**CHAPTER 1**

**Introduction to Professional Ethics:**

**A Psychology and Philosophy for Ethical Standards**

**Chapter Summary**

Because counselors, psychologists, and other mental health professionals boldly claim to be professional helpers, they have a duty to fulfill their promise of help and to protect the public from unscrupulous professionals. Acting ethically means being as competent as professed, considering the client’s welfare as predominant, using power responsibly, and conducting oneself so as to does not to damage clients or the reputation of the profession. When faced with an ethical dilemma, a counselor has four primary intellectual resources. The first is the literature from developmental psychology, which provides a framework for understanding the components of moral behavior. The second is the code of ethics of the professional association, which includes the standards one’s colleagues have set for the profession. Next is the philosophical literature, which helps counselors understand the ethical principles and theories that underlie professional codes of conduct. Finally, counselors can rely on books and articles by their colleagues who are experts in professional ethics. These scholars discuss ethical dimensions of emerging types of practice and debate the critical controversial ethics topics. These resources can guide the professional through many agonizing dilemmas. Ultimately, however, individual professionals must take responsibility for their own actions and use their commitment to ethical values to carry out the action. The documentation of unethical behavior shows that sexual contact with clients is a frequent violation for which counselors and psychologists are brought to ethics committees and court. Other kinds of multiple relationships that compromise objectivity also occur repeatedly. Incompetent practice, including violations of confidentiality, negligence in responses to suicidal clients, and inappropriate fees are also recurrent problems. There is little correlation between types of unethical practice and the characteristics of mental health professionals, with one exception. Male therapists are more likely than female therapists to engage in sexual misconduct with clients, former clients, students, and supervisees. Codes of ethics and laws related to counseling and psychotherapy overlap substantially, but some conflicts arise. Moreover, laws seek to eliminate problematic behaviors, while codes also define good and desirable behaviors. Sometimes practitioners disregard state laws because they feel compliance would harm their clients. Such civil disobedience should be carried out only after serious deliberation and comprehension of the possible consequences. The best insurance for avoiding legal problems is knowledge of the codes of ethics and their underlying principles and acting in accordance with them. However, professional ethics is not a matter of minimal

compliance with codes and laws; it represents a deep personal commitment to be a virtuous clinician who strives for the ethical ideal.

**Class Exercises and Assignments**

1. Have students interview 2-3 people who are not mental health professionals about their impressions of the behaviors the professional codes of ethics mandate or forbid mental health professionals to do. Have them ask their participants what ethical standards they would want to see if a member of their family were seeing a counselor or therapist and what ethical violations, if any, they have heard about through the news or from other people. The goal here is to begin the course by viewing professional ethics through the lens of the consumer. Then have students write a summary of the results of their interviews and share them in groups of 3-4 in class. Finally, based on the class discussion, develop a list of consumer priorities for ethical practice and then compare consumers' priorities for responsible practice with the codes of ethics.
2. Assign students to do a search for articles in the media in the last year relating to unethical practice by mental health professionals so that they gain a first-hand understanding of the kinds of unethical practice that make the news. This search may be limited to local or state newspapers or can be broadened to include regional or national sources such as the *New York Times* or the weekly news magazines. It may also be possible for them to search television listing for stories that have dealt with unethical mental health practice. If this assignment is to be graded, ask them to write a one-page summary of findings and include copies of the news articles they found. This activity helps students understand the impact that the most flagrant ethical violations has on the public and to appreciate that such outrageous behavior really occurs.
3. At the first class meeting, before students have begun to read the text or think deeply about professional ethics, ask them to write their own code of ethics for professional practice. This assignment can be done in small groups or individually, but the goal is to give them limited time, about 30 minutes, to brainstorm the topics they think most important. This assignment helps them begin to articulate their intuitive understanding of professional ethics and helps you to gauge their background and experience with the ethics of practice. If you have students in the class interested in particular settings such as chemical dependency treatment, school counseling, or marriage and family therapy, you may find it useful to group those students together and ask them to focus their work on that subset of the population of mental health professionals. The result will not be polished or complete, but the assignment provides students with a sense of the difficulty of the task of writing a code and deciding upon the standards, once they move past the obvious topics such as prohibiting exploitation of clients. Generally, I find it preferable to collect this assignment but to grade it on a pass/fail basis. I then return it to students at the end of the course and ask them to comment on how they would change or enhance what they wrote on the first day of class. Students are impressed with how much they have learned over the term.
4. Ask students to make appointments with at least one practicing professional to gather data on their impressions of the most common ethical issues they encounter in practice and the methods they usually use to resolve it. In addition, students should ask professionals how much worry about being sued or called into court affects their decision making about ethical issues. As with the consumer data, students can prepare a brief summary of findings and report to the class. Not only does this assignment give them experience with the dilemmas of practice, but it also provides them with an experience of asking a research participant for permission to anonymously disclose the interview content to others.
5. Have students role play a situation in which their advice is being sought by another mental health professional who is confronting a difficult ethical issue. The case of the professional who has seen evidence that her colleague is coming to work under the influence is one that works well. Students may divide into pairs or into groups of three with an observer. In this simulation one student plays a professional who has observed another professional acting in a potentially unethical way and the other plays a professional who is trying to help the other decide what needs to be done. This role play usually gives students a sense of the emotional impact of dealing with a serious ethical question, an experience of using the code as a resource to help a colleague, and practice in tactfully helping another professional to act responsibly. If an observer is used, that student should offer feedback once the role play is complete. The role play may be repeated with new partners.

