ADVOCATING POLICY: APPLYING THE CODE OF ETHICS ALONG THE CONTINUUM OF SOCIAL WORK PRACTICE

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THIS IS NOT LEGAL ADVICE
GOT ETHICS?
KING V. BURWELL
WHO DEALS WITH THE FOLLOWING GROUPS IN THEIR WORK?
PEOPLE WITH ADDICTIONS OR SUBSTANCE USE?
PEOPLE WITH DEPRESSION?
PEOPLE WHO ARE DEALING WITH ABUSE?
WHAT KINDS OF THINGS DO YOU DO TO WORK WITH PERSONS IN THESE GROUPS?
Individual
Organizational
Community
Policy
HOW OFTEN DO WE INTERVENE IN THE COMMUNITY AND POLICY REALM?
SB 406

- Bill to allow naloxone to be more readily available in case of opioid overdose.
- Would allow parents and agencies to have naloxone available
- May add needle exchange language

Would this impact your clients? Does it matter?

Do we as Social Workers have any obligation to engage?
HB 1196

• CHINS and delinquent child dual determination. Requires that in a child in need of services (CHINS) determination, a court shall determine if the child has been adjudicated as a delinquent child. Requires that in a delinquency determination, a court shall determine if the child is a child in need of services. Provides that if a child is a child in need of services and has been adjudicated as a delinquent child, a court may determine if the department of child services or the probation department of the court shall be the lead agency supervising the child. Requires intake officers to complete the dual jurisdiction screening tool on certain children. Creates procedures to determine whether a child should be assessed by a dual jurisdiction assessment team. Creates dual jurisdiction assessment teams that will assess certain children and make recommendations to a juvenile court whether the court should proceed with applicable child in need of service petitions and delinquency petitions. (From in.gov digest)
SB380

• Establishes the need for crisis intervention teams in law enforcement.

• Would this be of benefit to your clients?
OTHER BILLS OF IMPACT TO SOCIAL WORKERS AND CLIENTS

• HB 1448 - Mental health drugs and coverage. Includes inpatient substance abuse detoxification services as a Medicaid service
• HB 1449 Opioid Treatment Centers in CMHC
• SB 532 Human Trafficking
• SB 464 Mental Health matters
• SB 465 FSSA Matters

• RFRA – Social Justice issue
THIS IS JUST AT THE STATE LEVEL

The Federal Level Matters too!
FIND TWO PEOPLE NEAR YOU AND INTRODUCE YOURSELF

• For the next 5 minutes, talk about an issue you have had several different clients encounter over the last 6 months with those two people.

• What kinds of interventions would impact those issues? Can they all be done at the individual level?
SOCIAL WORK ETHICS

• The NASW Code of Ethics includes much about individual practice.
  • Confidentiality
  • Technology
  • Cultural Competence
  • Dual Relationships
  • Sexual Relationship
  • Impairment or Incompetence of Colleagues

• What does it say about other levels of practice?
• “Social workers **promote social justice and social change** with and on behalf of clients. “Clients” is used inclusively to refer to individuals, families, groups, organizations, and communities.” NASW Code of Ethics (emphasis mine)
1.01 COMMITMENT TO CLIENTS

• Social workers' primary responsibility is to promote the well-being of clients. In general, clients’ interests are primary. However, social workers’ responsibility to the larger society or specific legal obligations may on limited occasions supersede the loyalty owed clients, and clients should be so advised. (Examples include when a social worker is required by law to report that a client has abused a child or has threatened to harm self or others.)

NASW Code of Ethics (emphasis mine)
3.07 ADMINISTRATION

• Whole section on administration
6.04 SOCIAL AND POLITICAL ACTION

• (a) Social workers should engage in social and political action that seeks to ensure that all people have equal access to the resources, employment, services, and opportunities they require to meet their basic human needs and to develop fully. Social workers should be aware of the impact of the political arena on practice and should advocate for changes in policy and legislation to improve social conditions in order to meet basic human needs and promote social justice.

• (b) Social workers should act to expand choice and opportunity for all people, with special regard for vulnerable, disadvantaged, oppressed, and exploited people and groups.

• (c) Social workers should promote conditions that encourage respect for cultural and social diversity within the United States and globally. Social workers should promote policies and practices that demonstrate respect for difference, support the expansion of cultural knowledge and resources, advocate for programs and institutions that demonstrate cultural competence, and promote policies that safeguard the rights of and confirm equity and social justice for all people.

• (d) Social workers should act to prevent and eliminate domination of, exploitation of, and discrimination against any person, group, or class on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability.

• NASW Code of Ethics
HOW CAN YOU HAVE AN IMPACT IN THIS AREA?

• Join an advocacy group
• Get on a listserv – then respond to calls for action
• Get to know your state and federal representatives
• Write letters to your legislators
• Write letters to the editor
• Advocate within your agencies
• Advocate among your family and friends – social media

• Other??
ISSUE SPOTTING: HOW DO YOU RECOGNIZE AN ETHICAL DILEMMA?
VALUES VS. ETHICS
HOW DO YOU RECOGNIZE AN ETHICAL DILEMMA?

• The Smell Test (Hamilton, 2009)
  • What would this “smell like” if we read it on the front page of the paper?

