

# PRACTICE AND PRAXIS: EXPLORING THE HOW AND WHY OF THE JOB

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- Ethics
- Professionalism
- Professional development
- Telehealth

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## WHAT IS ETHICS?

- **Definition of ethic**
- 1: the discipline dealing with what is good and bad and with moral duty and obligation.
- 2: a set of moral principles; a theory or system of moral values; the principles of conduct governing an individual or a group.

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## PCB ETHICAL VIOLATIONS

- 15 violations listed in the first 11 months of 2021
  - 3 for dual relationships violation with one specifically for sexual misconduct
- 24 violations listed for 2020
- 9 violations listed for 2019

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## ETHICS AND VIOLATIONS

- Cooperation with the Board
  - Not responding to the Board when a complaint is lodged

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## ETHICS AND VIOLATIONS

- Fraud
  - Misrepresenting professional credentials

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## ETHICS AND VIOLATIONS

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- Relationships
  - Dual and/or Sexual

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## CURRENT

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- Sexual misconduct PCB: 1 (so far) in 2021, 4 in 2020, 2 in 2019, 1 in 2018
- It is not possible to provide accurate estimation of the frequency of sexual violations in medicine. Most patient victims do not report sexual violations. One study estimated fewer than 1 in 10 victims choose to report it. (DuBois, et al)

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## CURRENT

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- Estimates indicate that 70-90% of clinicians have been attracted to one client, oftentimes more.
- Sexual attraction is normal and not necessarily unethical, insofar as the attraction does not compromise objectivity or competence and is not acted upon.
  - (Capawana)

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## PROFESSIONALISM AND ETHICS

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- What is "Professionalism"?
- What is the impact on others?
- Why does this matter?

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## PROFESSIONALISM

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- Professionalism is how you present and conduct yourself in the workplace.

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## PROFESSIONALISM

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- Some attributes of professionalism:
  - Attitude
  - Competence
  - Appearance
  - Responsibility
  - Adaptability
  - Teamwork
  - Communication
  - Conduct, mannerisms, and appropriateness

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## ATTITUDE AND BEHAVIOR

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- Maintain a relatively positive attitude.
- If there is an issue that needs to be addressed, address it directly, within the context of the issue (not making it personal), politely.
- In event of conflict:
  - Don't take things personally, unless it actually is personal.
  - Understand the situation from more than just your perspective.
  - Ask questions.
  - A professional typically views conflict as a chance to practice the art of professionalism.

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## ATTITUDE AND BEHAVIOR

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- Maintain honesty, integrity.
- Maintain confidence in yourself, even if you're not confident in what you're doing at the moment.
- Have a positive attitude toward learning, growth, and personal health.

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## COMPETENCE

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- Be an expert in what you know...
- and don't be an expert in what you don't know.
- And know that you'll never know it all and that there's always more to learn (remember to be humble...).

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## APPEARANCE

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- Take the time to understand the environment, expectations, and best practices with regards to the visual impact you want to make.
- Your appearance is what you want to say about yourself before you ever open your mouth.

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## RESPONSIBILITY

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- Accountability for actions taken, or not taken.
- The ability to manage time and other resources.
- Treating others with respect.

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## ADAPTABILITY

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- Being positive about, or at least accepting of, CHANGE.
- Being able to see how change provides a better outcome, rather than relying on familiarity.
- Think critically and logically to solve the problem.
  - Never be afraid to ask for help
  - Ask for help sooner rather than later

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## TEAMWORK

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- Are you willing to help others, and be helped by others?
- Do you take others into consideration when making decisions and/or acting in your role?
- Do you respect your co-workers?
- Do you fit the culture of the team and/or organization?

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## COMMUNICATION

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- Communication
  - Listen and learn
  - Understand and speak the language of the profession
  - Professional language versus jargon
  - Jargon – special words or expressions that are used by a particular profession or group and that are difficult for others to understand
  - Obfuscation – the action of making something obscure, unclear, or unintelligible

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## COMMUNICATION

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- Written communication – proper (or at least decent) grammar, abbreviations, and tone are important.
- Oral communication – be accurate, concise, and do not use more words or syllables than are necessary (*back to obfuscation*).
- Technology based communication – email, text, social media. Think twice before hitting the send button.
  - Email etiquette.

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## CONDUCT, MANNERS AND APPROPRIATENESS

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- Some "Dos and Don'ts" for professionalism:
  - Be on time
  - Maintain a positive, or at least a neutral attitude (don't be a grump)
  - Don't gossip
  - Be truthful, don't lie
  - Don't air your dirty laundry, or anyone else's
  - Always fight fair
  - Be polite, or at least don't be rude
    - Mistaking "brutal honesty" versus "honest brutality"

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## EXPECTATIONS AND STANDARDS

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- Organizations are responsible for setting the expectations and standards in the workplace.
- It is the manager's job to reinforce the expectations and standards.
- It is the employee's job to meet the expectations and standards.

