

Individual and Organizational Strategies to Increase Ethical Adherence

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CAMBRIDGE CENTER
 FOR
 BEHAVIORAL STUDIES



Note about this talk

- I am just here as Mary Jane
 - With deep long-term and current gratitude for and admiration of the work of the BACB in building the profession of behavior analysis
 - With particular thanks to Misty Bloom and Molli Luke and Alex Dietz of the BACB who I work closely with in my volunteering for the BACB
 - With additional thanks to all of my mentors, colleagues, students, and clients who have helped me to define and refine my thinking about ethical conduct
 - With deep personal and professional thanks to Jon Bailey for his availability and wisdom

Ethics Training and Compliance

- Critical issue in the field
- Related to all meaningful outcomes
 - Consumer benefit
 - Public perception
 - Standard of field



Ethics- Focus is not new

- Major component of human service provision
- Always an emphasis in ABA
- Certification as part of the solution
- Quality control is essential
- Consumer protection
- Protection of practitioners

How do we achieve this?

- What are the skills?
 - Knowledge of the Code
 - Signal detection skills (Fuqua)
 - Problem solving skills
 - Nuanced application
 - Contextual factors assessment



Compliance Code

- This is (as the guidelines were...) THE document that outlines our professional obligations
- There is significant overlap with other disciplines, especially psychology
- Unique to ABA
 - Focus on scientific knowledge and EBP

Our obligations

- Know the code
- Live by the code
- Help others to understand our code
- Shape colleagues to follow the code



10 Areas

- 1-Responsible Conduct of Behavior Analysts
- 2-Behavior Analysts Responsibility to Clients
- 3-Assessing Behavior
- 4-Behavior Analysts and the Behavior Change Program
- 5-Behavior Analysts as Supervisors

Areas.....

- 6-Behavior Analysts' Ethical Responsibility to the Profession of Behavior Analysis
- 7-Behavior Analysts' Ethical Responsibility to Colleagues
- 8-Public Statements
- 9-Behavior Analysts and Research
- 10-Behavior Analysts' Ethical Responsibility to the BACB

Complaint procedures

- Now a 2 pronged approach
 - Disciplinary Review Committee
 - Code Compliance Committee
 - Coaching and professional development assistance
 - Provide preventative help for future



What are the challenges?

- Maintain adherence to science
- Ensure quality control in training and practice as we grow
- Work to ensure that the BACB's processes are disseminated and adhered to
- Continue to work toward broader goals

Ethics Training in Context

- Students and practitioners need to learn our obligations
 - Know the code
 - Abide by the code
 - Shape colleagues to adhere to the code
 - Educate consumers about our code

Broadening the lens

- Students and practitioners need to learn about ethical behavior on an individual level
- Students and practitioners need to learn about ethical behavior on an organizational level



What is the skill set?

- Knowledge of the code
 - 2016 Professional and Ethical Code for Behavior Analysts by the Behavior Analyst Certification Board
- Application of the code
 - Signal detection skills (Fuqua)
 - Problem Solving
 - Resource consultation

PROBLEM SOLVING

- Identification of the problem
- Consideration of parameters influencing course of action
 - Consult the Code
 - Consult resources
 - Consult experts
 - Examine contextual factors
 - Examine needs of all parties

Problem Solving continued

- Assessment of alternatives
- Choice of correct action
- Evaluation of choice



What are some critical issues on an individual level?

- Dual relationships
- Effective treatment
 - Dosage and intensity
 - Eclectic treatment
 - Non-evidence-based treatments

Dual and Multiple Relationships

- 1.05 Professional and Scientific Relationships. (a) Behavior analysts provide behavior-analytic services only in the context of a defined, professional, or scientific relationship or role.

Dual and multiple relationships

- 1.06 Multiple Relationships and Conflicts of Interest.
 - (a) Due to the potentially harmful effects of multiple relationships, behavior analysts avoid multiple relationships.
 - (b) Behavior analysts must always be sensitive to the potentially harmful effects of multiple relationships. If behavior analysts and that, due to unforeseen factors, a multiple relationship has arisen, they seek to resolve it.
 - (c) Behavior analysts recognize and inform clients and supervisees about the potential harmful effects of multiple relationships.

