

IN-ABC

Indiana Association of Behavioral Consultants

**CODE OF
PROFESSIONAL ETHICS
FOR THE
INDIANA ASSOCIATION
OF BEHAVIOR
CONSULTANTS**

ARTICLE1: MORAL AND LEGAL STANDARDS

Behavior Consultants shall behave in a legal, ethical, and moral manner in the conduct of their profession, maintaining the integrity and avoiding any behavior that would cause harm to others.

Rules of Professional Conduct

- R1.1 Behavior consultants will obey the laws and statutes of the legal jurisdiction in which they practice.
- R1.2 Behavior consultants will be thoroughly familiar with and observe the legal limitations of the services they offer to clients. They will discuss these limitations as well as all benefits available to the clients they serve in order to facilitate open, honest communications and avoid unrealistic expectations.
- R1.3 Behavior consultants will be alert to the legal parameters relevant to their practices as well as to any disparities that may exist between legally mandated ethical and professional standards and the Code. Where disparities exist, behavior consultants will follow the legal mandates and formally communicate such disparities to the Ethics Committee. In the absence of any legal guidelines, the Code is binding.
- R1.4 Behavior consultants will not engage in any act or omission of a dishonest, deceitful or fraudulent nature in the conduct of their professional activities. They will not allow the pursuit of financial gain or other personal benefits to interfere with the exercise of sound professional judgment and skills, nor will they abuse the relationship with a client to promote their personal or financial gain or the financial gain of an employer.
- R1.5 Behavior Consultants will understand and abide by the Behavior Association and Rules of Professional Conduct prescribed in the Code.
- R1.6 Behavior consultants will not advocate, sanction, participate in, cause to be accomplished, carry out through another or condone any act which they themselves are prohibited from performing by the Code.
- R1.7 Moral and ethical standards of behavior are a personal matter for behavior consultants to the same degree as they are for any other citizen, except as they would interfere with client values and standards.

- R1.8 Behavior consultants will respect the rights and reputation of any agency, institution, organization or agency with which they are associated when making oral and written statements. In those instances where they are critical of current policies, they will attempt to effect change through constructive action within the organization.
- R1.9 Behavior consultants will refuse to participate in employment practices that are inconsistent with moral and legal standards regarding the treatment of employees or the public. Behavior consultants will not condone practices that result in illegal or otherwise unjustifiable discrimination on any basis in hiring, promotion or training.

ARTICLE 2: CONSULTANT-CLIENT RELATIONSHIP

Behavior consultants shall respect the integrity and protect the welfare of the people and groups with whom they work. The primary obligation of behavior consultants is to their clients (defined as individuals with disabilities who are receiving services from Behavior Consultants). At all times, behavior consultants shall endeavor to consider their client's interests as a priority.

Rules of Professional Conduct

- R2.1 Behavior consultants will clearly communicate to clients and/or legal guardian the purposes and goals of behavior consulting, and any limitations that may affect the consulting relationship.
- R2.2 Behavior consultants will not misrepresent their role or competence to clients. If requested, they will provide information about their credentials, and will refer clients to other specialists as the needs of the clients dictate.
- R2.3 Behavior consultants will be continually cognizant of their own needs and values as well as of their potential influence over clients, students and subordinates. They will avoid exploiting the trust or dependency of such persons. Behavior consultants will make every effort to avoid dual relationships that could impair their professional judgment or increase the risk of exploitation. Examples of dual relationships include, but are not limited to research with and treatment of employees, students, supervisors, close friends and relatives. Sexual intimacy with clients is unethical.

- R2.4 Behavior consultants will honor the rights of clients to consent to participate and the right to make decisions with regard to behavior services. They will inform the clients or their legal guardians of factors that may affect the client's decision to take part in rehabilitation services, and they will obtain written consents once the clients or their guardians are fully informed of these factors. Behavior consultants who work with minors or other persons who are unable to give informed, voluntary consent will take special care to protect the interests of their clients.
- R2.5 Behavior consultants will recognize that families and staff are usually an important factor in the client's rehabilitation and will strive to enlist their understanding and involvement as a positive resource in achieving rehabilitation goals. The client's permission will be secured prior to any persons/family involvement.
- R2.6 Behavior consultants provide therapeutic, teaching, research, supervisory, consultative or other behavior services only in the context of the appropriate Medicaid Waiver provider agreement.

