENSUS BUREAU
[census.gov](https://www.census.gov)

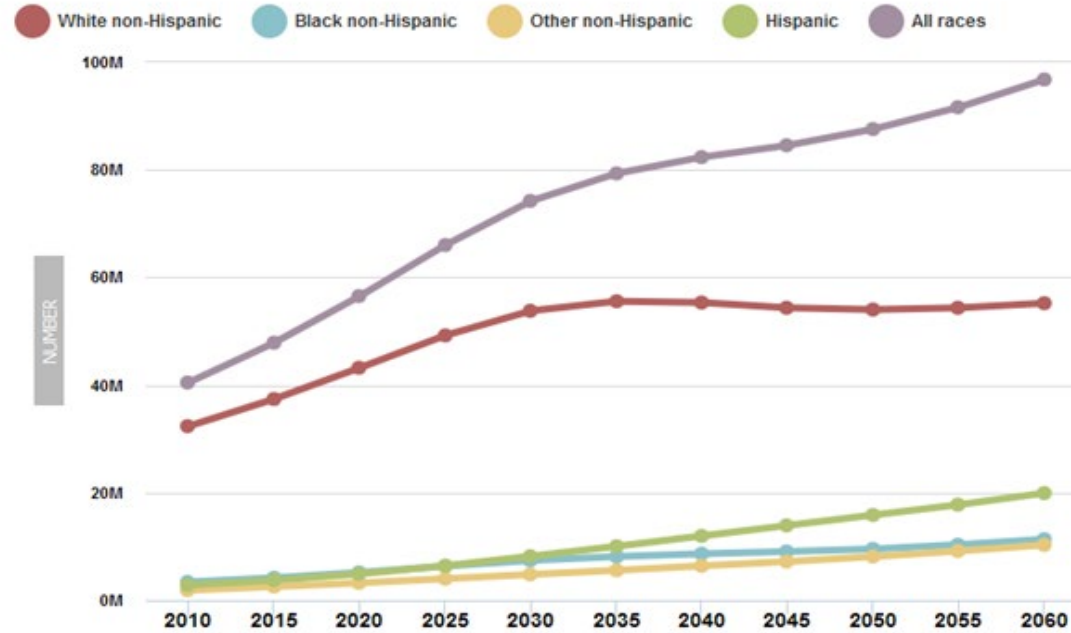
Source: National Population
Projections, 2017
www.census.gov/programs-surveys/popproj.html



Population Projections by Age, Sex, and Race/Ethnicity

Both Sexes; 65+; United States;

2060, 2055, 2050, 2045, 2040, 2035, 2030, 2025, 2020, 2015, 2010



Source: AARP Public Policy Institute calculations based on Regional Economic Models Inc, eREMI 3.7.0 (build 4042) standard regional control.

AARP DataExplorer, <http://dataexplorer.aarp.org/indicator/156/population-projections-by-age-sex-and-raceethnicity#/trend?primarygrp=dist2&dist5=31&dist2=2,6,8,9,10&dist1=13&loc=1&tf=38,37,36,35,34,33,32,31,30,16,11&fmt=496>