Implications for Training and Supervision

- Informed about the dangers of dual/multiple relationships
- Instructed to avoid dual/multiple relationships
- Create environments that prevent the occurrence of such relationships

Danger zones

- Boundaries with families
- Being asked about other students in classroom
- Shifting roles in organization
- Multiple relationships and blurring of confidentiality
 - Social Media risks
 - Social sharing of information

Effective Treatment

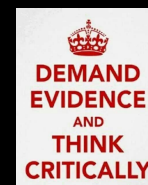
- 2.09 Treatment/Intervention Efficacy.
 - (a) Clients have a right to effective treatment (i.e., based on the research literature and adapted to the individual client). Behavior analysts always have the obligation to advocate for and educate the client about scientifically supported, most-effective treatment procedures. Effective treatment procedures have been validated as having both long-term and short-term benefits to clients and society.

Effective Treatment

- (b) Behavior analysts have the responsibility to advocate for the appropriate amount and level of service provision and oversight required to meet the defined behavior-change program goals.
- (c) In those instances where more than one scientifically supported treatment has been established, additional factors may be considered in selecting interventions, including, but not limited to, efficiency and cost-effectiveness, risks and side-effects of the interventions, client preference, and practitioner experience and training.
- (d) Behavior analysts review and appraise the effects of any treatments about which they are aware that might impact the goals of the behavior-change program, and their possible impact on the behavior-change program, to the extent possible.

Implications for Training

- Train others to identify interventions that are evidence-based and those that are not
- Highlight dangers of eclectic treatment



Why is this important?

- We operate in interdisciplinary teams
 - Different levels of evidence
 - Different definitions of EBP
 - Different worldviews



Factors making it imperative that we identify effective treatments

- Wasted time leads to poorer outcomes
- We must identify empirically supported treatments
- We must develop consensus on evidence-based practice

We do not know everything



Respect is not imposed
nor begged.
It's earned and offered.

Broaden our lens

- Professionalism
- *Collaboration* as a verb and as a process



What do we share in common?

- Value on positive work environment
- Desire for respect
- BEST INTERESTS OF THE LEARNER



Where do these dilemmas arise?

- Parents face critical decisions about intervention
- Parents are inundated with information
- All data are not equal
- Even professionals can have difficulty evaluating quality of evidence

Anti-Science

- Belief as a variable
- Rejection of empirical verification attempts
- Circular reasoning about untestability
- Universal appeal
- Actually unexplainable



Pseudo science

- Uses scientific language
- Appears as science
- Relate back to scientific principles without actual link

**THIS IS PSEUDO
SCIENCE**

How to Minimize Adoption of Fad Treatments

- HOW CAN WE INSULATE CONSUMERS AND PROFESSIONALS AGAINST THESE INTERVENTIONS?

**TRENDS
& FADS**

Examples

- A BCBA is approached by a former client, who says that the child's current teacher has recommended AIT. She is hopeful that the long-standing processing problems might be addressed through this intervention. She asks what the BCBA knows of it/thinks about it.

Examples

- A parent has asked that the school program do rapid prompting/SOMA with their child. They have hired on out of state consultant to come on a regular basis. The school was invited to a session, which the BCBA attended. The BCBA became very concerned on many levels about the nature of the intervention, and about the appropriateness of the content taught. She saw an adolescent with severe issues in every area of functioning being prompted to respond to material about the Bushmen of the Kalahari and the Lewis and Clark Expedition. She believes the responses are almost entirely the result of over-prompting and inadvertent prompting. She has been asked to find a way to incorporate the intervention into the school program. What should she do?

What guidelines help us navigate these challenges?

