

SOCIAL WORK ETHICS IN THE “REAL WORLD”

MAKING DECISIONS WHEN THINGS GET **MESSY**

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INTRODUCTION

- VIRTUAL MEETING ON TEAMS
- QUESTIONS & COMMENTS
- SCHEDULE
- OBJECTIVES

SCHEDULE FOR THE AFTERNOON

- THE BASICS: SOURCES OF INFLUENCE WHEN FACING ETHICAL DECISIONS
- WHAT IS AN ETHICAL DILEMMA?
- SMALL GROUP WORK AND REPORT BACK
- BREAK (3-3:15)
- ETHICAL DECISION-MAKING MODELS
- SMALL GROUP WORK AND REPORT BACK
- WRAP UP

TRAINING OBJECTIVES

- Identify multiple sources of influence on professional decision-making including the NASW Code of Ethics, laws, agency policies, personal and cultural values, and practice theories and experiences.
- Articulate the importance of decision-making models to ensure ethical decisions in practice dilemmas
- Apply a user-friendly ethical decision-making framework to real world challenges in social work practice.

The Basics:

Sources of Influence When Facing Ethical Decisions

National Association of Social Work Code of Ethics (2017)

CORE VALUES



NASW ETHICAL STANDARDS

- Social workers' ethical responsibilities to/as:

- I. Clients
- II. Colleagues
- III. Practice settings
- IV. Professionals
- V. Social work profession
- VI. Broader society

Source: NASW (2017)

RELEVANT LAWS

- Confidentiality
 - Health Insurance Portability & Accountability Act (HIPAA) -1996
 - Family Educational Rights & Privacy Act (FERPA) -1974
- Mandatory Reporter Laws
 - Child
 - Dependent adult

RELEVANT LAWS

- Duty to Warn/Duty to Protect
 - Tarasoff v. Regents of University of CA -1976
 - State laws (Iowa Code Ch. 228.7A)
 - HIPAA (“serious and imminent threat” exception)
 - Minor clients

Sources: Dept. Health & Human Services (2008), Iowa Code (2019)

OTHER SOURCES OF INFLUENCE

- Client preferences
- Agency policies
- Personal values & biases
- Societal values & biases
- Other professions' codes of ethics

What is an ethical dilemma?

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- Not all situations that call us to think carefully and ask, “what is the ethical thing to do?” are ethical dilemmas.
 - We use the Code of Ethics (and other relevant guidelines) in practice situations that may be difficult or vexing but aren’t necessarily ethical dilemmas.

ETHICAL PROBLEMS VS ETHICAL DILEMMAS

- Question of an **ethical problem**: “What is the right thing to do in a given practice situation? How can a social worker avoid unethical behavior in that situation?” (p. 9).
- “**Ethical dilemmas** occur in situations in which the social worker must choose between two or more relevant, but contradictory ethical directives, or when every alternative results in an undesirable outcome for one or more persons” (p. 9).

Source: Dolgoff, Loewenberg, & Harrington (2009)

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- “...The problem, however, is that situations sometimes arise in social work in which core values in the profession conflict, and this leads to *ethical dilemmas*. An **ethical dilemma** is a situation in which professional duties and obligations, rooted in core values, clash. This is when social workers must decide which values—as expressed in various duties and obligations—take precedence” (pp. 3-4).

Source: Reamer (2006)

EXAMPLES

- Story that CeCe Jordan shared at Race in the Heartland
- ACT Team and client who liked to ride his bicycle

SMALL GROUP DISCUSSION

2:00 – 2:30 PM

- Choose a note-taker
- Identify 2-4 ethical dilemmas from group members' experience
 - Maintain confidentiality!
- Choose spokesperson to report back to large group
- Rejoin large-group meeting at 2:30 pm

LARGE GROUP DISCUSSION

2:30 – 3:00 PM

- Spokesperson gives brief description of one ethical dilemma identified by group
- Five minutes per group

BREAK

3:00 – 3:15 PM

Ethical Decision-Making Models

ETHICS DECISION-MAKING FRAMEWORK

1. Identify the ethical issues, including the social work values and duties that conflict
2. Identify the individuals, groups, and organizations likely to be affected by the ethical decision.
3. Tentatively identify all viable courses of action and the participants involved in each, along with potential benefits and risks for each.

ETHICS DECISION-MAKING FRAMEWORK

(CONT'D.)

4. Thoroughly examine the reasons in favor of and opposed to each course of action, considering relevant:
 - Codes of ethics and legal principles
 - Ethical theories, principles, and guidelines (for example, deontological and teleological-utilitarian perspectives and ethical guidelines based on them).
 - Social work practice theory and principles
 - Personal values (religious, cultural and ethnic values and political ideology), particularly those that conflict with one's own.

ETHICS DECISION-MAKING FRAMEWORK

(CONT'D.)

5. Consult with colleagues and appropriate experts (such as agency staff, supervisors, agency administrators, attorneys, and ethic scholars).
6. Make the decision and document the decision-making process.
7. Monitor, evaluate, and document the decision.

