

CODE OF ETHICAL CONDUCT

(CPS)

RECOVERY FIRST

Rule 1.1: A certified professional or applicant shall be actively engaged in maintaining mental wellness, utilizing self-care strategies as well as available supports and resources.

Rule 1.2: A certified professional or applicant shall recognize the effect of impairment on professional performance and shall be willing to seek appropriate services/supports for oneself. A certified professional or applicant who chooses not to seek support for any substance use disorder, psychiatric or psychological impairment, emotional distress, or for any other physical health related adversity that interferes with their professional functioning shall be in violation of this rule. Where any such conditions exist, and impede their ability to function competently, a certified professional must request inactive status of their PCB credential for medical reasons for as long as necessary. Any applicant must stop the certification process as long as necessary.

UNLAWFUL/CRIMINAL CONDUCT

Rule 2.1: A certified professional or applicant shall not be cited, arrested, or convicted for any summary offense, misdemeanor or felony relating to the individual's ability to provide behavioral health services or that reflects conduct unbecoming a professional as determined by PCB. All such citations, arrests, or convictions shall be reported to PCB within 30 days of offense.

Discussion: *A certificate of conviction shall be deemed conclusive evidence of an individual's guilt of the felony or misdemeanor for which he or she has been charged. If the citation, arrest, or conviction relates to the individual's ability to provide behavioral health services or reflects conduct unbecoming a certified professional, as determined by PCB, this shall be deemed a violation of this Rule. PCB may choose to allow pending charges against the certified professional to be settled through the judicial system before rendering their decision on an ethics complaint.*

Rule 2.2: A certified professional or applicant shall not use, possess, give/lend, or sell any unprescribed or illegal substance. A certified professional or applicant shall not give/lend or sell recommended or prescribed substances.

Rule 2.3: A certified professional or applicant shall not use any illicit substances.

Rule 2.4: A certified professional or applicant shall not use any prescribed psychoactive medication in a manner that is contraindicated or not recommended by his/her prescribing professional to the extent that such use impairs his/her ability to provide peer support services safely and competently.

ROMANTIC/SEXUAL MISCONDUCT

Rule 3.1: A certified professional or applicant shall, under no circumstances, suggest or engage in romantic/sexual activities or romantic/sexual contact with individuals receiving services, whether such contact is consensual or forced. This prohibition applies to both in person and electronic interactions or relationships.

Rule 3.2: A certified professional or applicant shall not suggest or engage in romantic/sexual activities or romantic/sexual contact with individuals receiving services' immediate family. This prohibition applies to both in person and electronic interactions or relationships.

Rule 3.3: A certified professional or applicant shall not engage in romantic/sexual activities or romantic/sexual contact with individuals who previously received services. This prohibition applies to both in person and electronic interactions or relationships.

Rule 3.4: A certified professional or applicant shall not provide services to individuals with whom they have had a prior romantic/sexual relationship. This prohibition applies to both in person and electronic interactions or relationships.

Discussion: *If certified professionals engage in conduct contrary to this prohibition or claim that an exception to this prohibition is warranted because of extraordinary circumstances, it is certified professionals, not their individual receiving services, who assume the full burden of demonstrating that the individual who previously received services has not been exploited, coerced, or manipulated, intentionally or unintentionally.*

Discussion: *Romantic activities are oftentimes non-sexual in nature and may include emotional attraction toward another person such as love, intimacy, compassion, appreciation, and affinity.*

FRAUD-RELATED CONDUCT

The term "fraudulent claim" includes but is not limited to: charging the individual receiving services or any other funding source paying for services, for a service not performed or submitting an account or charge for services that is false or misleading. It does not include charging for an unkept appointment when the original written contract for services allows for such a charge.

Rule 4.1: A certified professional or applicant shall not prepare, present, or participate in activities related to fraudulent billing or benefit claim under any employee benefit program, insurance policy/program, and/or otherwise funded program.

Rule 4.2: A certified professional or applicant shall not present fraudulent documents when applying for certification, certification upgrades, or certification renewal.

Rule 4.3: A certified professional or applicant shall not prepare fraudulent certification or certification renewal documents for other certification applicants.