- There are several guidelines that assist us here
- Focused on effectiveness and our commitment to effective intervention
- Focused on our obligation to evaluate the impact of treatments

EFFECTIVENESS

Section 2.09

- **2.09 Treatment Efficacy.**
- (a) Clients have a right to effective treatment (i.e., based on the research literature and adapted to the individual client). Behavior analysts always have the obligation to advocate for and educate the client about scientifically supported, most-effective treatment procedures. Effective treatment procedures have been validated as having both long-term and short-term benefits to clients and society.
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continued

- (c) In those instances where more than one scientifically supported treatment has been established, additional factors may be considered in selecting interventions, including, but not limited to, efficiency and cost-effectiveness, risks and side-effects of the interventions, client preference, and practitioner experience and training.
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6.01 Affirming Principles. RBT

- a) **Above all other professional training,** behavior analysts uphold and advance the values, ethics, and principles of the profession of behavior analysis.



And related parts of the code

- **7.0 The Behavior Analyst's Responsibility to Colleagues.**
 - Behavior analysts have an obligation to bring attention to and resolve ethical violations by colleagues.



What can be done?

- Education of the team (ALWAYS)
- Creation of a single case design to evaluate the impact of the intervention at the level of the individual (SOMETIMES)
 - WHEN is it yes?
 - When is it no?



Let's revisit the ethical dilemmas posed

- Auditory Integration Training
- What about effectiveness?
 - Lacks empirical basis; no supporting data, some evidence of harm
 - ASHA has a position statement against it
 - AAP has a position statement on its ineffectiveness
 - Would you evaluate at level of individual? NO

Let's revisit the ethical dilemmas posed

- Rapid Prompting
- What about effectiveness?
 - Lacks empirical basis; no supporting data; failure
 - POSITION STATEMENT ASHA 2018
 - Similar to FC
 - Pseudo- science? Anti-science?
 - Belief as a variable
 - Not a teachable technology
 - Evaluate at level of individual? No



Bottom line



- Some procedures should not be investigated (red lights)
 - Evidence of harm (e.g., FC, Chelation)
 - Documented, clear no effect
 - Position statements exist against them
 - Anti-science (belief as an important variable, guru-based)
- Some not yet empirically validated procedures (yellow lights) might be explored with data when
 - Operational definitions are agreed upon and a data collection system is put in place AND
 - Team agrees to a data-driven ultimate decision on continuance

POSITION STATEMENTS

- ASHA
 - AIT
 - FC
 - RPM
 - NSOMES
- AAP
 - AIT
 - FC
 - Sensory integration
- AOTA
 - Vests

Bottom line

- Families will pursue these interventions
- We can serve a useful function in helping to make a data-based decision on continuance.....
- First line of influence should be education of the team
 - May remove need for evaluation at level of individual and save this time

How do we decide where our comfort is with non evidence-based procedures?

- Rely on science
 - Do not pursue red light procedures
- Make a data-based evaluation of impact if you intervene with the method
- Alter/continue/discontinue based on data

What is the main mechanism for studying effect?

An individualized systematic assessment of the intervention as it applies to this individual.

Behavior analysts can assist in this.

- experimental designs
- operational definitions
- measurement systems
- treatment integrity
- graphing and analysis of data

What we can do (yellow light)

- Argue for an empirical test of the practice:
 - Define the targeted outcomes
 - Define in measurable terms
 - Create measurement system
 - Manualize practice methodology
 - Agree upon length of treatment
 - During implementation, gather IOA and fidelity
 - Analyze and graph results
 - Report back to Team

If you pursue an unproven treatment.....

- Objectively examine the impact of the treatment in a way that facilitates a data-based decision about the impact
- Listen to the data- let the data determine the course of treatment

Many of us work in non-behavioral worlds

- We may be able to shape these environments
- We may be able to shape these colleagues
- Some sections of the Code encourage us to do exactly that
 - Provide the behavioral view
 - Educate others about science, pseudo-science, and anti-science
 - Help others understand levels of evidence and the concept of evidence-based practice
 - Encourage data based decision making at the level of the individual

“It is ok to be open minded, as long as your mind is not so open that your brains fall out.”