Source: Reamer (2006)



ETHICS DECISION-MAKING FRAMEWORK

- Pros
 - Thorough and detailed
 - Step-by-step
- Cons
 - Complex and time-consuming
 - Academic-seeming

ETHICAL ASSESSMENT SCREEN

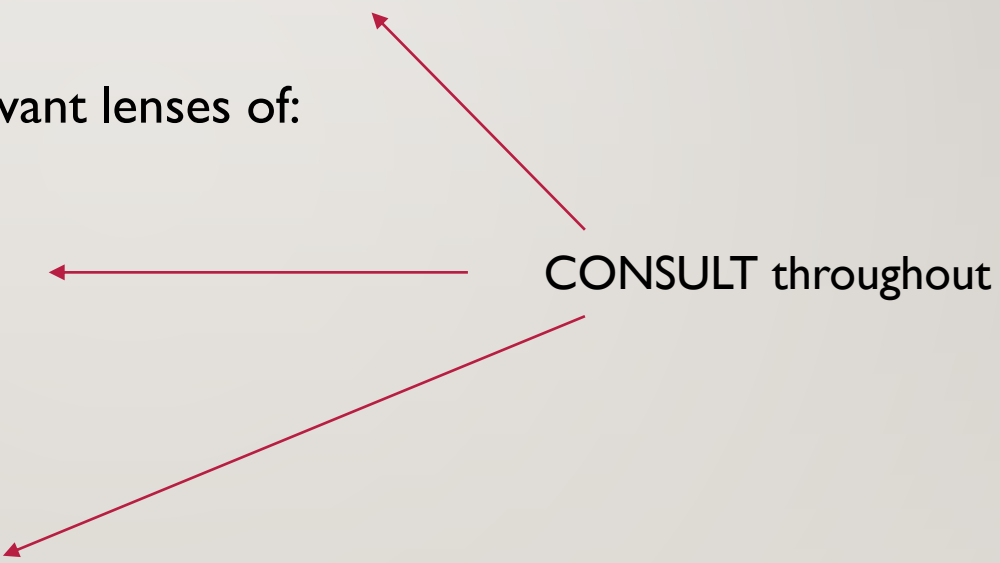
1. Relevant professional values and ethics, personal values, societal values
2. Minimize conflicts between professional, personal, and societal values/ethics
3. Alternative ethical options
4. Minimize conflicts between and protect client's, others', and society's rights and welfare
5. Efficient, effective, ethical, and does "least harm"
6. Short-term and long-term consequences
7. Impartial, generalizable, justifiable

Source: Dolgoff, Harrington, & Loewenberg (2012)

ETHICAL ASSESSMENT SCREEN

- Pros
 - Consideration of multiple sets of values and ethics
 - Recognition of conflicts
 - Think ahead → potential consequences
- Cons
 - Too many steps
 - Complexity

WORKING MODEL FOR ETHICAL DECISION-MAKING

1. Identify and define ethical dilemmas (key features AND conflicting duties)
 2. List viable options of action
 3. Evaluate each option through relevant lenses of:
 - Ethics
 - Laws and policies
 - Values
 - Practice knowledge
 - Pragmatic issues
 4. Decide, act, and document
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- CONSULT throughout
- The diagram illustrates the iterative nature of the ethical decision-making process. The text 'CONSULT throughout' is positioned to the right of the list. Three red arrows originate from this text: one points to step 2, one points to step 3, and one points to step 4, indicating that consultation is a continuous activity that informs multiple stages of the model.

SMALL GROUP DISCUSSION

4:00 – 4:30 PM

- Choose a note-taker
- Apply **Working Model** to one of your dilemmas
- Choose spokesperson to report back to large group
 - Brief description of ethical dilemma
 - Conclusion
 - Process of using the **Working Model** (likes, dislikes, what would you change?)
- Rejoin large-group meeting at 4:30 pm

LARGE GROUP DISCUSSION

4:30 – 5:00 PM

- Spokesperson report back to large group
 - Brief description of ethical dilemma
 - Conclusion
 - Process of using model
 - Like
 - Dislike
 - What would you change?
- Five minutes per group

REFERENCES

- Department of Health & Human Services. (2008). *Where the HIPAA privacy rule applies...?* Retrieved from <https://www.hhs.gov/hipaa/for-professionals/faq/520/does-hipaa-permit-a-health-care-provider-to-disclose-information-if-the-patient-is-a-danger/index.html>
- Dolgoff, R., Harrington, D., & Loewenberg, F. (2012). *Ethical decisions for social work practice* (9th ed.). Cengage Learning.
- Dolgoff, R., Harrington, D., & Loewenberg, F. (2009). *Ethical decisions for social work practice* (8th ed.). Thompson Brooks/Cole.
- Iowa Code 2020, ch 228 (2019)
- Reamer, F.G. (2006). *Social work values and ethics* (3rd ed.). Columbia University Press.

WRAP UP

- Evaluation & Continuing Education certificates
 - Samantha Hicks, MSW – samantha.hicks@clarke.edu
- Presenter Contact Information
 - Amanda Greubel, DSW, LMSW – amanda.greubel@clarke.edu
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Thank you for joining us!

