

### **How do I know if I have an ethical concern? What are the red flags?**

Familiarize yourself with PCB's Codes of Ethics. This will give you a point of reference when in doubt. The most obvious red flag could be your "gut" so follow your gut" may be helpful. If it does not sit well in your gut, then you are probably correct in your assumption. Talk to your supervisor. Always err on the side of caution. Once you have exposed your concern to your supervisor, it becomes a shared responsibility and he/she can advise you further. If you still need some clarity, you can always contact PCB for further instruction or assistance.

### **How does a certified professional alert a colleague of potential unethical behavior? What if he/she doesn't change their behavior?**

It is always recommended that you speak directly to your colleague as per Rule 10.2 of the PCB Code of Ethics. However, this is based on your professional relationship with the individual. If it is someone you feel comfortable talking to and have a good working relationship with, then attempt to address it with them first by showing them the rule within the PCB Code of Ethics you feel they may have violated. This will give them the benefit of addressing your concerns. If there continues to be no change, then follow your agency's organizational hierarchy protocol for additional direction.

### **What, how, and when should I take my concern to a supervisor?**

You should take any concerns you may have to your supervisor immediately. State only the facts and provide any related documents you may have that substantiate your concerns. Be specific when giving information and, if possible, include dates, times, and/or places when issues or situations were discovered or observed.

### **Is there anyone else I should talk to if I have an ethics question?**

You can contact PCB at [info@pacertboard.org](mailto:info@pacertboard.org) or visit the website at [www.pacertboard.org](http://www.pacertboard.org) where you will find additional information related to filing an ethics complaint or submitting an ethics question for a response.

### **What is exploitation of clients?**

Client exploitation comes in many forms and is often characterized by behavior on the part of the certified professional that takes advantage of the client/consumer, typically for selfish purposes. When the professional relationship evolves into a "dual relationship," boundaries between the certified professional and the client/consumer become compromised, leaving the client/consumer vulnerable to the influences of the professional. Potentially exploitive types of dual relationships because of violated boundaries include but are not limited to the following examples: sexual/romantic relationships, development of personal friendships, expectations of gifts, monetary gain, and/or favors from clients/consumers. The sensitive balance in the professional relationship becomes jeopardized because of the blurred boundaries and/or the professional's unethical behavior.

### **How do I file an ethics complaint?**

Complaints must be submitted in writing using PCB's ethics complaint reporting form or a letter with as much detail as possible. Complaints cannot be anonymous and must contain the name and contact information of the person filing the complaint. Verbal complaints to the PCB Office cannot be accepted. Evidence is necessary to accompany complaints. Otherwise, the complaint is hearsay and the PCB Ethics Committee cannot act on complaints that are hearsay.

### **Is there a time limit on filing an ethics complaint?**

Complaints must be filed within four years from date the offense occurs. Complaints that occurred longer than four years will be returned to the complainant.

### **If the person against whom I'm filing an ethics complaint has a PCB credential and a professional state-issued license, can I assume that one agency will communicate the complaint to the other or should I file the complaint with both organizations? If the certified professional works in a licensed treatment facility, should I also file a complaint with the licensed facility and/or the Division of Licensing?**

If the certified professional against whom you are filing an ethics complaint also holds a professional license from the Commonwealth of PA, you may also file a similar complaint with that licensing board. PCB typically does not forward a complaint against a certified professional on to another licensing board. If the certified professional against whom you are filing an ethics complaint works in a state licensed treatment facility, you may also file a similar complaint with that licensed facility and/or the Division of Licensing.

### **What are some possible ramifications to reporting an ethics complaint and how is the professional who reports protected?**

There are many fears and possible consequences related to reporting a violation. However, there are an equal number of positive outcomes as well.

CONS: Relationships are damaged; Possible retaliation from colleague or agency; Person reporting becomes an outcast and is ostracized by the team.

PROS: Consumers are protected; Agency is safer from possible law suits; Staff could receive help, including trainings that could prevent future violations.

There are policies in place that protect employees from harassment that could be displayed or imposed on or towards the reporter.

### **Where can I get a copy of the PCB Codes of Ethical Conduct?**

You can obtain a copy of the PCB Codes of Ethical Conduct directly from the PCB website at [www.pacertboard.org](http://www.pacertboard.org) and click on "Ethics." The PCB Office can also mail, email or fax you a copy.

### **Can anybody file an ethics complaint?**

Yes, anyone can file an ethics complaint. Typically, complaints are submitted by clients/consumers, former clients/consumers, co-workers, and treatment facilities. It is always best if the person filing the complaint has first-hand knowledge of the incident or allegations. Anyone who believes a person covered by the PCB Codes of Ethics and has potentially violated a Code may file a written complaint with the Ethics Committee. The PCB may also initiate complaints internally. Only individuals certified by PCB are subject to the codes of ethics. If you are considering filing a complaint, you are encouraged to use a complaint form. A complaint form is available on this website. Complaints will be accepted in any form if they are in writing. The committee does not accept verbal or anonymous complaints.

### **I'd like to file an ethics complaint against a certified professional at my facility/agency, but my supervisor said that I could not. What should I do?**

A certified professional should promptly alert colleagues informally to potentially unethical behavior, and report violations of professional conduct when the certified professional has violated ethical standards and failed to take corrective action after the informal intervention. A certified professional is required under the code of ethics to report any uncorrected violation of the Code of Ethical Conduct within 90 days of the alleged violation. Individuals certified by PCB are required to cooperate fully and in a timely fashion with the ethics process. Failure to cooperate may constitute a violation of the ethics code and failure to report a violation may be grounds for disciplinary action.

### **When I file a complaint, what happens when it is received by PCB? Who makes the final determination?**

When an ethics complaint is filed with PCB, the Executive Director will determine if there appears to be a violation of one or more of the rules within the Code of Ethical Conduct. If yes, he/she will begin an investigation process. Once the investigation process is completed, the findings will be thoroughly reviewed by members of the PCB Ethics Committee. The members of this committee will either agree with the findings and determine any disciplinary action, request additional facts surrounding the complaint, move to hold an ethics hearing, or dismiss the complaint for lack of substantial findings. The final decision rests with the members of the PCB Ethics Committee.

### **I want to make sure the person that I'm filing a complaint against gets fired from his/her job. Can PCB make this happen?**

Specifically, no. Understand that the role of the Ethics Committee is to investigate and sanction those who breach the PCB code of conduct. Certification is a voluntary process. Therefore, the scope of a sanction is limited to the ability to hold certification. If the Ethics Committee has determined that a respondent has violated a code, sanctions may include: 1) Written Caution, which is a formal, private, non-publicized letter of warning that cautions against certain conduct or behavior. 2) Public Reprimand, which is a formal, written and published reproof or warning to a respondent. 3) Suspension, which results in the temporary forfeit of PCB certification for a period of time (determined by the Ethics Committee). 4) Revocation, which

results in the complete and permanent forfeit of PCB certification. If a respondent were to have a sanction imposed, it may impact their current employment. Also, the complaint may also be filed with other entities, which may have more of an impact on employment or vocation.

**I recently filed an ethics complaint against a certified professional but now I've changed my mind. Can I withdraw the complaint?**

You may contact PCB and make such a request. However, this request may be denied if the complaint is of a significant nature. PCB would be obligated to pursue an investigation as the code of conduct exists, in large part, to protect consumers.