**Questions for Discussion**

1. Do you think people with intuitive ethical judgments that conflict with the codes of ethics are also people who do not ascribe to the virtues that the profession values?
2. How can training programs design ethical admissions standards that evaluate the commitment of applicants to the values and principles that underlie the codes of ethics?
3. When you face your first ethical dilemma in practice, what do you think will be the most difficult part of acting ethically for you?
4. Should professionals always place professional ethics ahead of all other values? Can you think of situations where it might be better to give precedence to other values? Should professionals be asked to place ethical standards ahead of job security, for example?
5. What do you think about the very low rate of reporting of ethics violations to professional associations and licensing boards? How do you think this affects public confidence in the professions?
6. The one consistent finding from the literature on unethical practice is that males are more likely to violate the prohibition against sexual contact than females. Does this finding suggest that male professionals be asked to undergo more ethics training in dual relationship issues than female professionals, pay more liability insurance, or have stricter requirements for practice in any way?

**Cases for Discussion**

* Jenna, a licensed professional counselor, accidentally sees a colleague, Jeb, at a restaurant. Jeb is having dinner with a client. Jeb and his client are deep in conversation, laughing and having a grand time. From her table, Jenna watches behaviors she usually associates with couples who are dating. Jeb and his client finish and leave the restaurant without ever seeing Jenna there. The following Monday Jenna learns from the secretary that the person with whom Jeb was having dinner Saturday evening is still a current client. In fact, that client is scheduled to see Jeb later this week. Jenna makes an appointment to see the clinical director of the agency later that day and leaves Jeb a voice-mail message that he would be well advised to attend that meeting. Ultimately, Jeb is reprimanded by the agency for violating its rules and the director files an ethics complaint to the licensing board. Jeb tells Jenna he believes she also acted unethically when she did not talk with him before telling the director. He says that as a colleague he deserved better treatment.
* Margo has worked out a system for maximizing the insurance benefits her clients are eligible to receive. She knows that she is "bending the rules" and sometimes exaggerating her clients' problems, but states that she is justified because managed care companies and insurance companies act in inherently unfair ways that take advantage of clients' reluctance to openly complain about low reimbursement levels for mental health care. She says she always acts to protect the welfare of the client and does not personally profit from her system because she works for a public agency and gets a salary not direct payment from clients.

**Test Items**

**Essay Questions**

1. Identify the four major components of moral behavior in the Rest model and give at least two examples of how each component applies to the mental health professions.
2. What types of ethics complaints come before the ethics committees of the professional associations most commonly? How does this pattern differ from the types of malpractice claims that tend to get filed in court?
3. Describe four strengths and limitations of professional codes of ethics for mental health professionals.
4. What are the four essential dimensions of ethical practice? Identify at least one factor that makes each dimension more complex than it first appears.
5. Identify at least three ways in which unethical practice harms consumers and the profession.

