

Ethics and Code of Conduct

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No Disclosures

Learning Objectives

At the conclusion of this session the participant will be able to:

- Identify pertinent ethics standards and concerns with respect to the clinical use of hypnosis.
- Discuss standards for professional conduct in using hypnosis clinically.

What are Ethics?

- Ethics is the rules of behavior based on ideas about what is morally good and bad (Merriam-Webster, n.d., para. 1).
- The ability to differentiate between the good and bad choices
- Three types of ethics:
 - Moral Ethics-differentiating right from wrong
 - Social Ethics-how you live your life
 - Legal Ethics-How to follow society rules

Why are ethics important to professionals?

- Every profession has an ethical code
- They emphasize several common values orientations or ethical principles, including beneficence, non maleficence, justice, respect for patient autonomy, and confidentiality
- There is an increased rate of burnout when individual ethical standards or values are not shared by the health care organizations with which they are affiliated
 - Example of Health South

The implicit societal role of a professional

- Provision of highly specialized services to the community
- Requires extensive training/education
- Assumes competence, supported by state licensing requirements and board certification
- Looked up to in by the community as experts and leaders
- Held to a higher standard of behavior and actions

Examples of Failure to Adhere to Those Standards

- inappropriate officer behavior such as
 - Insider stock trading
 - Expense account fraud
 - Sexual harassment
 - Involvement in conflicts of interest

American Medical Association

Code of Ethics

- I. A physician shall be dedicated to providing competent medical care, with compassion and respect for human dignity and rights.
- II. A physician shall uphold standards of professionalism, be honest in all professional interactions, and strive to report physicians deficient in character or competence, or engaging in fraud or deception, to appropriate entities.
- III. A physician shall respect the law and also recognize a responsibility to seek changes in those requirements which are contrary to the best interests of the patient.
- IV. A physician shall respect the rights of patients, colleagues, and other health professionals, and shall safeguard patient confidences and privacy within the constraints of the law.
- V. A physician shall continue to study, apply, and advance scientific knowledge, maintain a commitment to medical education, make relevant information available to patients, colleagues, and the public, obtain consultation, and use the talents of other health professionals when indicated.
- VI. A physician shall, in the provision of appropriate patient care, except in emergencies, be free to choose whom to serve, with whom to associate, and the environment in which to provide medical care.
- VII. A physician shall, recognize a responsibility to participate in activities contributing to the improvement of the community and the betterment of public health.
- VIII. A physician shall, while caring for a patient, regard responsibility to the patient as paramount.
- IX. A physician shall support access to medical care for all people.

Nursing Ethical Guidelines

- Provision 1** | The nurse practices with compassion and respect for the inherent dignity, worth, and unique attributes of every person.
- Provision 2** | The nurse's primary commitment is to the patient, whether an individual, family, group, community, or population.
- Provision 3** | The nurse promotes, advocates for, and protects the rights, health, and safety of the patient.
- Provision 4** | The nurse has authority, accountability, and responsibility for nursing practice; makes decisions; and takes action consistent with the obligation to promote health and to provide optimal care.
- Provision 5** | The nurse owes the same duties to self as to others, including the responsibility to promote health and safety, preserve wholeness of character and integrity, maintain competence, and continue personal and professional growth.
- Provision 6** | The nurse, through individual and collective effort, establishes, maintains, and improves the ethical environment of the work setting and conditions of employment that are conducive to safe, quality health care.

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- Provision 7** | The nurse, in all roles and settings, advances the profession through research and scholarly inquiry, professional standards development, and the generation of both nursing and health policy.
- Provision 8** | The nurse collaborates with other health professionals and the public to protect human rights, promote health diplomacy, and reduce health disparities.
- Provision 9** | The profession of nursing, collectively through its professional organizations, must articulate nursing values, maintain the integrity of the profession, and integrate principles of social justice into nursing and health policy.

