

STAYING ETHICALLY GROUNDED IN CHALLENGING CONTEXTS WITH SUPERVISORS, AGENCIES, AND INTERDISCIPLINARY TEAMS

How to Engage in Ethical Practice When One's Supervisor or Agency is Unethical

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Integrity is doing the right thing, even when no one is watching.

C. S. Lewis

 BrainyQuote®

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OUTLINE

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- I. WELCOME
- II. WHO ARE WE, AND WHERE DO WE COME FROM?
- III. WHERE ARE WE GOING? (see Learning Objectives)
- IV. ROAD MAP
- V. RESOURCES
- VI. REVISITING OBJECTIVES
- VII. AUDIENCE REACTIONS

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II. WHO ARE WE? WHERE DO WE COME FROM?

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Audience roles and responsibilities

- ✓ Your responsibility during this talk is to make a meaningful observing response.
- ✓ How can you connect this talk to your work or role or client?
- ✓ How will you respond and apply this information?
- ✓ Obtain your Ethics CEU

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III. WHERE ARE WE GOING? *Learning Objectives*

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- ❑ Discuss rule-governed and contingency shaped examples of code application
- ❑ Identify features of behavioral environments fostering ethical behavior under optimal (best-case) conditions
- ❑ Identify discrepancies in resources between best-case and worst-case environments
- ❑ Tact ways to alter aspects of a behavioral environment contributing to working in long-term worst case scenarios
- ❑ Identify and generate examples of emergency situations given your client population and behavioral environment
- ❑ Generate potential solutions (identify connections between situational emergencies or barriers to ethical behavior, and changes in behavioral environments that reduce likelihood of similar future emergency situations)
- ❑ Discuss how to apply ethical, code-complimentary behavior to situations that go beyond common ethics texts

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LEARNING OBJECTIVE:

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- ❑ Discriminate between rule-governed and contingency shaped examples of code application

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Rule-Governed Behavior

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- ▶ occurs due to contact with descriptions of contingencies; not due to prior contact with the contingencies the rule describes (Skinner, 1957)
- ▶ is behavior controlled by antecedent verbal stimuli (Hayes 1989)
- ▶ may allow avoidance of dangerous consequences for behavior and may allow profiting from experience of previous generations (see Tarbox et al. 2011)
- ▶ is related to the history of following rules
- ▶ may not be sufficiently sensitive to changes in contingencies (Shimoff, Catania, & Mathews, 1981)

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HEARD AROUND TOWN...

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Ack! I just realized the white bible doesn't use the right task list edition. I'm so pissed and now I'm never going to pass the Exam. I've wasted all my time in the course sequence so far and wish my teachers had told me.

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HEARD AROUND TOWN...

What should I be looking for with my self injurious client? Could it be related to medical concerns? What should I ask his doctor?

I've read online it's unethical to go beyond the four functions! Besides, we're not supposed to practice in an area in which we're not trained.

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HEARD AROUND TOWN...

I am a behavior analyst with Asperger's and want to use self management on myself to change some behaviors.

It's unethical to practice behavior analysis on yourself because you don't have a supervisor, and B&B text says we must only practice under appropriate supervision.

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HEARD AROUND TOWN...

Hey online forum, I can't find a version of the (xxxx) scoring form online. Can you guys tell me how to score it?

Don't use the (xxxx) as it lacks validity.

(eye roll) I know. I'm required by the funding agent to use it instead of an FBA. Gee thanks (for not telling me what I needed to know)...I'll go ask another forum

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HEARD AROUND TOWN...

I'm a doctor in another field still studying for my certification. My patient has a behavior analyst who didn't have time to do an FBA, but recommended that parents ignore aggression. His mother nearly died from injuries when she tried this. The behavior analyst is away on vacation for 2 more weeks. What should I do right now?

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HEARD AROUND TOWN...

HELP! 13

HELP!

HELP!

HELP! I need to address a challenge not covered in the major ethics text! I think the code relates, but it doesn't tell me what to do

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Contingency-shaped ethical behavior 14

- ▶ Contingency shaped behavior is selected directly by consequences (Skinner, 1957)
 - ▶ and controlled by the EO related to the specific consequence
 - ▶ but may not be embedded in all training programs or supervision experiences
- ▶ In new frontiers, resource deserts, or barrier laden environments, **insufficient exposure to the contingencies that give rise to ethical behavior under diverse circumstances** can leave a gap between rules and contingency shaped repertoires.