**Multiple Choice Questions**

1. Moral sensitivity refers to:
2. A person's willingness to acknowledge their mistakes
3. A person's capacity to understand the impact of a situation on another's well being
4. A person's ability to act to benefit others even at their own expense
5. All of the above
6. None of the above

2. A competing value is:

1. The belief that a mental health professional should advance his or her own professional discipline before all others
2. A value that makes it impossible for a professional to act ethically
3. A value that tests a professional's commitment to professional ethics
4. All of the above
5. None of the above

3. Codes of ethics are revised frequently because:

1. New forms of practice emerge that are not discussed in the existing code
2. The pattern of ethics complaints against professionals changes and the codes need to include the aspects of misconduct that occur most frequently
3. Scholars have identified ethical issues not fully addressed in the existing code
4. All of the above
5. None of the above
6. Which of the following documents must a professional follow at the risk of losing the right of membership in a professional association:
7. Guidelines for Practice, such as APA's Record Keeping Guidelines
8. The code of ethics of every professional association in which he or she is a member
9. The interpretations of ethics codes as written in Casebooks and published in the professional literature.
10. All of the above
11. None of the above
12. Moral reasoning, as defined by Rest means:
13. The process of evaluating the alternatives when confronted with an ethical question
14. The process of knowing which section of the ethics code applies to a given situation
15. The process of accurately understanding the research and theory on ethical issues
16. All of the above
17. None of the above
18. Moral motivation, as defined by Rest means:
19. Being committed to moral values and reading about professional ethics
20. Being able to stand up for one's moral beliefs when others challenge them
21. Being able to choose to act morally even when other options are appealing
22. All of the above
23. None of the above
24. The most common ethical question practicing professionals face relates to:
25. How to avoid multiple relationships with clients
26. How to handle confidentiality of client communications
27. How to handle financial aspects of practice
28. None of the above
29. When the code of ethics conflicts with a court order a professional may:
30. Obey the court order without worry about discipline from licensing boards
31. Follow the advice of a consultant
32. Honor the ethics code because it protects a professional from being held in contempt of court
33. All of the above

(e) None of the above

**Recommended Readings**

American Psychological Association (APA) Committee on Professional Practice and Standards. (2001). Legal issues in the professional practice of psychology. *Professional Psychology: Research and Practice, 34,* 595-600.

Fisher, C.B. (2012). *Decoding the ethics code: A practical guide for psychologists.* Thousand Oaks, CA: Sage.

Freeman, S.J. (2000). *Ethics: An introduction to philosophy and practice.* Belmont, CA: Wadsworth.

Gibson, W. T., & Pope, K. S. (1993). The ethics of counseling: A national survey of certified counselors. *Journal of Counseling and Development, 71,* 330–336.

Gottlieb, M. C., Handelsman, M. M., & Knapp, S. (2013). A model for integrated ethics consultation. *Professional Psychology: Research and Practice, 44,* 307-313.

Kahneman. D. (2011). *Thinking fast and slow.* New York, NY: Farrar, Straus & Giroux.

Kitchener, R. F., & Kitchener, K. S. (2012). Ethical foundations of psychology. In S. J. Knapp, M. C. Gottlieb, & L. D. VandeCreek, Eds. APA *Handbook of Ethics in Psychology*, 1, 3–42. Washington, D.C.: American Psychological Association.

Knapp, S., Gottlieb, M., Berman, J., & Handelsman, M. M. (2007). When laws and ethics collide: What should psychologists do? *Professional Psychology: Research and Practice, 38*, 54–59.

Pope, K. S., Tabachnick, B. G., & Keith-Spiegel, P. (1987). Ethics of practice: The beliefs and behaviors of psychologists as therapists. *American Psychologist, 42,* 993–1006.

Rogerson, M. D., Gottllieb, M. C., Handelsman, M. M., Knapp, S., & Younggren, J. (2011). Nonrational processes in ethical decision making. *American Psychologist, 66,* 614-623.

Tjeltveit, A. C. (1999). *Ethics and values in psychotherapy.* New York: Routledge.

Wheeler, A. M. N. & Bertram, B. (2013). *The counselor and the law: A guide to legal and ethical practice* (6th ed.), Alexandria, VA: American Counseling Association.