When behavior consultants provide assessment, evaluation, treatment, counseling, supervision, teaching, consultation, or other behavior analytic services to an individual, a group, or an organization staff, they use language that is fully understandable to the recipient of those services and appropriate information later about results and conclusions.

Where differences of age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language or socioeconomic status significantly affect behavior consultants' work concerning particular individuals or groups, behavior consultants obtain the training, experience, consultation or supervision necessary to ensure the competence of their services, or they make appropriate referrals.

In their work-related endeavors, behavior consultants do not engage in discrimination against individuals or groups based on age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, socioeconomic, or any basis proscribed by law.

Behavior consultants do not knowingly engage in behavior that is harassing or demeaning to persons with whom they interact in their work based on factors such as those persons' age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language or socioeconomic status in accordance with law.

Behavior consultants recognize that their personal problems and conflicts may interfere with their effectiveness. Behavior consultants will refrain from providing services when their personal circumstances may compromise delivering services.

- R2.7 Behavior consultants make reasonable efforts to plan for facilitating care in the event that behavior services are interrupted by factors such as the behavior consultants illness, impending death, unavailability, or relocation or by the client's relocation or financial limitations.

When entering into employment or contractual relationships, behavior consultants provide for orderly and appropriate resolution of responsibility for client care in the event that the employment or contractual relationship ends, with paramount consideration given to the welfare of the client.

- R2.8 Behavior consultants do not abandon clients. Behavior consultants terminate a professional relationship when it becomes reasonably clear that the client no longer needs a service, is not benefiting, or is being harmed by continued service.

Prior to termination for whatever reason, except where precluded by the client's conduct, the behavior consultant discusses the client's views and needs, provides appropriate pre-termination services, suggests alternative service providers as appropriate, and takes other reasonable steps to facilitate transfer of responsibility to another provider if the client needs one.

ARTICLE 3: CLIENT ADVOCACY

Behavior consultants shall serve as advocates for individuals with disabilities.

Rules of Professional Conduct

- R3.1 Behavior consultants will be obligated at all times to promote better access for individuals with disabilities to facilities, programs, transportation and communication media so that clients will not be excluded from opportunities to participate fully in habilitation, education and community.

- R3.2 Behavior consultants will strive to understand the accessibility problems of individuals with cognitive, hearing, mobility, visual and/or other disabilities, and to demonstrate this understanding in the practice of their profession.

- R3.3 Behavior consultants will strive to eliminate attitudinal barriers, including stereotyping and discrimination, toward individuals with disabilities and to increase their own awareness and sensitivity to such individuals.
- R3.4 Behavior consultants will remain aware of the actions taken by cooperating agencies on behalf of their clients and will act as the advocates of such clients to ensure effective service delivery.

ARTICLE 4: PROFESSIONAL RELATIONSHIPS

Behavior consultants shall act with integrity in their relationships with colleagues, organizations, agencies, institutions, referral sources, and their professions in order to provide clients with optimum benefits.

Rules of Professional Conduct

- R4.1 Behavior consultants will ensure that there is a mutual understanding of the behavior plan by all agencies involved in the rehabilitation of clients and that all behavior plans are developed with such mutual understanding.
- R4.2 Behavior consultants will not commit receiving consultants to any prescribed course of action in relation to clients they may transfer to other colleagues or agencies.
- R4.3 Behavior consultants will promptly supply all information needed for a cooperating agency or consultant to begin serving a client.
- R4.4 Behavior consultants will not knowingly offer ongoing professional counseling or consulting services to clients who are receiving such services from another consultant without first notifying the previous consultant and requesting exit information.
- R4.5 Behavior consultants will put forth an effort to secure appropriate reports and evaluations from other specialists when such reports may affect planning and/or service delivery.
- R4.6 Behavior consultants will not discuss the competency of other consultants or agencies (including the judgments made, methods used or quality of rehabilitation plans) in a disparaging way with their clients, client's family or client's staff.