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“The truth is that you always know the right thing to do. The hard part is doing it.”

WWW.YANILAVIGNE.NET

In real life, both **rule-governed** and **contingency shaped** ethics training experiences may be insufficient by themselves 16

“I memorized the code.


But as my book and online forum says, I can't take this client because I have no experience in this specific genetic abnormality or behavior.

There is no other behavior analyst for miles and the population doesn't have internet yet.”

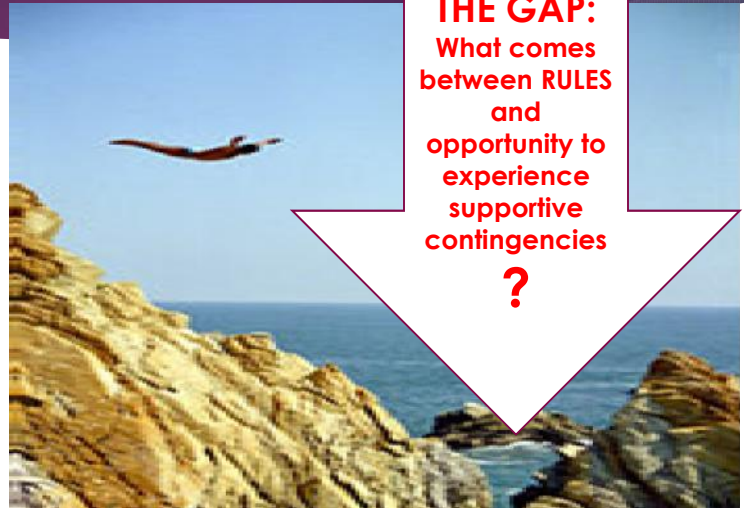
“I have had excellent supervision and have a rich and diverse verbal community. With this access to mentorship, supervision and monetary resources, I can gain experience with a new population (or disorder or behavior or environment) anytime there is a need.”

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❑ **LEARNING OBJECTIVE:** Discriminate between rule-governed and contingency shaped examples of code application



Go this way →



THE GAP:
What comes
between **RULES**
and
opportunity to
experience
supportive
contingencies
?

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Is this talk really about unethical behavior?

Whoa. First, let's discriminate between advice, and a supportive problem solving framework


Let's make connections between ethics and the behavioral environment

Let's discuss what it takes to engineer supportive behavioral environments

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YOU ARE HERE



Good question. Where am I?
(And where do I want to go?)


DESTINATION
X

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Where do we start?

YOU ARE HERE



Oh, thank goodness ... a map.

DESTINATION
X

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YOU ARE HERE

Hey... is that a **SHORTCUT?**

DESTINATION
X

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Audience participation

READERS:

- ▶ Take the card you were given when you entered
- ▶ When your number is called, read the card aloud
- ▶ If needed, hand it to a row mate to read

EVERYONE ELSE:

- ▶ Listen to the audience member reading
- ▶ Clap immediately if you, or anyone you know, has ever been affected by this type of situation

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What kinds of behavioral situations might give rise to EO's for unethical behavior or taking inappropriate shortcuts?

1. I was offered a huge promotion if I agree to practice in an area I haven't been trained in... and there are no behavior analysts in my area to learn from

2. I am an RBT and need supervision.... But there are no good supervision opportunities near me

3. I am a BCBA-D offered a job in rural communities... but there are no other behavior analysts there and my caseload would be inappropriately huge

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What kinds of behavioral situations might give rise to EO's for unethical behavior or taking inappropriate shortcuts? (cont'd)

4. I was called to help someone deal with challenging behavior... but there is no one to supervise my work and I haven't worked with this challenge or diagnosis before

5. I am a behavior analyst working with someone who just lost their job, insurance, and funding

6. I am a behavior analyst without reimbursed travel or time for conferences, continuing education, and remaining current in the literature. I'm considering stopping these.

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PERHAPS THE "SHORTCUT" IS HAZARDOUS...
We need a better map of the (behavioral) environment.

