

# CRS/CFRS CODE OF ETHICAL CONDUCT

## PREAMBLE

The Pennsylvania Certification Board (referred to herein as "the Board" or "PCB") provides voluntary certification for substance abuse and other behavioral health professionals as a way of assuring competence to clients, to the public, and to employers. PCB is dedicated to the principle that individuals in the field of substance abuse and other behavioral health services must be held to the highest standards of ethical practice. To that end, the PCB has adopted this Code of Ethical Conduct, to be applied to all professionals certified by or seeking certification by the Board. Individuals are subject to this Code from the date of application to PCB by the applicant. The Code of Ethical Conduct exists for the protection of clients.

The Board is committed to investigate and sanction those who breach this Code. Certified professionals are, therefore, encouraged to thoroughly familiarize themselves with the Code and to guide their behavior according to the Rules set forth below.

Transparency or being visible about your professional behavior is paramount to maintaining the high standards set by PCB's code of ethical conduct and that is expected of certified professionals. Transparency is not an ethical principle but a pro-ethical condition. Transparency is about information and it embodies honesty and open communication. You must be willing to share information when it is uncomfortable to do so. Transparency is an individual being honest with him/herself about the actions they are taking. It means keeping your actions aboveboard. A commitment to transparency demonstrates to the community, the agency, and the client that there is nothing to hide.

All certified professionals will eventually be faced with ethical dilemmas that are difficult to resolve and offer challenges to their professional practice. Ethical resolution is a critical process and all certified professionals are expected to engage in ethical decision-making that includes the evaluation of context of the situation, meaningful values, the appropriate ethical standards, is consultative in nature and includes a credible model for ethical decision-making. PCB, through its Ethics Committee, is available and willing to act in a consultative fashion to answer any questions pertaining to ethical conduct or dilemmas faced by certified professionals.

## GLOSSARY

**Appeals Committee:** Three PCB board members appointed to hear an appeal.

**Certified Professional:** A person who holds or applies for a PCB credential classification.

**Client:** Any person(s) who, either currently or in the past, has received or is receiving services

**Complainant:** A person(s) who files a complaint with PCB against a certified professional under PCB jurisdiction or, in appropriate cases, PCB may initiate an ethics inquiry and act as complainant.

**Ethics:** A standard of behavior by which certified professionals must abide.

**Ethics Committee:** A PCB standing committee charged with the responsibility to review, investigate and sanction as determined appropriate to those who breach the Code of Ethical Conduct. The committee is comprised of PCB board members and/or its designees.

**Hearing Panel:** A panel comprised of PCB Ethics Committee members with a responsibility to hear and make recommendations in accordance with the Code of Ethical Conduct.

**Hearing Officer:** The PCB Ethics Committee Chairperson or Co-Chairperson who presides over an ethics hearing.

Counselor Credentials: Associate Addiction Counselor, Certified Associate Addiction Counselor, Certified Alcohol and Drug Counselor, Certified Advanced Alcohol and Drug Counselor.

Prevention Credentials: Associate Prevention Specialist, Certified Prevention Specialist.

Clinical Supervisor Credential: Certified Clinical Supervisor.

Allied Credential: Certified Allied Addiction Practitioner.

Case Manager Credentials: Certified Case Manager, Certified Case Manager Supervisor.

Criminal Justice Credential: Certified Criminal Justice Addictions Professional.

Co-Occurring Credentials: Certified Co-Occurring Disorders Professional, Certified Co-Occurring Disorders Professional Diplomate.

Recovery Credentials: Certified Recovery Specialist, Certified Family Recovery Specialist.

Intervention Credential: Certified Intervention Professional.

Plagiarism: An act of appropriating the language, ideas, or thoughts from another person and representing them as one's own original work.

Public Reprimand: A sanction that is a formal, written, published reproof or warning to a Respondent who the Ethics Committee has determined to have breached the Code of Ethical Conduct.

Respondent: A certified professional against whom an ethical complaint has been filed.

Revocation: A sanction resulting in the complete and permanent forfeiture of PCB certification.