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## YOUR ABC'S

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- Always
- Be
- Cognizant
- Conscientious
- Considerate

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## PROFESSIONAL DEVELOPMENT

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- Need for education, building competencies, deepening the context of practice.
- If you are running after CEs for certification requirements, etc., how do you navigate collecting CE hours that are solid and good education rather than simply checking the CE hours box?
- Are there tricks to identify good trainings over not good, or at least beyond basic?
- As you move through your career, how do you ensure you are engaged with advanced training opportunities that are consistent with where you are professionally?

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## PROFESSIONAL DEVELOPMENT

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- Challenging what you know and how you know from subjective to objective.

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## PROFESSIONAL DEVELOPMENT

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- Relying on evidenced-based practices.
- What does this really mean?

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## TELEHEALTH

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- Increase in popularity in since Spring 2020
  - Why?
- HIPPA compliance and regulations
  - Zoom, WebEx, etc.
  - Physical space
- Warnings and Dangers
  - Liabilities for this type of practice

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## INTRODUCTION

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- Telemental health or telehealth are interchangeable internationally broad terms referring to the provision of mental health and substance abuse services from a distance.
- Implicit in these terms is the use of various technologies to provide services from a distance.

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## SOME TELEHEALTH TERMINOLOGY

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- Synchronous: telehealth involves a live, real time, two-way video and audio connection between either a patient and provider or multiple providers.
- Asynchronous: telehealth that involves some recording of patient data for provider evaluation later.
- Originating site: location of the patient at the time of service
- Distant site: location of the provider

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## A LITTLE HISTORY

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- Telepsychiatry is more than 50 years old. It was started in 1956 by Cecil Wittson of the Nebraska Psychiatric Institute using closed circuit one-way television transmission to provide psychiatric training to medical students at the Medical College of Nebraska.
- By 1959, live two-way communications were being used to facilitate patient and group centered telepsychiatry for patients 112 miles away.

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## A LITTLE REVIEW OF THE BASICS

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- Ethical foundations are as important now as they ever have been.

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## FOUR BASIC PRINCIPLES OF HEALTHCARE ETHICS

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1. **Autonomy:** In medicine, autonomy refers to the right of the patient to retain control over his or her body.
2. **Beneficence:** This principle states that health care providers must do all they can to benefit the patient in each situation.
3. **Non-Maleficence:** Non-maleficence is probably the best known of the four principles. In short, it means, "to do no harm."
4. **Justice:** The principle of justice states that there should be an element of fairness in all medical decisions.

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## SOME ETHICAL ISSUES IN TELEHEALTHCARE

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- **Beneficence:** implicit in this area is the idea the care being provided is the best care/technique for that patient and that the provider is qualified to provide it.
- Ethical issue: is telehealth the best method for providing care for this patient?
  - Does telehealth provide the same or comparable benefits as in-person care?
  - How does telehealth compare with other effective, and other cost-effective ways to improve healthcare?

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## SOME ETHICAL ISSUES IN TELEHEALTHCARE (CON'T)

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- Some research has shown that videoconferencing is comparable to the alliance found in in-person treatment. There is some literature on the effectiveness of videoconferencing in treating a wide range of mental health disorders, including addictions.
  - Discussion of this point:
    - Is comparable the same, "as good as", equal?
- It would be inappropriate for more impaired individuals, such as severe depression, suicidal clients, and those with impulse control difficulties, such as violence and homicidality.

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## SOME ETHICAL ISSUES IN TELEHEALTHCARE (CON'T)

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- **Beneficence:** implicit in this area is the idea the care being provided is the best care/technique for that patient and that the provider is qualified to provide it.
- Ethical Issue: Is the provider appropriately versed in the technology needed for this service and how deliver to services using the technology?
  - What are provider countertransference issues involved?
    - Provider resentment/resistance against various technology.

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## SOME ETHICAL ISSUES IN TELEHEALTHCARE (CON'T)

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- Using technology that is appropriate for the needs of the services being delivered (e.g. secure networks, sufficient bandwidth, reliable service provider).
- Being able to adequately perform job duties (e.g. assessment, client engagement and rapport building, counseling, case management).
- Importantly, telehealth providers are now constrained to using only two of their five senses, and this a fundamental change in the way of communicating and practicing.
  - What things are missing using technology versus in-person sessions?

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## DISCUSSION QUESTION

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- Should "bad news" be given inperson or can it be given over telecommunications?
  - What subjects are better reserved for in person sessions?