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YOU ARE HERE

DESTINATION
X

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- Identify features of behavioral environments fostering ethical behavior under optimal (best-case) conditions

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Sure LOOKS like a shortcut.
But what if I need something along the way?

- Rehydrate
- Refuel
- Recharge
- Rest and Recover
- Repair
- Recalibrate
- Review and reveal
- Re-engage

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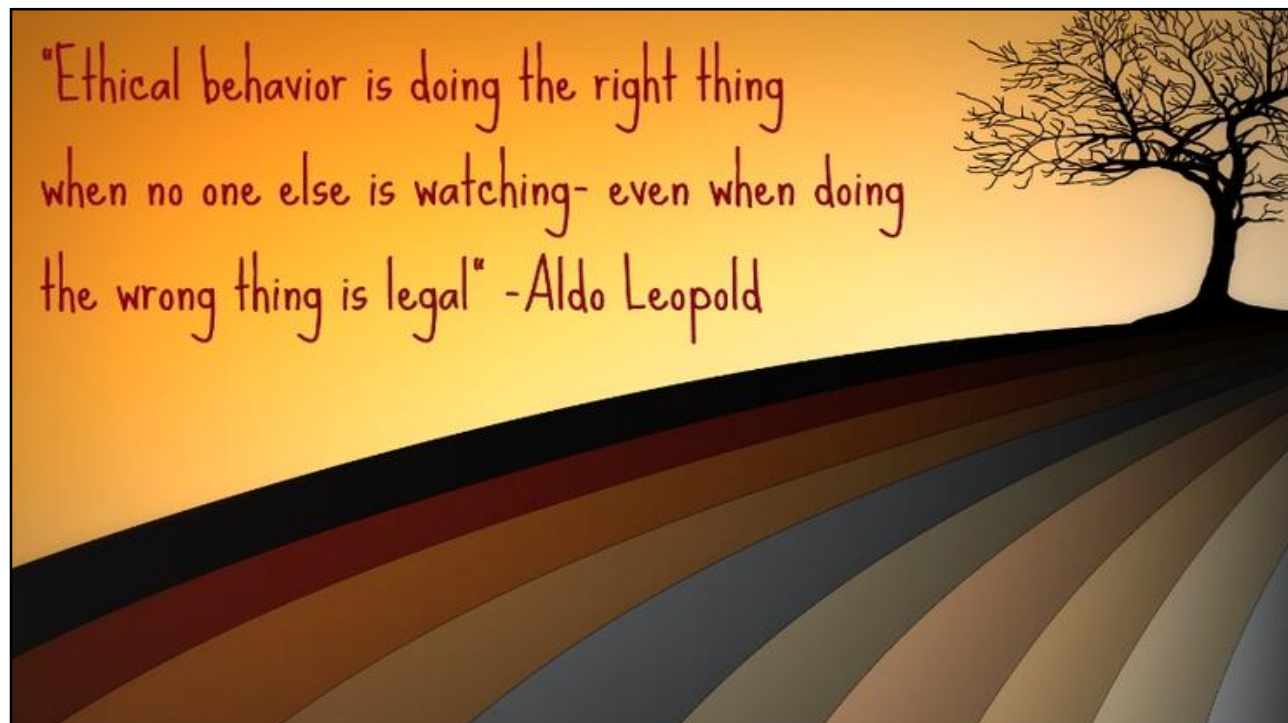
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Identify discrepancies in resources between best-case and worst-case environments

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Worst case	What will I need?	Best case 29
Canteen; get thirsty	Hydration station	Craft beer; Bottled spring water
Granola	Food station	Gourmet dinner
No fuel!	Fuel station	Gas is plentiful
Motel 6... tent... cardboard box	Rest station	Hotel
There are none!	Emergency supplies	Plentiful
Information station is washed out or inaccessible	Information station	Information is plentiful, in your language, and legible
Hidden dangers are everywhere and unmarked	Hazard signs	Warning signs are present, legible, and rare
You are unprepared, yet set off blindly without equipment, supplies or support	Trail head	You are prepared. Go engage with your environment!

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IV. BUILDING A BETTER MAP

As we attend to our practice's "map", or the landscape of our behavioral environment....

Where are the resources? Where are the pitfalls?