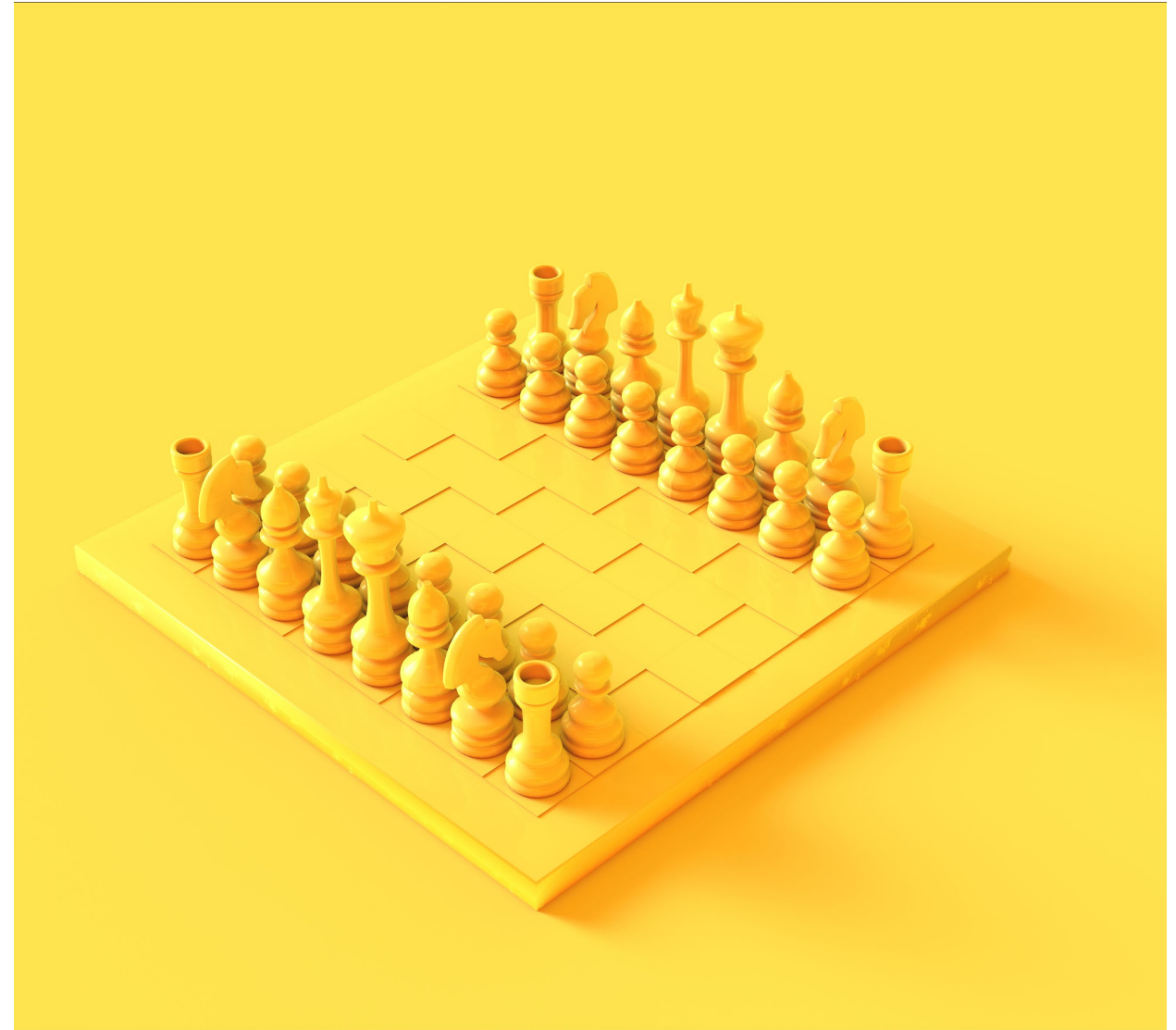
Contextual Challenges

Responding to a new generation of adults

Ensuring access to resources to meet this generational shift

Physician-assisted suicide

Appropriate use of technology and artificial intelligence

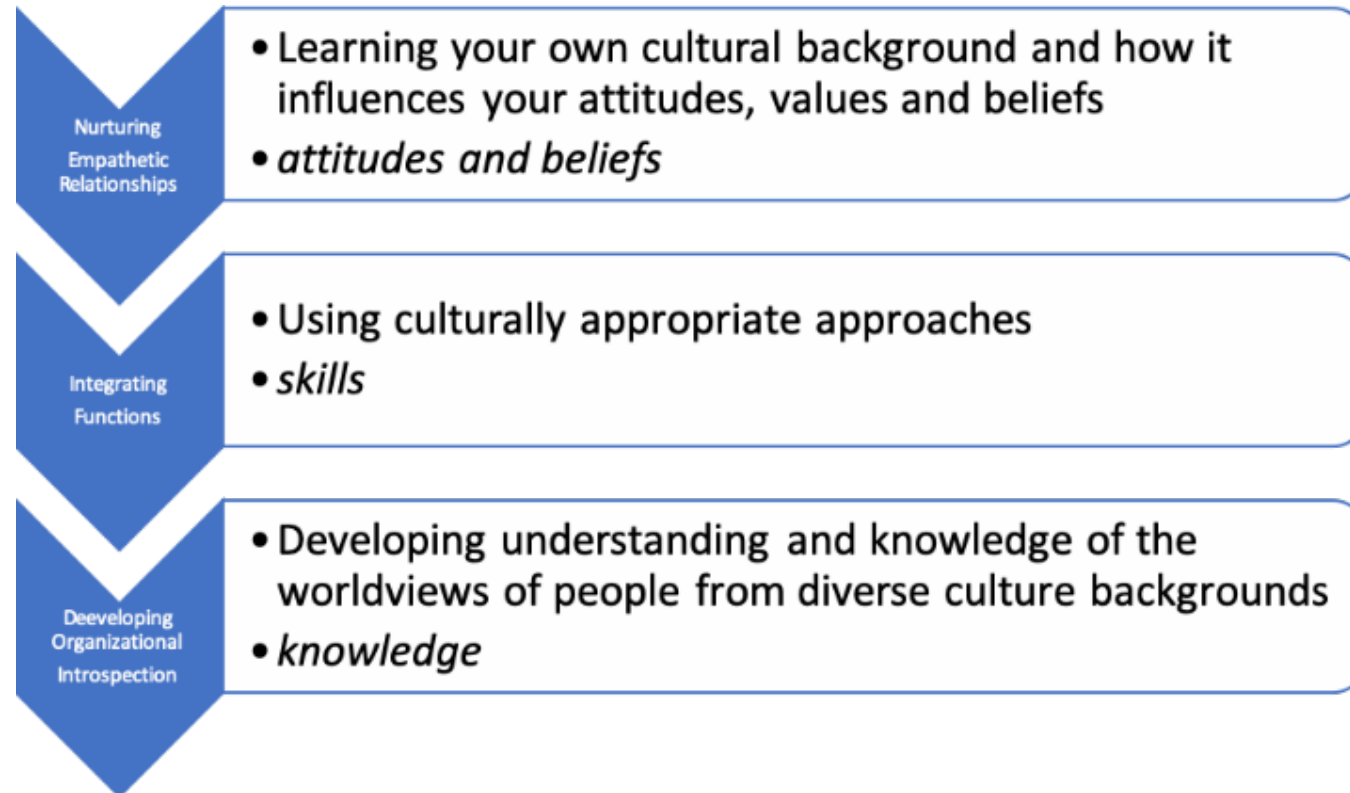


Culturally Sensitive Ethical Decision- Making

Cultural Humility

Creating an Inclusive Organization

<https://www.scu.edu/leadership-ethics/resources/cultural-humility-a-leadership-virtue/>





Ethics Committees

Purpose & Benefits

- ❖ Provides Support
- ❖ Reduce Burnout and Moral Injury
- ❖ Promote an ethical work environment
- ❖ Meet regulatory compliance

<https://dhge.org/about-us/blog/ethics-in-healthcare-patient-centered-care>