Carl Sagan



Dr. Sandra Harris

- “Let the data speak!!”



What are some critical issues on an organizational level?

- Consent
- Confidentiality
 - Social Media
- Testimonials
- Gifts
- SUPERVISION



Consent

- 3.03 Behavior-Analytic Assessment Consent.
(a) Prior to conducting an assessment, behavior analysts must explain to the client the procedure(s) to be used, who will participate, and how the resulting information will be used.
(b) Behavior analysts must obtain the client's written approval of the assessment procedures before implementing them.

Consent continued

- 4.02 Involving Clients in Planning and Consent.
Behavior analysts involve the client in the planning of and consent for behavior-change programs.
- 4.04 Approving Behavior-Change Programs.
Behavior analysts must obtain the client's written approval of the behavior-change program before implementation or making significant modifications (e.g., change in goals, use of new procedures).

Implications for Training

- There can never be too much consent
- Consent is now needed for assessment and for treatment and treatment changes



Confidentiality

- 2.06 Maintaining Confidentiality. RBT
(a) Behavior analysts have a primary obligation and take reasonable precautions to protect the confidentiality of those with whom they work or consult, recognizing that confidentiality may be established by law, organizational rules, or professional or scientific relationships.

Confidentiality

- (b) Behavior analysts discuss confidentiality at the outset of the relationship and thereafter as new circumstances may warrant.
- (c) In order to minimize intrusions on privacy, behavior analysts include only information germane to the purpose for which the communication is made in written, oral, and electronic reports, consultations, and other avenues.
- (d) Behavior analysts discuss confidential information obtained in clinical or consulting relationships, or evaluative data concerning clients, students, research participants, supervisees, and employees, only for appropriate scientific or professional purposes and only with persons clearly concerned with such matters.
- (e) Behavior analysts must not share or create situations likely to result in the sharing of any identifying information (written, photographic, or video) about current clients and supervisees within social media contexts.

Implications for Training and Supervision and Culture

- Social media risks are immense
- Policies are needed within organizations to address this risk
- Booster sessions and drift patrol are essential



Testimonials

- 8.05 Testimonials and Advertising. RBT
- Behavior analysts do not solicit or use testimonials about behavior-analytic services from current clients for publication on their webpages or in any other electronic or print material. Testimonials from former clients must identify whether they were solicited or unsolicited, include an accurate statement of the relationship between the behavior analyst and the author of the testimonial, and comply with all applicable laws about claims made in the testimonial.
- Behavior analysts may advertise by describing the kinds and types of evidence-based services they provide, the qualifications of their staff, and objective outcome data they have accrued or published, in accordance with applicable laws.

Testimonial Shifts

- No current clients
- If solicited, must be indicated



Gifts

- 1.06 (d) Behavior analysts do not accept any gifts from or give any gifts to clients because this constitutes a multiple relationship.



Implications for Training

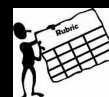
- Code is clear- no gifts
- We need to help staff members adhere to this
 - Include it in contracts with families
 - Create a policy
 - Send reminders before the holidays

Summary

- Training and supervising behavior analysts must have a primary emphasis on ethical conduct
- We need to highlight areas of common risk on individual and agency levels
- We need to support behavior analysts in training and in practice to adhere to the Professional and Ethical Compliance Code.

Forms of Support: Rubrics

- What might be important?
- Behavior Treatment Plans
- Organizational Ethics



Behavior Treatment Plans

- Elements
- Look at section 4



Elements

- Function based
- Consent for assessment
- Consent for Plan
 - Fully informed
- Replacement Skills
- Antecedent Strategies
- Least Restrictive
- Data Collection and Data based adjustments
- BMC and HRC review

How to Embed Organizational Ethics

- Ethics training as part of initial training
- Annual ethics training
- Booster training
- Ethics officer
- Organizational Code of Ethics
- Policies
 - Social media
 - Dual relationships
 - Gifts
 - Testimonials

How can we insulate re drift?