- In the best case scenario, what is the best path?
- In the worst case scenario, what can we do? How will we prepare others for encountering these?
- **And what about *EMERGENCIES?***

Under which conditions should we refuse to treat a client without funding, take a case for which we're unprepared, decline a cup of coffee, quit job under contract, expand caseload, etc?

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MAP KEY



Emergency station



Info station



Warning signs



Trail head



Hydration station



Food station

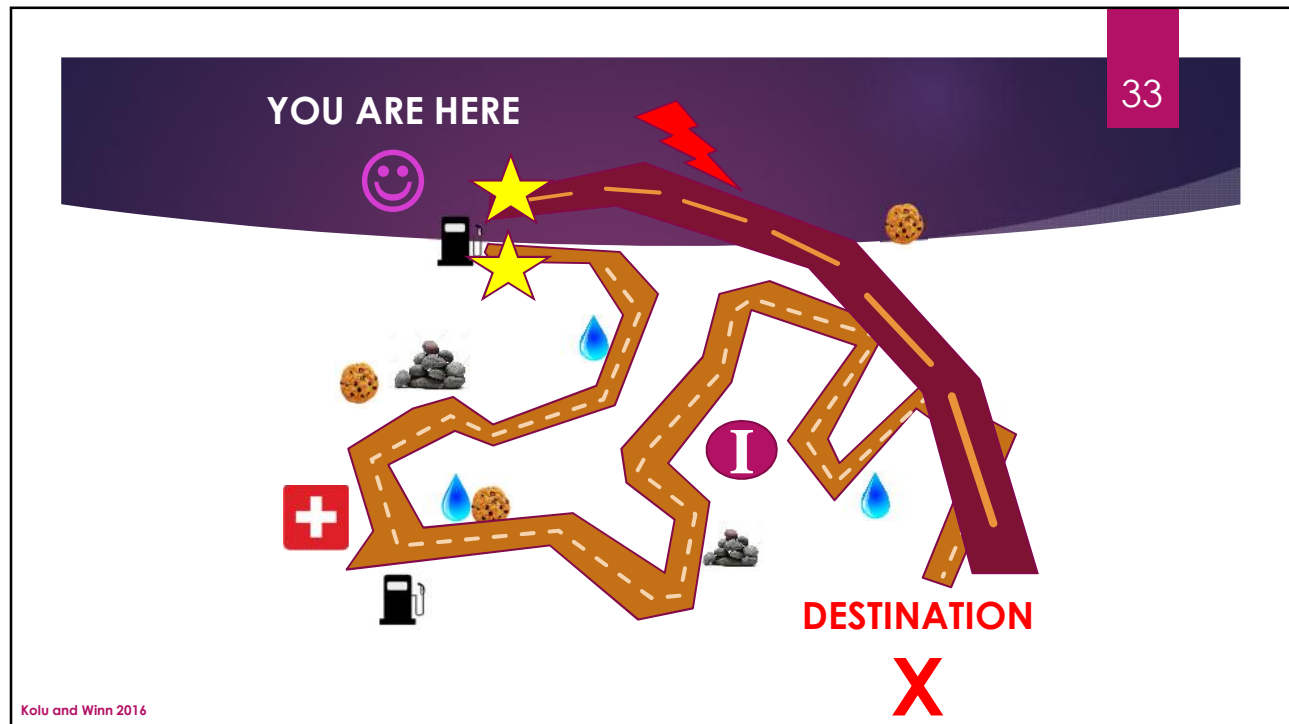


Fuel station



Rest area

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Emergency

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- a serious, unexpected, and often dangerous situation requiring immediate action.
- an unforeseen combination of circumstances or the resulting state that calls for immediate action
- a sudden unforeseen situation requiring prompt action to avoid disaster

Questions about emergencies:

- If an emergency is (by definition) unforeseen, don't we need to immediately make a plan to avoid the issue in the future?
- If not now, when WILL you move the rock from your (or your sister or brother's) path?