• Could this situation be damaging to someone or something? (scu.edu/ethics)

• Is this about more than what is legal or efficient? (scu.edu/ethics)
FRAMEWORKS FOR ETHICAL DECISION-MAKING
DEONTOLOGY

• Relativity applies to physics, not ethics.
   — Albert Einstein, theoretical physicist (1879-1955)

See more at:
http://josephsoninstitute.org/quotes/quotations.php?q=Ethics,%20morality#st
hash.hRErxo0H.dpuf
TELEOLOGY

http://www.flickr.com/photos/four12/8014012398/
MARKKULA APPROACH

- Recognize the ethical issue
- Get the facts
- Evaluate Alternative Actions
- Make a Decision and Test It
- Act and Reflect on the Outcome

https://www.scu.edu/ethics/practicing/decision/framework.html
<table>
<thead>
<tr>
<th>Table 1. Personal and Professional Ethics, Values, and Morals</th>
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<tbody>
<tr>
<td><strong>Ethics</strong>&lt;br&gt;What relevant standards and expectations are outlined by my profession in its Code of Ethics?&lt;br&gt;How do ethical principles conflict in this case?&lt;br&gt;  • If ethical principles conflict, use an ethical decision making process to resolve.</td>
</tr>
<tr>
<td><strong>Laws and Policy</strong>&lt;br&gt;Are there any legal obligations in this case?&lt;br&gt;How do my agency’s policies direct me?&lt;br&gt;Are there any conflicts between my profession’s ethics and my legal obligations or my agency’s policies?&lt;br&gt;  • Legal obligations usually supersede professional ethics.&lt;br&gt;  • Agency policies should not prevent the ethical practice of social work.&lt;br&gt;  • Seek supervision in both cases.</td>
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DOLGOFF, LOEWENBERG AND HARRINGTON FRAMEWORK FOR ETHICAL DECISION-MAKING

1. Identify:
   • Relevant Professional Values and Ethics
   • Relevant Personal Values
   • Relevant Societal Values
DOLGOFF, LOEWENBERG AND HARRINGTON FRAMEWORK FOR ETHICAL DECISION-MAKING

2. Seek to minimize any conflict between professional, personal, and societal values

3. Identify ethical options
4. Which of the identified options:

• Minimize conflict between identified values?
• Best protect client’s and other’s rights and welfare?
• Best protect society’s rights and interests?
5. Which option will be the most:
   • Efficient, effective, and ethical AND
   • Do the least harm

6. Consider both short and long term consequences of proposed actions
DOLGOFF, LOEWENBERG AND HARRINGTON FRAMEWORK FOR ETHICAL DECISION-MAKING

7. Once you have preliminarily decided, check:
   • Is it impartial, generalizable, justifiable?
### Table 145 Ethical Principles Screen

<table>
<thead>
<tr>
<th>Rank</th>
<th>Principle</th>
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<tbody>
<tr>
<td>1.</td>
<td>Protection of life</td>
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<tr>
<td>2.</td>
<td>Equality and inequality</td>
</tr>
<tr>
<td>3.</td>
<td>Autonomy and freedom</td>
</tr>
<tr>
<td>4.</td>
<td>Least harm</td>
</tr>
<tr>
<td>5.</td>
<td>Quality of life</td>
</tr>
<tr>
<td>6.</td>
<td>Privacy and confidentiality</td>
</tr>
<tr>
<td>7.</td>
<td>Truthfulness and full disclosure</td>
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**Note:** From Dolgoff, Loewenborg & Harrington, 2005.

When more than one ethical principle is relevant when making a decision and each principle leads to a different outcome, Dolgoff and associates (2005) recommend that the rank order suggested in the EPS be used to make the decision.

Yocum, C., 2007
ETHIC MODEL OF DECISION-MAKING

• Examine relevant values
• Think about relevant laws, policies, regulations, and code provisions
• Hypothesize about different consequences
• Identify who will be helped and harmed in terms of the most vulnerable
• Consult with supervisors and other colleagues.

Congress, 1999
HOW DO THESE FRAMEWORKS WORK WHEN WORKING WITH A COMMUNITY?

• Primary goal is social transformation
• “Clients” are group members or community members with whom the social worker may or may not have contact
• Social workers MUST examine economic and social factors
• Constituent self determination is a primary objective – therefore there dialogue helps determine the best intervention
• Organizers may be a member of the constituent community
• Ethical conduct may be situational

Hardina, 2004
ISSUES OF CONCERN IN COMMUNITY WORK

• Financial transactions
• Dual relationships – particularly when a part of the community (some argue that organizers should be a member of the community)
• Methods which value conflict with the constituents (confrontation tactics). Do the ends justify the means?
• Informed consent with communities – is consensus enough?

• Hardina, 2004
• Identify the ethical principles that apply to the situation at hand.

• Collect additional information necessary to examine the ethical dilemma in question.

• Identify the relevant ethical values and/or rules that apply to the ethical problem.

• Identify any potential conflicts of interest and the people who are likely to benefit from such conflict.

• Identify appropriate ethical rules and rank order them in terms of importance.

• Determine the consequences of applying different ethical rules or ranking these rules differently (p. 26).
WHERE CAN YOU GET HELP WHEN NEEDED?
• Supervisors and colleagues are fantastic people to consult when appropriate
ETHICS TEAM

• Many facilities have ethics teams available for consultation
• Additionally, if you do not, some universities will consult
NASW ETHICS CONSULTATIONS

• “As a service to members, the OEPR provides ethics consultations for current NASW members. Ethic consultations are a resource for members who are experiencing an ethical dilemma. We do not provide advice or tell members what to do. However, we do guide them through the Code and point them to the areas of the Code that address their concerns. We provide dialogue and considerations that allow members to make ethical decisions. We may also refer members to the appropriate areas if their questions do not appear to be related to ethics but are more related to legal issues or standards of practice.”

• Hours & Contact Info

  • (800) 638-8799 Tuesdays:
    10:00am - 1:00pm (EST) ext. 231
  • Thursdays:
    1:00pm - 4:00pm (EST)

http://www.socialworkers.org/nasw/ethics/consultation.asp
QUESTIONS?
Sources Consulted


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SOURCES CONSULTED


• Reamer, F. G. (1999). Social work values and ethics (2nd ed.). New York: Columbia University

