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ETHICAL SERVICE PROVISION TO HOMELESS CLIENTS

A Workshop Presented to
The Staff of the Community Shelter Board
Columbus, Ohio

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by

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Workshop Objectives

- Review and learn the nature and types of ethical problems in service to homeless persons
- Examine values, theories and ethical codes that guide practice
- Learn a procedure for analyzing ethical problems
- Apply the above to cases

What?



Where?



Who?



Why?



When?



***Be guided by
the
Professional
code.**

***Use
supervision**

***Ask for
input from
colleagues**

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What Is An Ethical Problem?

- Threats to health and basic well-being
- Threats to liberty, freedom and privacy
- Threats to acquired goods, e.g., education, health care, transportation, and other assets.

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The Scale of Ethical Problems

- An “oops” violation
- An error of judgment
- An egregious act
- An ethical dilemma

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Ethical Issues in Human Service Practice

- When to warn and protect?
- Confidentiality and its limits
- Reporting violence against client's wishes
- Mandatory reporting to authorities
- Clients who return to batterers
- Worker safety
- Use of coercion (both verbal and physical)
- Agency policies which limit service

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ISSUES PECULIAR TO CSB

- Protecting confidentiality when using electronic media
- Cite NASW code (107m) and Licensing Board rule (4757-5-02 (D) 4
- Reasonable and appropriate precautions and procedures

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PROTECTED PERSONAL & HEALTH INFORMATION

- What is protected personal information (PPI) and protected health information (PHI)?
- What is the authority behind each?
- How is this information different and the same?

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HIPAA PRIVACY RULE

- Purpose
- Individually Identifiable HI
- PHI may be disclosed without consent for 12 “national priority purposes” including public health and law enforcement purposes
- Discuss these 2 purposes and CSB policy statement on privacy

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THE BASIS FOR PROFESSIONAL ETHICS HUMAN SERVICE PROFESSIONAL VALUES

- **Autonomy**
- **Beneficence**
- **Nonmaleficence**
- **Justice**
- **Fidelity**
- **Veracity**

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Beyond Values: More Foundation For Ethical Professional Practice

- **Ethics Law:** Statutes that define legal limits on ethical behavior and enforced by courts, commissions, and licensing boards
- **Ethical Codes:** The minimum standards set by professional associations and/or licensing boards
- **Aspiration Ethics:** The highest level of the standard to which a professional can aspire to in relation to one's practice.
- **Virtue Ethics:** Focus is on the character traits of the professional practitioner rather than his/her professional practice obligations.



Ethical Theories

Metaethics

- What do we mean by “right and wrong”?
- What criteria would we use to judge unethical conduct?
- Are there principles which lead to a “good” life?

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Normative or Applied Ethics

- Three major theories:
- Deontological (Greek deonotos: of the obligatory) AKA Rule or Principle Ethics)
- Teleological (Greek teleios: brought to its end or purpose)AKA Utilitarianism or Consequentialism
- Virtue Ethics which emphasizes following the highest principles and values

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Professional Codes

**Code of Ethics of the Ohio
Counselor, Social Worker and
Family Therapist
Licensing Board
NASW Code
Other Codes**

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Dilemmas Beyond The Code

- **Gewirths Ethical Theory**
 - Assumptions
 - Normative Principles

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Gewirth Simplified

Assumptions

- We have undeniable, basic rights to both freedom and well-being as we pursue purposeful action.

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Gewirth Simplified

- In order to realize our rights to freedom and well-being we need these kinds of resources (called “goods”) that affect our ability to engage in purposeful action.

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Gewirth Simplified

- First, we need life itself, as well as health, food, shelter, and mental equilibrium. These are the “basic goods” and they take precedence over all other resources.



Gewirth Simplified

- Second, we need to be told the truth, treated fairly, not victimized, not subjected to deprivations-emotional or physical – not subjected to harsh labor. These are “justice goods” in the sense they have to do with fairness and balance. They are second in importance and termed “non-subtractive goods.”

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Gewirth Simplified

- Third, these are resources that will enhance our abilities to pursue purposeful action, e.g., knowledge, material wealth, education, positive social relations, self-esteem, recreation and leisure-time resources. These are third in importance and called “additive goods.”

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The Normative Principles

1. Threats or harm against well-being take precedence over truth-telling, not keeping one's promise, acting harshly or coercively.
2. One person's right to freedom of action is subordinate to another's right to well-being and freedom.

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The Normative Principles

3. A person's basic right to freedom of action takes precedence over his or her own basic rights to well-being, even though the act will be injurious to the person, as long as it is voluntary and will not be injurious to others



The Normative Principles

4. When a person enters into a social contract with a voluntary association or party, one accepts the obligation to obey the terms of the contract and all laws, rules, and regulations to which one has freely assented.

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The Normative Principles

5. However, one's right to well-being – physical or mental – may become a basis for disputing or breaking the rules of a voluntary association in cases of conflict.



The Normative Principles

6. Our basic rights to freedom and well-being carry a responsibility to promote “additive goods” for all and, as such, we are morally required to share our property with others through voluntary action, beneficence and taxation.

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Analytical Decision Process Model For Resolving Ethical Dilemmas

1. Identify the ethical issues and underlying value conflicts in the problem situation. State who the parties are who are immediately affected by the situation under examination.

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Analytical Decision Process

2. What specific articles of the applicable Code of Ethics are implicated by this case or problem? What other ethical frameworks, laws, or precedents may be relevant?

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Analytical Decision Process

3. Specify all possible courses of action relevant to this problem or case.
4. Evaluate (pro/con; degree of risk; degree of intrusion, etc.) each possible action in terms of its effects upon each party to the conflict.

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Analytical Decision Process

5. What is your decision?
Provide a rationale in terms of the ethics and values involved. State how you would monitor the effects of this decision.

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Applying Theory and Procedures to Case Problems

- Divide participants into small groups
- Discuss three or four case scenarios in small groups
- Present decisions and recommendations serially to the larger audience for discussion

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The ETHICAL Model

- E:** Examine relevant personal, societal, agency, client and professional values

- T:** Think about which ethical standard of the professional code (NASW; ANA; Ohio Licensing Board) applies to the social worker as well as laws and case decision

- H:** Hypothesize about the consequences of difference decisions

- I:** Identify who will benefit and who will be harmed by acting or not acting

- C:** Consult with supervisors and colleagues
- D:** Act
- E:** evaluate

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Resource

- Health and Social Care of the Homeless
- Taylor and Francis Online
- An extensive array of articles from several journals pertinent to the care of homeless persons