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Hydration station		
35		
EMERGENCY	Worst Case	Best Case
<p>Use cactus and aloe vera plant leaves Drill for water</p> <ul style="list-style-type: none"> • Seek mentors • Seek new experiences that fill in the gaps between our own resources and the need 	<p>Water fountain; canteen</p> <ul style="list-style-type: none"> • Online education in accredited program without access to labs, mentors, examples of good practice 	<p>Craft beer; spring water</p> <ul style="list-style-type: none"> • Attend accredited program on campus and receive quality education • Variety of excellent supervision experiences and clinical examples
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<p>□ Tact ways to alter aspects of a behavioral environment that, if remain unchanged, contribute to working long-term in worst case conditions</p>
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Food station		
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EMERGENCY	Worst Case	Best Case
Forage for berries Dig for roots; explore more	Granola bar	Gourmet dinner
<ul style="list-style-type: none"> • Explore new client populations, supervision opportunities • Explore, widen and diversify funding streams • Dig for buried resources in the people that are already there • Foster community and family connections for the future 	<ul style="list-style-type: none"> • Huge caseload that is unmanageable • There is a resource barrier; rural location; totally unfamiliar to behavior analysis • Lack of funding or people resources (huge caseload that is unmanageable, but a need to serve anyway) • System's values conflict with behavior analysis and/or our ethics 	<ul style="list-style-type: none"> • Huge array of appropriate and interesting clients • Supervision workload and/or client caseload is manageable • Diverse mostly-stable funding streams • Systems support in place supports our values and ethics

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<p>Take a breather</p> <p>Generate covert intraverbal responses to these remaining objectives</p>
<ul style="list-style-type: none"> <input type="checkbox"/> Identify and generate examples of emergency situations given your client population and behavioral environment <input type="checkbox"/> Generate potential solutions (identify connections between situational emergencies or barriers to ethical behavior, and engineer changes in behavioral environments that reduce likelihood of similar future emergency situations) <input type="checkbox"/> Discuss how to apply ethical, code-complimentary behavior to situations that go beyond common ethics texts

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 Emergency station		
EMERGENCY	Worst Case	Best Case 40
Build your own emergency kit; Walk barefoot or use bark	No emergency supplies or plan Your shoes have completely worn out and there are no replacements	Well-stocked and plentiful emergency stations are present throughout environment; resole shoes
<ul style="list-style-type: none"> • Make an emergency plan for each previously documented barrier to service or challenge 	<ul style="list-style-type: none"> • Fail to recognize emergency situations until too late • No emergency plan despite repeated past barriers • Continue to work with client, supervisee or agency despite breaches of ethics, boundaries, contracts • Read books and ethics code but remain unprepared for real situations 	<p>A mentor is already in place to call in an emergency; training included both rule governed AND contingency-shaped experiences; already practiced responding to emergency situations with feedback and support</p>

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EMERGENCY		Fuel station	
Worst Case		Best Case	
Find and burn some manure	There is no more fuel	Petrol	
<ul style="list-style-type: none"> • Skype into a conference • Read journals online • Locate supervision • Build supervision groups • Build a study group • Tap into your verbal community and discuss starting a conference in your area • Provide the CEU's others need (be the change you need to see) 	<ul style="list-style-type: none"> • Attend local conferences but gradually stop due to lack of funds and time off • Read a few online journals before giving up • No supervision or completely inappropriate or inadequate supervision 	<ul style="list-style-type: none"> • Attend ABAI and local conferences • Receive ongoing mentorship • Excellent regular supervision • Free access to all literature at local library 	

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EMERGENCY		Rest area	
Worst Case		Best Case	
Sleep under stars	A sleeping bag, tent, cardboard box	Hotel suite or home	
<ul style="list-style-type: none"> • Document barriers to service • Document gaps between skillset and repertoire needed to meet goals • Report ethical violations • Take a break and problem solve 	<ul style="list-style-type: none"> • Take insufficient breaks • Serve clients ineffectively • Take all clients (or supervisees) instead of being selective • Take clients for inappropriate reasons (despite funding or because of funding; respond to unethical requests for services) • Do not attend conferences or supervision • Lose credentials, credibility • Suffer burnout; quit job; lose a business • Harm the field's reputation 	<ul style="list-style-type: none"> • Evaluate client needs and match clients with provider skillset • Receive (and take) sufficient paid time off • Paid conferences and continuing education • Contribute to behavioral verbal community 	