Score of Services: The range of services deemed appropriate and necessary for an individual client. Such services may include but are not limited to prevention, intervention, outreach, information and referral, detoxification, inpatient or outpatient, extended care, transitional living, aftercare, recovery support services, and clinical supervision.

Suspension: A sanction resulting in the temporary forfeiture of PCB certification for a time-limited period to be determined by the PCB Ethics Committee.

Written Caution: The least restrictive disciplinary action that a Respondent may receive due to breaching the Code of Ethical Conduct. This sanction is a formal, private, non-published letter of warning to the Respondent that cautions the Respondent against certain conduct or behavior.

## **RULES OF CONDUCT**

The following Rules of Conduct, adopted by the PCB, set forth the minimum standards of conduct which all certified professionals are expected to honor. Failure to comply with an obligation or prohibition set forth in the rules may result in discipline by the PCB.

Discussion sections accompany some of the rules. These discussions are intended to interpret, explain, or illustrate the meaning of the rules, but the rules themselves remain the authoritative standards of the conduct for which disciplinary action may be imposed.

## UNLAWFUL CONDUCT

**Rule 1.1:** Once certified, a certified professional shall not be cited, arrested, or convicted for any summary offense, misdemeanor, or felony relating to the individual's ability to provide substance abuse and other behavioral health services or that reflects conduct unbecoming a certified professional as determined by PCB.

## ROMANTIC/SEXUAL MISCONDUCT

**Rule 2.1** A certified professional shall, under no circumstances, engage in romantic/sexual activities or romantic/sexual contact with recovery support service (RSS) recipients, whether such contact is consensual or forced. This prohibition applies to both in person and electronic interactions or relationships.

**Rule 2.2** A certified professional shall not engage in romantic/sexual activities or romantic/sexual contact with RSS recipients' relatives or other individuals with whom RSS recipients maintain a close personal relationship when there is a risk of exploitation for potential harm to the recovery support service (RSS) recipient. This prohibition applies to both in person and electronic interactions or relationships.

**Rule 2.3** A certified professional shall not engage in romantic/sexual activities or romantic/sexual contact with former clients because of the potential harm to the client. This prohibition applies to both in person and electronic interactions or relationships.

**Rule 2.4** A certified professional shall not provide recovery 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.

## FRAUD-RELATED CONDUCT

**Rule 3.1** An individual shall not use misrepresentation in the procurement of certification or recertification or assist another in the preparation or procurement of certification or recertification through misrepresentation. The term "misrepresentation" includes but is not limited to the misrepresentation of professional qualifications, education, certification, accreditation, affiliations, employment experience, the plagiarism of application and recertification materials, or the falsification of references.

**Rule 3.2** An individual 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 3.3** A certified professional 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 3.4** A certified professional shall not produce, publish, create, or participate in the creation of any false, fraudulent, deceptive, or misleading advertisement.

**Rule 3.5** A certified professional who participates in the writing, editing, or publication of professional papers, media resources, 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.

## DUAL RELATIONSHIPS/EXPLOITATION OF RECOVERY SUPPORT SERVICE RECIPIENTS

**Rule 4.1** A certified professional shall not initiate, develop, and/or maintain dual or exploitative relationships with RSS recipients and/or family members of RSS recipients.

- Rule 4.2** A certified professional shall not misappropriate property from RSS recipients and/or family members of RSS recipients.
- Rule 4.3** A certified professional shall not enter or maintain a financial dual relationship that results in financial gain to the certified professional, client or a third party.
- Rule 4.4** A certified professional shall not promote to a RSS recipient for their personal gain any treatment, procedure, product, or service.
- Rule 4.5** A certified professional shall not ask for nor accept gifts or favors from RSS recipients and/or family members of RSS recipients.
- Rule 4.6** A certified professional shall not offer, give, or receive commissions, rebates, or any other forms of remuneration for a RSS recipient referral.