APA Ethics Code Preamble

- This Ethics Code is intended to provide specific standards to cover most situations encountered by psychologists. **It has as its goals the welfare and protection of the individuals and groups with whom psychologists work** and the education of members, students, and the public regarding ethical standards of the discipline.
- The development of a dynamic set of ethical standards for psychologists' work-related conduct **requires a personal commitment and lifelong effort to act ethically**; to encourage ethical behavior by students, supervisees, employees, and colleagues; and to consult with others concerning ethical problems.

Principle A: Beneficence and Nonmaleficence

Psychologists strive to benefit those with whom they work and take care to do no harm. In their professional actions, psychologists seek to safeguard the welfare and rights of those with whom they interact professionally and other affected persons, and the welfare of animal subjects of research. When conflicts occur among psychologists' obligations or concerns, they attempt to resolve these conflicts in a responsible fashion that avoids or minimizes harm. Because psychologists' scientific and professional judgments and actions may affect the lives of others, they are alert to and guard against personal, financial, social, organizational, or political factors that might lead to misuse of their influence. Psychologists strive to be aware of the possible effect of their own physical and mental health on their ability to help those with whom they work.

Principle B: Fidelity and Responsibility

Psychologists establish relationships of trust with those with whom they work. They are aware of their professional and scientific responsibilities to society and to the specific communities in which they work. Psychologists uphold professional standards of conduct, clarify their professional roles and obligations, accept appropriate responsibility for their behavior, and seek to manage conflicts of interest that could lead to exploitation or harm. Psychologists consult with, refer to, or cooperate with other professionals and institutions to the extent needed to serve the best interests of those with whom they work. They are concerned about the ethical compliance of their colleagues' scientific and professional conduct. Psychologists strive to contribute a portion of their professional time for little or no compensation or personal advantage.

Principle C: Integrity

- Psychologists seek to promote accuracy, honesty, and truthfulness in the science, teaching, and practice of psychology. In these activities psychologists do not steal, cheat or engage in fraud, subterfuge, or intentional misrepresentation of fact. Psychologists strive to keep their promises and to avoid unwise or unclear commitments. In situations in which deception may be ethically justifiable to maximize benefits and minimize harm, psychologists have a serious obligation to consider the need for, the possible consequences of, and their responsibility to correct any resulting mistrust or other harmful effects that arise from the use of such techniques.

Principle D: Justice

- Psychologists recognize that fairness and justice entitle all persons to access to and benefit from the contributions of psychology and to equal quality in the processes, procedures, and services being conducted by psychologists. Psychologists exercise reasonable judgment and take precautions to ensure that their potential biases, the boundaries of their competence, and the limitations of their expertise do not lead to or condone unjust practices.

Principle E: Respect for People's Rights and Dignity

- Psychologists respect the dignity and worth of all people, and the rights of individuals to privacy, confidentiality, and self-determination. Psychologists are aware that special safeguards may be necessary to protect the rights and welfare of persons or communities whose vulnerabilities impair autonomous decision making. Psychologists are aware of and respect cultural, individual, and role differences, including those based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, and socioeconomic status, and consider these factors when working with members of such groups. Psychologists try to eliminate the effect on their work of biases based on those factors, and they do not knowingly participate in or condone activities of others based upon such prejudices.

Informed Consent Essentials

- Age of Consent (varies by state) for treatment
- Legal representative consents if person is under legal age to consent or deemed incompetent
- Voluntariness
- Competence: “The right to make bad decisions.”
- Appreciation/Understanding of intended treatment/procedures (Disclosure)
- Appreciation/Understanding of risks and benefits of interventions/ procedures
- Appreciation/Understanding of alternative treatments

Scope vs. Competence

- Licensure defines whether a procedure is allowed for a professional with a given license – the professional's scope of practice.
- The principle of competence requires that a practitioner also know and train to use a procedure and deal with a specific patient population.
- Responsible practitioners will practice within the limits of their competence/expertise.
- When undertaking new applications or techniques, it is essential to obtain training on the application and relevant techniques and seek supervision by a professional with experience in treating a particular disorder or the use of the technique (Moss, 2020).