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EMERGENCY		Warning signs	
		43	
		Worst Case	Best Case
Watch for dangers; erect markers	Unmarked dangers are everywhere	Warning signs are present and legible	
<ul style="list-style-type: none"> • Document barriers to ethical behavior • Educate potential employers and employees about your and the field's ethics • Seek mentorship explicitly in dealing with difficult situations • Seek education after analyzing gap between your current skillset and the one required to move forward in a best case scenario 	<ul style="list-style-type: none"> • Keep repeating your mistakes • Disregard the danger when others warn you • Run business without considering employee needs, long term sustainability, or the gaps between administration's goals and client or employee goals 	<ul style="list-style-type: none"> • Systems support is already in place and has documented potential barriers discussed proactively • Create ethical culture • Model, foster, and reinforce approach and ethical problem solving behavior in your team 	

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EMERGENCY		Trail head	
		44	
		Worst Case	Best Case
You don't see a trailhead, but you search and scour the environment and <i>find a path, repairing it along the way</i>	Unprepared but set off anyway (no equipment, supplies or support)	You are prepared. Go engage with your environment!	
<ul style="list-style-type: none"> • Document barriers to ethical behavior • Educate potential employers and employees about your and the field's ethics • Seek mentorship explicitly in dealing with difficult situations • Seek education after analyzing gap between your current skillset and the one required to move forward in a best case scenario 	<ul style="list-style-type: none"> • Set off on a journey, making mistakes without seeing them • Others are hurt; you are injured or lose support; the field is harmed 	<ul style="list-style-type: none"> • Support is in place; a mentor is available; supervision was excellent; you have regular literature and verbal community access • Clients, funding streams and resources are along the path you see ahead 	

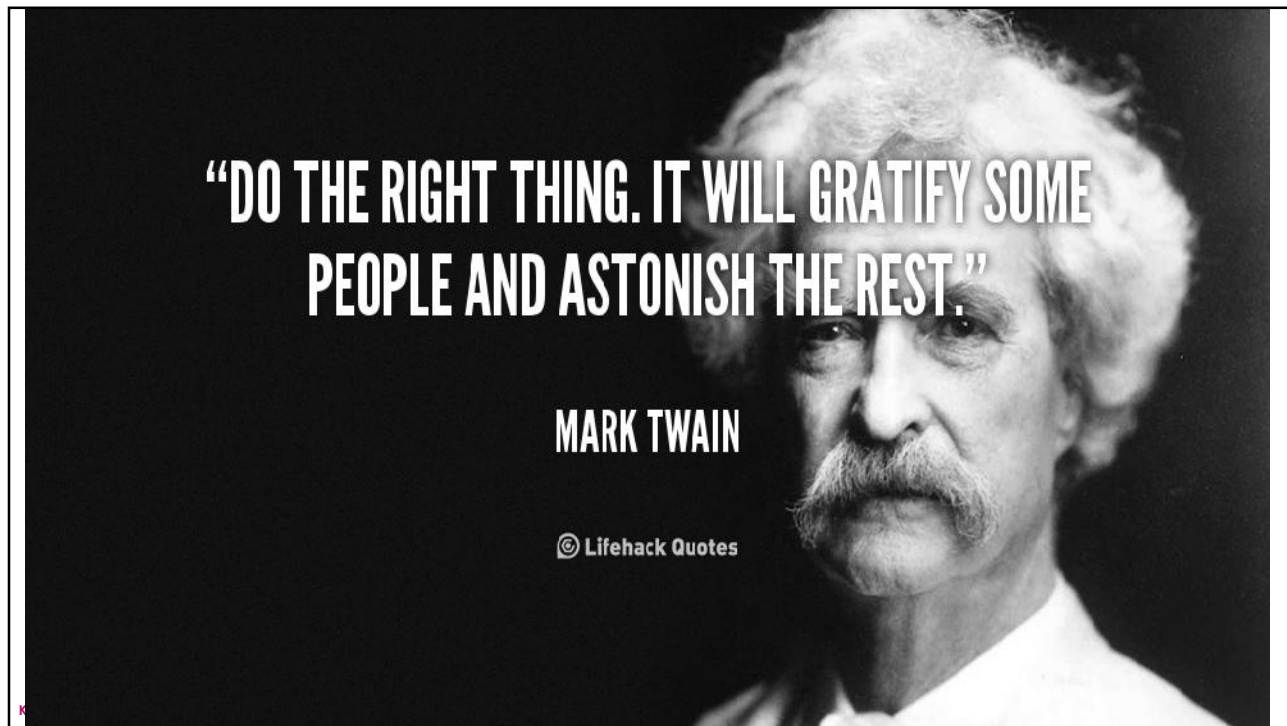
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I		Info station 45
EMERGENCY	Worst Case	Best Case
Navigate by the stars	Information station is washed out or inaccessible	Information is plentiful, in your language, and legible
<ul style="list-style-type: none"> • Find the North Star again (it's still there, even if you've never seen it before) • Rediscover your position in relationship to where you are going, your resources, your barriers, your own needs 	<ul style="list-style-type: none"> • Go for years without self assessment • Abandon staying current with literature • Disregard information • Burn out and fade away (or explode) • Let personal crises become explosive without changing work habits 	<ul style="list-style-type: none"> • Conduct regular self assessments; establish 5 year plans to continue growing and meeting needs. • Stay plugged in to literature, frequently re-evaluating and expanding skillset and verbal community (network) • Prune the network or client base