### **PROFESSIONAL STANDARDS**

- Rule 5.1** A certified professional shall not in any way participate in discrimination on the basis of race, ethnicity, gender, sexual orientation, age, religion, national origin, socio-economic status, political belief, psychiatric or psychological impairment, physical disability, or pathway to recovery.
- Rule 5.2** A certified professional who fails to seek therapy for any psychoactive substance abuse or dependence, 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.
- Rule 5.3** A certified professional shall meet and comply with all terms, conditions, or limitations of a certification or license.
- Rule 5.4** A certified professional shall not perform services outside of their area of training, expertise, competence or scope of practice.
- Rule 5.5** A certified professional shall not reveal confidential information obtained as the result of a professional relationship, without the prior written consent from the recipient of services, except as authorized or required by law.
- Rule 5.6** The certified professional shall not permit publication of photographs, disclosure of RSS recipient names or records, or the nature of services being provided without securing all requisite releases from the RSS recipient, or parents or legal guardians of the RSS recipients.
- Rule 5.7** The certified professional shall not discontinue professional services to a RSS recipient nor shall they abandon the RSS recipient without facilitating an appropriate closure of professional services for the RSS recipient.
- Rule 5.8** A certified professional shall not fail to obtain an appropriate consultation or make an appropriate referral when the RSS recipient's problem is beyond their area of training, expertise, competence or scope of practice.

## **SAFETY & WELFARE**

**Rule 6.1** A certified professional shall not administer to himself or herself any psychoactive substance to the extent or in such manner as to be dangerous or injurious to a recipient of services, to any other person, or to the extent that such use of any psychoactive substance impairs the ability of the professional to safely and competently provide services.

**Rule 6.2** All certified professionals are mandated child abuse reporters.

## **RECORD KEEPING**

**Rule 7.1** A certified professional shall not falsify, amend, or knowingly make incorrect entries or fail to make timely essential entries into the RSS recipient record.

## **ASSISTING UNQUALIFIED/UNLICENSED PRACTICE**

**Rule 8.1** A certified professional shall not refer a RSS recipient to a person that he/she knows or should have known is not qualified by training, experience, certification, or license to perform the delegated professional responsibility.

## **DISCIPLINE IN OTHER JURISDICTIONS**

**Rule 9.1** A certified professional 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 the Board of such disciplinary action.

## **COOPERATION WITH THE BOARD**

**Rule 10.1** A certified professional shall cooperate in any investigation conducted pursuant to this Code of Ethical Conduct 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. Interference attempts may include but are not limited to:

1. the willful misrepresentation of facts before the disciplining authority or its authorized representative;
2. the use of threats or harassment against, or an inducement to, any RSS recipient or witness to prevent them from providing evidence in a disciplinary proceeding or any other legal action;
3. the use of threats or harassment against, or an inducement to, any person to prevent or attempt to prevent a disciplinary proceeding or other legal action from being filed, prosecuted or completed;
4. refusing to accept and/or respond to a letter of complaint, allowing a credential to lapse while an ethics complaint is pending, or attempting to resign a credential while an ethics complaint is pending.

Violation of this rule under these circumstances will result in the immediate and indefinite suspension of the certified professional's credential until the ethical complaint is resolved.

**Rule 10.2** A certified professional shall:

1. not make a false statement to the PCB or any other disciplinary authority;
2. promptly alert colleagues informally to potentially unethical behavior so said colleague could take corrective action;
3. report violations of professional conduct of other certified professionals to the appropriate licensing/disciplinary authority when he/she knows or should have known that another certified professional has violated ethical standards and has failed to take corrective action after informal intervention.

- Rule 10.3** A certified professional shall report any uncorrected violation of the Code of Ethical Conduct within 90 days of alleged violation. Failure to report a violation may be grounds for discipline.
- Rule 10.4** A certified professional with firsthand knowledge of the actions of a respondent or a complainant shall cooperate with the PCB investigation or disciplinary proceeding. Failure or an unwillingness to cooperate in the PCB investigation or disciplinary proceeding shall be grounds for disciplinary action.
- Rule 10.5** A certified professional shall not file a complaint or provide information to the PCB, which he/she knows or should have known, is false or misleading.
- Rule 10.6** In submitting information to PCB, a certified professional shall comply with any requirements pertaining to the disclosure of RSS recipient information established by the federal or state government.