

Ethical Decision-Making Model:

6 Ethical Behavior Principles:

1. **Autonomy** – fostering the right to control the direction of one's life
2. **Nonmaleficence** – avoiding actions that cause harm (1st : Do No Harm!)
3. **Beneficence** – working for the good of the individual & society by promoting mental health & well-being (2nd : Do Good!)
4. **Justice** – Treating individuals equitably; fostering fairness & equality
5. **Fidelity** – honoring commitments, keeping promises, fulfilling the responsibility of trust
6. **Veracity** – dealing truthfully w/those whom you contact professionally

The Louisiana PSS Code item references:

1. **Autonomy:** 2, 4, 5, 10, 12
2. **Nonmaleficence:** 4, 5, 6, 7, 8, 9, 10, 11, 13, 14
3. **Beneficence:** 1, 2, 6, 7, 12
4. **Justice:** 1, 4, 5, 6, 7, 10, 12, 14
5. **Fidelity:** 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
6. **Veracity:** 2, 3, 4

ETHICAL DECISION-MAKING MODEL:

1. **Identify** the problem.
2. **Consider the relevant codes of ethics, laws, policies.**
What standards apply? Which of the 6 moral principles takes priority in this case?
Autonomy? Nonmaleficence? Beneficence? Justice? Fidelity? Veracity?
3. **Consult** with colleagues, supervisors, experts.
(Plan for consultation before the need!) What would another reasonable PSS do?
4. **Attend to the emotions** in the situation.
5. Involve your client as much as possible.
6. **Identify desired outcomes**, then **generate potential courses of action**
Consider consequences of all options, & decide on a course of action
Evaluate the **selected** course of action: (**risks vs. benefits – see below**)
Justice: Would I treat others the same? **Publicity:** Would I want this reported in the press?
Universality: Would I recommend this action to another PSS in the same situation?
Moral traces: lingering feelings of doubt, discomfort
7. **Implement** the course of action, **document**, and **follow up**.

In Louisiana, proper record keeping is required by law. Proper documentation is also part of best practice.
Document your decision making processes, AND your consultation(s).

Legal standard => What a similarly trained professional would have done in the same situation.

Ethical Decision-Making Model:

A Risk Management Tool Kit:

Good to have access to and awareness of:

1. Relevant codes of ethics
2. State licensing/certification law, and code of conduct
3. Federal statutes, regulations, relevant case law
4. Helpful, current publications, articles, checklists (insurance company?)
5. Contact information for local professionals for consultations
(peer consultants, clinical consultants, attorneys, colleagues, etc.)

In a study covering the past 10+ years:

(Understanding Counselor Liability Risk, Executive Summary, HPSO, 2014)

1. Most professional liability claims (66.7%) involved face-to-face activity with an individual client. (50.8% of all claims took place in an office-based setting).
2. Claims primarily involved adults (92.1%), but child clients through age 17 (7.9%) resulted in an average claim payment almost 3 times higher than the payment for an adult.
3. The most frequent malpractice allegation (39.7%) was an inappropriate sexual/romantic relationship with a client, their spouse/partner, or family member.

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