- Rubrics
- Contexts for assessment of drift
- Ethics officer?
- Organizational code of ethics
- Other ethics policies.....



A spotlight on supervision

- Lists of acceptable and unacceptable tasks
- Use the literature in supervision
- A technological description of the scope of supervision
- A clear list of conditions and criteria for the approval and non-approval of experience and performance

Scenario

- Josie is a supervisee working in a specialized program for students with autism. Her supervisor Susan is very busy, and tries hard to meet her supervision needs. She often cancels supervision. Sometimes, it can be rescheduled within the supervision period and sometimes it can not. Josie has lost hours and whole supervision periods due to these mishaps.
- What can be done?
- What would have prevented this?

Relevant Code

- **2.15 (a) Behavior analysts act in the best interests of the client and supervisee to avoid interruption or disruption of service.**
- **5.02 Supervisory Volume**
 - Behavior analysts take on only a volume of supervisory activity that is commensurate with their ability to be effective.
- **5.05 Communication of Supervision Conditions.**
- Behavior analysts provide a clear written description of the purpose, requirements, evaluation criteria, conditions, and terms of supervision prior to the onset of the supervision.
- **5.07 Evaluating the Effects of Supervision.**
 - Behavior analysts design systems for obtaining ongoing evaluation of their own supervision activities.

Fixing and Preventing

- **Fixing**
 - Approach supervisor
 - Approach other overseers at job who manage PD
- **Preventing**
 - Volume restrictions; CASELOAD GUIDELINES
 - Backup systems
 - Commitment from supervisors
 - Addressing in contracts
 - Additional oversight of all supervision
 - Manuals/policies
 - Educate supervisees on the need to self-advocate and seek assistance

Scenario

- Lucy is seeking supervision, and begs her current work supervisor to take her on, even though she has no openings. Her work supervisor says she will under one condition- that Lucy serve as her Saturday night babysitter for the duration of their supervision.
- Is this ok?
- What can be done?
- What would prevent this?

Exploitative relationships

- How does it manifest itself?
 - Service provision
 - Supervision



Relevant codes

- 1.07 Exploitative Relationships
- **(a) Behavior analysts do not exploit persons over whom they have supervisory, evaluative, or other authority such as students, supervisees, employees, research participants, and clients.**
- **(d) Behavior analysts do not barter for services, unless a written agreement is in place for the barter that is (1) requested by the client or supervisee; (2) customary to the area where services are provided; and (3) fair and commensurate with the value of behavior-analytic services provided**

Feedback to Supervisees and Evaluation

- Sellers, Alai-Rosales, & MacDonald, 2016
- SHAPING
- Evaluate at all levels
 - Consumer
 - Improvements
 - Staff
 - Competence
 - Fidelity
 - Supervisor
 - Evidence based
 - Socially valued
 - Effective

Why do we fall short?

1. Pressures from within organization
2. Constant assessment of supervisee skill set and comfort
3. Continuous feedback and evaluation (response effort)



FEEDBACK

- Don't just wait for feedback to happen
 - Get used to frequent feedback
 - Create an environment conducive to feedback
- Actively request feedback from others
 - Ask for specific feedback
 - Ask for examples
 - Ask for new directions/solutions/skills to improve performance
 - MAKE IT BIDIRECTIONAL

How can an organization ensure this?

- Schedule
- Tools

Supervisee Eval

- **SCHEDULING**
- On a scale of 1 to 5, has the supervisee shown up on time for supervision
- To what extent was the supervisee prepared? (Rate 1 to 5, and comment)
- Completed assigned readings/ tasks
- Come prepared with topics and questions
- If rescheduling was needed, was it requested at least 24 hours in advance and with just cause

SUPERVISEE EVAL

- **PRODUCTIVITY**
- On a scale of 1 to 5, is the supervisee progressing through tasks?
- Is the supervisee accruing hours at the rate of at least 40 per month?
- Is the supervisee actively engaged in supervision (contributing to the discussion, exchanging ideas, bringing additional topics?)