ASCH Code of Conduct

- **Two Sections:**
 - Ethical Principles
 - Philosophical Guidelines
 - Ethical Standards
 - Practical or Applied Guidelines
 - Procedures
- **Acceptance of Membership In or Certification by ASCH Commits the Member or Certified Clinician to the Code of Conduct**

ASCH Code of Conduct

- **Ethical Principles:**
 - **Competence**
 - **Use Hypnosis Only Within the Bounds of Training and Expertise, and Within Context of a Professional Relationship**
 - **Member's Expertise is Determined by: Professional Education, Training, Licensure, Experience**
 - **Recognize and Respect Limitations to Expertise**
 - **Strive to Stay Current: Research, Issues, Methods**
 - **Continuing Education Activities**

ASCH Code of Conduct

- **Ethical Principles:**
 - **Professional Responsibility: Serve Best Interests of Clients/Patients**
 - Consistent with Discipline and Licensure
 - When in Doubt: Consultation/Supervision
 - Accept Responsibility for Consequences of Their Behavior
 - Monitor and Make Appropriate Changes When Necessary to Comply With This Code
 - Educate the Public about Proper and Scientific Use of Hypnosis

ASCH Code of Conduct

- **Ethical Standards**

- Uphold Professional Standards, Ethics and Codes of Their Primary Discipline
- Maintain Good Standing in Professional Society or Association
- Maintain a License to Practice – Independent, Unrestricted, Unsupervised Level
- Don't Support Hypnosis Practice by Lay Hypnotists or Provide Them with Training

ASCH Code of Conduct

- **Ethical Standards**
 - **Public/Media Presentations**
 - **No Hypnosis for Entertainment**
 - **Ensure Any Hypnosis Demonstration is Done in a Way to Prevent or Minimize Risk to Audience**
 - **Assure Any Presentation of Hypnosis is Within Both the Spirit of The Code and the Guidelines of Their Discipline**
 - **Represent Their Professional Qualifications Fairly and Honestly**

ASCH Code of Conduct

- **Ethical Standards**
 - **This Code Does Not Prohibit**
 - **Teaching Individuals Who Would Be Eligible for ASCH Membership**
 - **Teaching Students of Health Care Disciplines**
 - **Teaching Patients/Clients Self-Hypnosis**
 - **Teaching in a Forum Which Serves to Educate the Consumer or Professional Public About Hypnosis**

ASCH Code of Conduct

- **Ethical Standards**
 - **In Human Subjects Research, Observe Standards of the Primary Discipline, Taking Precautions to Avoid Emotional/Physical Harm**
 - **When The Code is Unclear, Seek Guidance from Ethical Standards of Member's Primary Discipline**

ASCH Code of Conduct

- **Enforcement**
 - **Any Person May Initiate a Charge of Ethical Violation Against a Member of ASCH**
 - **Must Be Submitted In Writing to The Ethics Committee, Specify Time/Place, and Must Be Signed by the Complainant**

ASCH Code of Conduct

- **Enforcement**
 - Specific Procedures Are Then Followed by The Ethics Committee, Which Are Outlined in the Handout and on the Web Site.
 - The Ethics Committee will Report Its Findings to The Executive Committee and Recommend:
 - Dismissal of the Charges
 - Censure or Warning
 - Suspension
 - Expulsion

Disclosures

- **While Not Specified in the ASCH Code of Ethics, Faculty at ASCH Training Workshops and Scientific Meetings Are Required by Accrediting Agencies to Reveal Any Relationships with Pharmaceutical, Medical Device, or Other Firms Which Might Impact on Their Teaching.**
- **May Not Recommend Off-Label Use of Medications**

Clinical Hypnosis

For Further Information:

- **American Society of Clinical Hypnosis**
 - **www.asch.net**