Rule 4.4: A certified professional or applicant shall not use a title designation, credential or license, firm name, letterhead, publication, term, title, or document which states or implies an ability, relationship, or qualification that does not exist and to which they are not entitled.

Rule 4.5: A certified professional or applicant shall not sign or issue, in their professional capacity, a document or a statement that the professional knows or should have known to contain a false or misleading statement.

Rule 4.6: A certified professional or applicant shall not produce, publish, create, or participate in the creation of any false, fraudulent, deceptive, or misleading advertisement.

Rule 4.7: A certified professional or applicant who participates in the writing, editing, or publication of professional papers, media resources, online platforms, brochures, or books must act to preserve the integrity of the profession by acknowledging and documenting any materials and/or techniques or people (i.e., co-authors, researchers, etc.) used in creating their opinions/papers, books, etc.

Rule 4.8: A certified professional or applicant who participates in identifying themselves as part of the profession

and/or the peer community through writing, media resources, online platforms, brochures, or other forms of advertising must act to preserve the integrity of the profession by conducting themselves in a professional manner at all times.

Discussion: *From the time an individual applies for a professional credential from PCB, and thereafter once credentialed, it is expected that their behavior reflects the highest standards of professionalism at all times.*

DUAL RELATIONSHIPS/EXPLOITATION OF INDIVIDUALS RECEIVING SERVICES

Rule 5.1: A certified professional or applicant shall not suggest, initiate, develop, and/or maintain dual/exploitative relationships with individuals receiving services and/or family members of individuals receiving services. This prohibition applies to both in person and electronic interactions or relationships.

Rule 5.2: A certified professional or applicant shall not dishonestly or unfairly take for their own use or benefit any property or belongings from individuals receiving services and/or family members of individuals receiving services.

Rule 5.3: A certified professional or applicant shall not enter or maintain a financial dual relationship nor promote a treatment, procedure, product, or service that results in income/profit to the certified professional, individuals receiving services or a third party

Rule 5.4: A certified professional or applicant shall not ask for nor accept gifts or favors from individuals receiving services and/or family members of individuals receiving services.

Discussion: *When a certified professional or applicant "plays" or "preys" upon an individual's, who is receiving services, by using their gratitude for services against them or if the certified professional or applicant covertly or overtly implies or states that the individual receiving services remains indebted and should "repay" him or her through gifts or other favors, violates these rules. The unique position of trust and responsibility with the individual receiving services not only becomes jeopardized, but the certified professional has also engaged in unethical actions.*

Rule 5.5: A certified professional or applicant shall not offer, give, or receive commissions, rebates, or any other forms of payment for referrals of new individuals wishing to receive services.

Discussion: *Ethical problems are often raised when those certified professional or applicants who are providing services blend their professional relationships with another kind of relationship. Dual relationships can take many forms and are inherent in the work of all helping professionals regardless of their setting or services received. The nature of the professional-service recipient relationship is such that the individual receiving services remains vulnerable to the real or perceived influences of the professional. Dual relationships may make it difficult for the certified professional or applicant to maintain appropriate professional boundaries. It is the certified professional's or applicant's responsibility to assume the full burden for setting clear, appropriate, and culturally responsive boundaries. Examples of dual or multiple relationships that are potentially exploitive through the violation of professional boundaries include but are not limited to: romantic/sexual relationships, bartering arrangements, business arrangements, providing peer support services to ones' own family members, friendship, and social networking with individuals receiving services and/or their family members. Social networking shall be defined to include but not limited to blogs, podcasts, wikis, pictures, email, instant messaging, forums, chat rooms, Facebook, Instagram, TikTok, Twitter, texting, etc. Unavoidable or potentially helpful dual relationships should be discussed with a supervisor and documented prior to the interaction when feasible.*

PROFESSIONAL STANDARDS

Rule 6.1: A certified professional or applicant shall not in any way participate in discrimination based on race, ethnicity, gender, gender identity or presentation, sexual orientation, age, religion, national origin, socio-economic status, political belief, psychiatric or psychological impairment, physical ability, immigration status, any legally protected class, criminal history, or recovery pathway.

Rule 6.2: A certified professional must request Inactive Status of their PCB credential for psychological, emotional, physical, or behavioral health related adversity that interferes with their professional functioning.