SUPERVISEE EVAL

- **ACCOUNTABILITY**
- Does supervisee come with Supervision Experience Forms filled out?
- Does supervisee come with filled out Experience Tracker form, outlining all activities for the supervision period?
- Is the supervisee keeping the Experience Tracker form up to date?
- Do you and your supervisee maintain an identical concurrent set of all forms?

SUPERVISEE EVAL

- **FEEDBACK**
- Did supervisee respond appropriately and professionally to feedback delivered?
- Did supervisee listen without defensiveness to feedback?
- Did supervisee rectify (or take steps to rectify) any issues they had previously received feedback on?

ACCESS AND REQUIREMENTS

- **ACCESSING SUPERVISOR**
- Has your supervisee come to you outside of sessions if something occurred for which they needed you?
- **MEETING REQUIREMENTS**
- Is your supervisee making all requirements for supervision?
- Is your supervisee scheduling observations as needed?

GLOBAL FEEDBACK

- **GLOBAL FEEDBACK:**
- As the supervisor, which topic or discussion or observation was most valuable to the supervisee?
- How could supervision be improved?
- Is your supervisee on track to become a professional behavior analyst?
- If not, what actions have you taken to address the deficits?
- If not, have you told the supervisee your concerns and developed a remediation plan?
- What are the goals for the next 250 hours of supervision?

AND RECIPROCAL PROCESS?: Evaluating the Supervisor

- **SCHEDULING**
- On a scale of 1 to 5, have your appointments been kept?
- If supervision needed to be rescheduled, was it rescheduled during your supervision period without it negatively impacting your accrual of hours?
- **Preparation/Productivity**
- On a scale of 1 to 5, is supervision productive?
- Does your supervisor seem to know what tasks you should currently be focused on?
- Does it appear that your supervisor is prepared to facilitate discussion on the articles and topics assigned for the supervision period?
- On a scale of 1 to 5, do you feel you have had enough time to complete assigned tasks from supervision?

Supervisor Eval

- **ACCOUNTABILITY**
- Is your supervisor filling out the forms in every session?
- Is your supervisor actively and carefully checking your logs and discussing the activities that you have entered into the log?
- To your knowledge, does your supervisor maintain a concurrent set of all forms?

Supervisor Eval

- **ACCESS**
- Has your supervisor made themselves available to you outside of supervision times when you need mentoring?
- Has your supervisor returned messages or answered questions in a timely manner?

Supervisor Eval

-
- **CONTENT**
- Did your supervisor seem knowledgeable about the requirements and procedures associated with supervision, and did they guide you through the experience?
- Has ethics been regularly covered in your supervision sessions?
- Does your supervisor observe you clinically working at least twice within each supervision period?

Supervisor Eval

- **FEEDBACK**
- Was feedback provided in a timely manner and always within the supervision period?
- Was feedback provided professionally and objectively?
- Was the feedback able to be integrated into your short term goals?
- Did your supervisor follow up and provide additional feedback on the identified goal areas?

GLOBAL FEEDBACK

- **GLOBAL FEEDBACK:**
- Which activity did you find the most useful?
- How could supervision be improved?
- Is the supervisor actively helping you achieve the goals?
- Do you feel you are being adequately prepared to be a professional behavior analyst?

REMEMBER

- We are also teaching them how to become supervisors
- The experience continues in the next generation
- What do we need to model

The reality

- “an endless cycle of either ethical and productive behavior or unethical and inappropriate or harmful behavior may be created” Sellers, Alai-Rosales, & MacDonald, 2016

Remember



Mentoring
Makes a Difference



Remember

- Prevention often works
- Prevention does not always work
- Remember strategies



Strategies

- Lessons are also in everyday examples
 - SHARE THOSE STORIES
 - CREATE AN ETHICAL CULTURE
 - Consider an ethics officer
 - Consider an organizational code of ethics



If you know what to do

- DO IT
- DOCUMENT
- PREVENT

JUST DO IT.

If you are unsure

- Consult resources
- Consult experts
- Evaluate prevention long-term



Thank you

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For more information.....

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