

Ethical Quandaries: When Codes and Agendas Conflict

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Hippocrates

Supervision and Colleagues
Do No Harm
Stay within the limits of your
expertise
Dual Relationships
Confidentiality

APA Code of Ethics

- APA formed in late 19th Century
- Nearly 60 years without a Code
- Surveyed membership

TOP 3 Ethical Concerns

1. Confidentiality
2. Blurred Relationships
3. Payment Issues

ACA 2013 Ethics Report

1. Confidentiality
2. Responsibility
3. Supervision
4. Licensure

Mandatory Ethics vs Aspirational Ethics

“If psychologists ethical responsibilities conflict with the law... (they) make known their commitment to the Ethics Code and take steps to resolve the conflict... If the conflict is unresolvable... (they) may adhere to the requirements of the law”

APA's Five Principles

- **Beneficence and Nonmaleficence**
- **Fidelity and Responsibility**
- **Integrity**
- **Justice**
- **Respect for People's Rights and Dignity**

Beneficence and Nonmaleficence

- Strive to benefit those with whom you work and take care to do no harm. Seek to safeguard the welfare and rights of those with whom you interact professionally.

Fidelity and Responsibility

- Establish relationships of trust. Uphold professional standards of conduct, clarify your professional roles and obligations, accept appropriate responsibility for your behavior, and seek to manage conflicts of interest that could lead to exploitation or harm.

Integrity

- Seek to promote accuracy, honesty, and truthfulness in the science, teaching, and practice of mental health. In these activities... do not steal, cheat, or engage in fraud, subterfuge, or intentional misrepresentation of fact.

Justice

- Recognize that fairness and justice entitle all persons to access to and benefit from the contributions of (the mental health professions). Exercise reasonable judgment and take precautions to ensure that potential biases, boundaries of competence, and the limitations of expertise do not lead to or condone unjust practices.

Respect for People's Rights and Dignity

- Respect the dignity and worth of all people, and the rights of individuals to privacy, confidentiality, and self-determination.

Other Codes

Code of Conduct for US Judges

American Bar Association's Rules of Professional Conduct

National Association of Evangelicals' Ethics Code for Pastors

Fiduciary Responsibilities of Boards of Trustees

CAPS Code of Ethics

Dilemma #1

An LPC working as a school counselor is approached by a student for a counseling session. The counselor's office is in the same suite as the Principal and Assistant Principal.

The Principal hears the student state her father sometimes made her "uncomfortable".

Principal informs the LPC that the student's father is on the school board and this issue will not be pursued any further.

Is there an ethical dilemma?

Now what...???

Dilemma #2

An candidate tells her supervisor that her employer expects her to not exclude anyone from her groups. One of her therapy groups routinely has 20 people in it. She is expected to chart as if she had run two groups with 10 members each.

Is there an ethical dilemma?

Now what....???

Dilemma #3

A church wants to use its counseling ministry as an outreach to the community. There is an associate on staff who is trained and licensed eligible but has chosen not to be licensed. The church advertises the counselor's training to the congregation and community.

When a leader in the church discloses, in therapy, an extramarital affair, the counselor informs the pastor per the church policies and procedures.

Is there an ethical dilemma?

Now what....???

Dilemma #4

A parent in the middle of divorce takes her child to see a counselor to help the child cope with the transition and stress of the divorce. The counselor later finds herself in court being asked by the judge if the child would do well or be harmed by a 50-50 custody order.

Is there an ethical dilemma?

Now what....???

How to Negotiate an Ethical Dilemma

1. Consult, Consult, Consult
2. Overcome your dislike of confrontation
3. Open with an offer to collaborate

4. Listen
5. Understand what they want
6. Seek a Win-Win Solution

7. Look for commonalities

8. Do your homework

9. Acknowledge their objections

10. Look for other possibilities

Most Importantly...

11. Be resolute and faithful to your own values.

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