- R4.7 Behavior consultants will not use their professional relationships with supervisors, colleagues, students or employees to exploit them sexually or otherwise. Neither will they engage in or condone sexual harassment (defined as deliberate or repeated comments, gestures, or physical contacts of a sexual nature that are unwanted by the recipients).
- R4.8 Behavior consultants who know of an alleged ethics violation by another consultant will attempt to resolve the issue informally with that person provided the misconduct is minor in nature and/or appears to be due to a lack of sensitivity, knowledge or experience. If the violation is more serious or not amendable to an informal resolution, the consultant will bring it to the attention of the Bureau of Developmental Disability Services, Child Protective Services, or Adult Protective Services or Indiana Association of Behavior Consultants for other ethical concerns as appropriate.
- R4.9 Behavior consultants possessing information of an alleged violation of this Code will reveal such information to an appropriate state agency or monitoring body such as Bureau of Developmental Disabilities Services, Child Protective Services, Adult Protective Services or any other authority empowered to investigate or act upon the alleged violation, if requested to do so.
- R4.10 Behavior consultants who employ or supervise students or other professionals will provide appropriate working conditions, timely evaluations, constructive consultations, and suitable experience opportunities to facilitate the professional development of these individuals.
- R4.11 Behavior consultants will not knowingly or in any way actively pursue either a contractual arrangement for services, or employment, as a behavioral consultant from any client currently served by another behavior consultant.

ARTICLE 5: PUBLIC STATEMENTS

Behavior consultants shall adhere to professional standards in establishing fees and promoting their services.

Rules of Professional Conduct

- R5.1 Behavior consultants will consider carefully the value of their services and the financial resources of their clients in order to establish reasonable fees for their professional services.

- R5.2 Behavior consultants will not accept a fee or any other form of remuneration for their work from clients who are entitled to their services through an institution, agency or other benefit structure, unless consultants fully inform clients of the availability of services from such other sources.
- R5.3 Behavior consultants will neither give nor receive commissions, rebates or any other form of remuneration when referring clients for professional services nor shall any consultant offer financial compensation or other gifts in an attempt to solicit business or services.
- R5.4 Behavior consultants who describe behavior consultation services to the public will present such information fairly and accurately, avoiding misrepresentation through sensationalism, exaggeration or superficiality. Behavior consultants will be guided by their obligation to aid the public to form valid opinions and making informed choices and judgments.

ARTICLE 6: CONFIDENTIALITY

Behavior consultants shall respect the confidentiality of information obtained from clients and/or guardian in the course of their work.

Rules of Professional Conduct

- R6.1 Behavior consultants will inform clients in writing of the limits of confidentiality at the onset of the counseling relationship.
- R6.2 Behavior consultants will take reasonable direct action, inform responsible authorities or warn those persons at risk if the condition of a client indicates there is clear and imminent danger to the client or others; consultants will take such actions only after advising the client of what must be done. Consultations with other professionals should be used in order to clarify a reasonable course of action. If actions are taken that result in diminished autonomy for a client, they must be taken only after careful deliberation, and clients must be permitted to resume autonomous responsibility as quickly as possible.
- R6.3 Behavior consultants will not forward any confidential information to another person, agency or potential employers without the written permission of the client or the client's legal guardian.

- R6.4 Behavior consultants will make every effort to safeguard the maintenance, storage, and disposal of client records so unauthorized persons can not gain access to them. Any non-professional who must be given access to a client's records will be thoroughly instructed by the behavior consultant about the confidentiality standards to be observed.
- R6.5 Behavior consultants will obtain written permission from clients and their legal guardians prior to taking pictures, taping or otherwise recording or video taping client behavior. Even if a guardian's consent is obtained, consultants will not record sessions against the expressed wishes of their client.
- R6.6 Behavior consultants will persist in claiming the privileged status of confidential information obtained from their clients where communications between consultants and clients have been accorded privileged status under the law.

ARTICLE 7: ASSESSMENT AND SUPPORT DEVELOPMENT

Behavior consultants shall promote the welfare of clients in the selection, use and interpretation of assessment measures.

- R7.1 Behavior consultants who develop, administer, score, interpret, or use behavior assessment techniques, interviews, or instruments do so in a manner and for purposes that are appropriate in light of the research on or evidence of the usefulness and proper application of the techniques.