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## SOME ETHICAL ISSUES IN TELEHEALTHCARE (CON'T)

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- Telehealth can allow for providers to reach remote regions; however, certain factors may limit access to technology.
  - Understand that there is a clear digital divide between rural and urban areas, as well along socioeconomic lines, and (typically age-based) differences in comfort.
  - A 2019 article estimates 200,000 residents in the State of Maine lack access to broadband internet service.

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## BEST PRACTICES FOR TELEHEALTH

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- The following guidelines are taken and adapted from:
  - The American Telemedicine Association's (2013) *Practical Guidelines for Video-Based Online Mental Health Services*.
  - The National Association of Social Workers (2017) *NASW,ASWB, CSWE & CSWA Standards for Technology in Social Work Practice*.

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## BEST PRACTICES FOR TELEHEALTH

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- Follow all points of your organization's Code of Ethics.
- Representation of self and accuracy of info – make reasonable efforts to ensure accuracy and correct inaccuracies.
  - Referring to online "advertising" and information provided.
- Assess for relative benefits and risks of providing services using technology.
- Understand jurisdiction issues: does the client residence, location during service, or provider location determine jurisdiction?
  - For social workers, BOTH client and provider determine jurisdiction.
  - For other licensed or certified providers, other definitions may apply; know what applies to you.

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## BEST PRACTICES FOR TELEHEALTH

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- Provider and patient location documentation.
  - In the US jurisdiction is tied to where the patient is physically located when he/she is receiving the care.
- Mandatory reporting and related ethical requirements such as duty to notify are tied to the place where the patient is receiving services.
- The emergency management protocol is entirely dependent upon where the patient receives services.
- Professionals should evaluate the potential risk factors or problems at the start of providing telehealth where professional is not immediately available for in-person intervention.

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## BEST PRACTICES FOR TELEHEALTH

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- Informed consent: confidentiality and limitations of confidentiality; agreed emergency plan, documentation, potential tech failure.
- Consent process should include the discussion of conditions of participation around session management so that if the professional decides a patient can no longer be managed through remote/distance session, the patient is aware that the services may be discontinued if no longer appropriate.
- Patient Support Person: that person who can be called for support should there be a need in an emergency.

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## BEST PRACTICES FOR TELEHEALTH

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- Contact info verification for professional and patient.
- Provider and patient identity verification at every session.
- Privacy: be able to block caller ID in order to maintain confidentiality.
- Physical environment: aim to provide the same specifications as an office. Monitor for possible interruptions (such as pets, family, etc.)
- Patient appropriateness for videoconferencing telemental health.
- When conducting PSA, assess for client relationship and comfort level with technology.
  - Assess for relevant needs, risks, and challenges, such as access, affordability, reluctance, limited knowledge and fluency.

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## BEST PRACTICES FOR TELEHEALTH

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- Providers should be competent in using technology.
- Providers should keep apprised of the types of technology and research the best practices, risks, ethical challenges, and ways of managing them.
- Some clients may not have access to technology at times for religious reasons (e.g. prohibitions from using technology on a Sabbath).
- In case of tech failure, have a back up.

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## BEST PRACTICES FOR TELEHEALTH

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- Keep things confidential.
  - Confirm identity of client at each encounter: requiring ID, passcode confirmation, phone call, etc.
- When gathering, managing, storing client information, ensure a clear delineation between personal and professional communications and information. (some providers may have two computers or phones, some may not, if using personal computer or phone, ensuring it is secure from family other access)
- Methods to manage risks when sharing information:
  - Ensuring accuracy of email, fax, telephone, or other electronic destination
  - Using secured servers and encryption
  - Limiting information sent to be only that which is required
  - Ensuring that the recipient of the information will respect the sender's request to maintain confidentiality

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## BEST PRACTICES FOR TELEHEALTH

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- Use only HIPPA compliant platforms including: Vyzit, VSee, Zoom, Regroup Therapy, Breakthrough, and others that are secure.

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## A REVIEW OF SOME CONSIDERATIONS

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- Possible benefits of using technology:
  - Enhancing access to services
  - Real time monitoring of remote clients
  - Being able to respond rapidly
  - Enhancing services based on client schedule changes
  - More cost-effective delivery of services
  - Ease of communication?
  - Reducing risks of travel

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## A REVIEW OF SOME CONSIDERATIONS

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- Possible risks in using technology
  - Potential for technology failure
  - Potential for confidentiality breaches
  - Higher costs of technology
  - Prevention of unauthorized use or unethical purposes

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## IN CLOSING

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- Thoughts, questions, comments?

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## THANK YOU

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