Rule 6.3: A certified professional or applicant holding a certification, license, or other authorization to practice issued by any certification authority or any state, province, territory, tribe, or federal government whose certification or license has been suspended, revoked, placed on probation, or other restriction or discipline shall promptly alert PCB of such disciplinary action.

Rule 6.4: A certified professional or applicant shall not perform services outside of their area of training, expertise, competence, or scope of practice. They shall seek consultation or make appropriate referrals when the individuals receiving service's needs are beyond their area of training, expertise, competence, or scope of practice.

Rule 6.5: A certified professional or applicant shall demonstrate multicultural competence in training, services provided, and supervision.

Rule 6.6: A certified professional or applicant shall not reveal confidential information obtained as the result of a professional relationship, without a prior written document providing permission from the individual receiving services, except as authorized or required by law.

Rule 6.7: The certified professional or applicant shall not permit, directly or indirectly, publication of photographs, including social media, disclosure of individuals receiving services names or records, or the nature of services being provided without securing all required releases from the individuals receiving services, or parents or legal guardians of the individuals receiving services.

Discussion: *The certified professional or applicant could unwittingly compromise an individual receiving service's right to confidentiality, directly or indirectly, by permitting photographs and articles in publications that identify individuals receiving services, and/or the nature of services being provided without securing releases.*

Rule 6.8: The certified professional or applicant shall not discontinue professional services to individuals receiving services, nor shall they abandon the individuals receiving services without facilitating an appropriate closure of professional services unless: 1) services have been completed; 2) the individuals receiving services requests the discontinuation; 3) alternative or replacement services are arranged, or the individuals receiving services is given reasonable opportunity to arrange alternative or replacement services.

Rule 6.9: A certified professional or applicant shall adhere to all state and/or federal regulations for providing distance services.

Rule 6.10: A certified professional or applicant shall ensure that any electronic means used in the delivery of distance services comply with current regulatory standards including confidentiality.

Rule 6.11: A certified professional or applicant shall promptly alert colleagues to potentially unethical behavior and report any Code of Ethics violations of other certified professionals to the appropriate licensing/disciplinary authority when they know or should have known that another certified professional has violated ethical standards and has

failed to take corrective action after informal intervention.

SAFETY & WELFARE

Rule 7.1: A certified professional or applicant shall adhere to all federal and state laws and regulations, when a condition of clear and imminent danger exists that an individual receiving services may inflict serious bodily harm on another person or persons, often referred to as *duty to warn*.

Rule 7.2: A certified professional or applicant shall adhere to all federal and state laws and regulations regarding when a condition of clear and imminent danger exists that individuals receiving services may inflict serious bodily self-harm.

Rule 7.3: All certified professionals and applicants are mandated reporters as defined by Pennsylvania State Law.

Rule 7.4: A certified professional or applicant shall not refer individuals receiving services to a person that they know or should have known is not qualified by training, experience, certification, or license to perform the delegated professional responsibility.

RECORD KEEPING

Rule 8.1: A certified professional or applicant shall not falsify, amend, or knowingly make incorrect entries or fail to make timely essential entries into the individuals receiving services record.

Rule 8.2: A certified professional or applicant shall follow all federal and state regulations regarding individuals receiving services records and shall seek guidance from their employer when questions arrive.

COOPERATION WITH THE BOARD

Rule 9.1: A certified professional or applicant shall cooperate with a PCB disciplinary investigation or proceeding and shall not interfere with an investigation or a disciplinary proceeding or attempt to prevent a disciplinary proceeding or other legal action from being filed, prosecuted, or completed.

Rule 9.2: A certified professional or applicant shall not make a false statement to PCB or any other disciplinary authority.

Rule 9.3: A certified professional or applicant with firsthand knowledge of the actions of a respondent or a complainant shall cooperate with the PCB investigation or disciplinary proceeding. Failure or unwillingness to cooperate in the PCB investigation or disciplinary proceeding may be grounds for disciplinary action.

Rule 9.4: A certified professional or applicant shall not file a complaint or provide information to PCB which they know or should have known is false or misleading.

Rule 9.5: In submitting information to PCB, a certified professional or applicant shall comply with any requirements pertaining to the disclosure of individuals receiving services information established by federal or state law.