Behavior consultants' assessments, recommendations, reports, and evaluative statements are based on information and techniques sufficient to provide appropriate substantiation for their findings.

Behavior consultants refrain from misuse of assessment techniques, interventions, results, and interpretations and take reasonable steps to prevent from misusing the information these techniques provide.

Behavior consultants recognize limits to the certainty with which judgments or predictions can be made about individuals.

- R7.2 The behavior consultant conducts a functional assessment, as defined below, to provide the necessary data to develop an effective behavior change program.

Functional assessment may include but is not limited to a variety of systematic information-gathering activities regarding factors influencing the occurrence of a behavior (e.g., antecedents, consequences, setting events, or establishing operations) including interview, direct observation, and/or experimental analysis.

- R7.3 Behavior consultants design programs that are based on behavior principles and procedures, including assessments of effects of other intervention methods, and involves the client or the guardian in the planning of such programs.
- R7.4 Behavior consultants recommend behavior intervention procedures rather than punishment whenever possible. If punishment procedures are necessary, the behavior consultants, when appropriate include reinforcement procedures for alternative behavior in the program.
- R7.5 Behavior consultants minimize the use of items as potential reinforcers that may be harmful to the long-term health of the client or participant (e.g., cigarettes, or sugar or fat-laden food), or that may require undesirably marked deprivation procedures as establishing operations. Further, typical meals and sleep are not to be withheld.
- R7.6 Behavior consultants collect data, or ask the client, client guardian or designated others to collect data needed to assess progress within the program. Behavior consultants recommend modifications to the program on the basis of data and direct contact and observation at least on a quarterly basis.
- R7.7 Behavior consultants explain the recommended program modifications and the reasons for the recommended modifications to the client or client guardian.

ARTICLE 8: RESEARCH ACTIVITIES

Behavior consultants shall assist in efforts to expand the knowledge needed to serve individuals with disabilities more effectively.

Rules of Professional Conduct

- R8.1 Behavior consultants will ensure that research data meet rigid standards of validity, accuracy and protection of confidentiality.

- R8.2 Behavior consultants will obtain consent and be aware of and responsive to all pertinent safety, ethical, legal and scientific guidelines on research with human subjects. When planning such research, consultants will ensure that the project, design, execution, and reporting are in full compliance with such guidelines.
- R8.3 Behavior consultants who present case studies in classes, professional meetings or publications will confine the content to information that can be sufficiently disguised to ensure full protection of client identity.
- R8.4 Behavior consultant will credit those who contribute to publications in proportion to the size of their contribution.
- R8.5 Behavior consultants recognize that openness and honesty are essential to relationships between consultants and research participants. When a study's methodology requires concealment or deception, the consultant will ensure that participant's understand the reasons for such action.

ARTILCE 9: COMPETENCE

Behavior consultants shall establish and maintain their professional competence at a level which ensures their clients will receive the benefit of the highest quality of service the profession is capable of offering.

Rules of Professional Conduct

- R9.1 Behavior consultants will function within the limits of their defined role, training and technical competency, accepting only those positions for which they are professionally qualified.
- R9.2 Behavior consultants will continuously strive, through reading, attending professional meetings and taking courses of instruction, to remain aware of developments, concepts and practices that are essential in providing the highest quality of services to their clients.
- R9.3 Behavior consultants, recognizing that personal problems may interfere with their professional effectiveness, will seek competent professional assistance to determine if they should limit, suspend or terminate their professional activities.

- R9.4 Behavior consultants who are educators will perform their duties based on careful preparation so that their instruction is accurate, up-to-date and scholarly. These consultants will maintain high standards of knowledge and skill by presenting information in their field fully and accurately, and by giving appropriate recognition to alternative viewpoints.

ARTICLE 10: ETHICAL RESPONSIBILITY TO COLLEAGUES

Rules of Professional Conduct

- R10.05 Informal Resolution of Ethical Violations -- When behavior consultants believe that there may have been an ethical violation by another behavior consultant, and if an informal resolution appears appropriate and the intervention does not violate any confidentiality rights that may be involved, then they attempt to resolve the issue by bringing it directly to the attention of that individual.
- R10.1 When it is believed that there may have been an ethical violation by a behavior consultant, where an informal resolution does not appear appropriate and / or the intervention may violate confidentiality rights, then an Ethics Violation form may be filed to the IN-ABC Ethics Committee as well as the behavior consultant's supervisor, if applicable.
- R10.2 Behavior consultants do not fabricate data or falsify results in their publications. If behavior consultants discover significant errors in their published data, they may take reasonable steps to correct such errors in a correction, retraction, erratum, or other appropriate publication means.
- R10.3 Behavior consultants do not present portions or elements of another's work or data as their own, even if the other work or data source is cited occasionally, nor do they do not omit findings that might alter other's interpretations of their work or behavior analysis in general.
- R10.4 Behavior consultants do not publish, as original data, data that have been previously published. This does not preclude republishing data when they are accompanied by proper acknowledgment.

- R10.5 After research results are published, behavior consultants do not withhold the data on which their conclusions are based from other competent professionals who seek to verify the substantive claims through reanalysis and who intend to use such data only for that purpose, provided that the confidentiality of the participants can be protected and unless legal rights concerning proprietary data preclude their release.

ARTICLE 11: ETHICAL RESPONSIBILITY TO SOCIETY

Behavior consultants promote the general welfare of society through the application of the principles of behavior.

Rules of Professional Conduct

- R11.1 Behavior consultants comply with these Guidelines in the document and in public statements relating to their professional services, products, or publications or to the field of behavior analysis.

Public statements include but are not limited to paid and unpaid advertising, brochures, printed matter, directory listings, personal resumes or curriculum vitae, interviews or comments for use in media statements in legal proceedings, lectures and public oral presentations, and published materials.

- R11.2 Behavior consultants who engage others to create or place public statements that promote their professional practice, products, or activities retain professional responsibility for such statements.

If behavior consultant learns of deceptive statements about their work made by others, behavior consultants make reasonable efforts to correct such statements.

A paid advertisement relating to the behavior consultants activities must be identified as such, unless it is already apparent from the context.

- R11.3 Behavior consultants do not make public statements that are false, deceptive, misleading, or fraudulent, either because of what they state, convey or suggest or because of what they omit, concerning their research, practice, or other work activities or those of persons or organizations with which they are affiliated. Behavior consultants claim as credentials for their behavior work, only degrees that have been stipulated by Bureau of Developmental Disabilities Services.

R11.4 Behavior consultants, in material intended to advertise, promote, or otherwise communicate credentials for behavior consultation, including titles, business cards, signature lines or otherwise, do not present credentials that are not relevant to qualifications as a behavior consultant, or that may be false, deceptive, incomplete or misleading. Such credentials as presented in titles, business cards, signature lines or otherwise must be obtained from regionally accredited institutions and based on legitimate curriculum coursework and supervised work experience.

Each of the 6 geographic regions of the United States has a non-governmental agency that oversees, reviews, and accredits degree-granting institutions that are headquartered in their territories. The 6 regional accreditation commissions are:

1. MSA--Middle States Association
2. NASC--Northwest Association of Schools & Colleges
3. NCA--North Central Association of Colleges & Schools
4. NEASC--New England Association of Schools & Colleges
5. SACS--Southern Association of Colleges & Schools
6. WASC--Western Association of Schools & Colleges

R11.5 Behavior consultants do not solicit testimonials from current clients or patients of other persons who because of their particular circumstances are vulnerable to undue influence.

R11.6 Behavior consultants do not engage, directly or through agents, in uninvited in-person solicitation of business from actual or potential users of services who because of their particular circumstances are vulnerable to undue influence, except that organizational behavior management or performance management services may be marketed to corporate entities regardless of their projected financial position.

Acknowledgements- Referenced documents, statements and sources for the development of this revised Code are as follows: Code of Professional Ethics for Rehabilitation Counselors, National Rehabilitation Counseling Association Code of Ethics, National Academy of Certified Clinical Mental Health Counselors, and the Ethical Standards of the American Association of Counseling and Development. Portions of the Code are also derived from the "Ethical Principles of Psychologists" of the American Psychological Association.