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VI. REVISITING OBJECTIVES	46
<ul style="list-style-type: none"> ❑ Discuss rule-governed versus contingency shaped examples of code application ❑ Identify features of behavioral environments fostering ethical behavior under optimal (best-case) conditions ❑ Identify discrepancies in resources between best-case and worst-case environments ❑ Tact ways to alter aspects of a behavioral environment contributing to working in long-term worst case scenarios ❑ Identify and generate examples of emergency situations given your client population and behavioral environment ❑ Generate potential solutions (identify connections between situational emergencies or barriers to ethical behavior, and engineer changes in behavioral environments that reduce likelihood of similar future emergency situations) ❑ Discuss how to apply ethical, code-complimentary behavior to situations that go beyond common ethics texts 	

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References

- ▶ Hayes, S. C. (Ed.). (1989). Rule-governed behavior: Cognition, contingencies, and instructional control . New York, NY: Plenum Press.
- ▶ Tarbox et al. (2011). Rule-Governed Behavior: Teaching a Preliminary Repertoire of Rule-Following to Children With Autism. *The Analysis of Verbal Behavior*, 27, 125–139.
- ▶ Shimoff, E., Catania, A. C., & Mathews, B. A. (1981). Uninstructed human responding: Sensitivity of low-rate performance to schedule contingencies. *Journal of the Experimental Analysis of Behavior*, 36, 207–220.
- ▶ Skinner, B. F. (1957). *Verbal behavior*. Acton, MA: Copley Publishing Group and the B. F. Skinner Foundation

Resources

- ▶ Ethics text for behavior analysts by Bailey & Burch (2011)
- ▶ BACB Code of Ethics
- ▶ BACB Guidelines for Responsible Conduct
- ▶ Coercion And It's Fallout (Murray Sidman, 1989)
- ▶ The Right to Effective Education (Association for Behavior Analysis, 1989)
- ▶ Right to Effective Treatment (Houten et. al 1988)
- ▶ The challenge of ethical behavior in organizations (Ronald R. Sims, 1992)

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EXPLORING THE RESOURCES PROVIDED

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RESOURCE	
TRAINEE SELF ASSESSMENT	This assesses a supervisee's or student's current level of training, education, and experience with respect to Task List and ethical competencies
ETHICS EXERCISES TABLE	Teams and supervisors can use this table to get an idea of 30+ exercises or skills that explore ethical behavior in everyday professional situations. Useful for Ethics Supervision clubs
COMMON BARRIERS TABLE	Review this table with your team and discuss your approach to similar worst case (and emergency) situations.

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Example Barrier	Examples of approaching emergency solutions	Moving toward engineering a supportive behavioral environment that decreases similar barriers in the future
Too few people resources	After risk and benefit analysis, take the client, but use a train-the-trainer model and identify someone in their permanent environment to train	Partner with community resources (universities); build pipelines of long term sources of students and family members who will want to learn behavior analysis. Educate community agencies about appropriate case loads and ethical behavior analysis practice.
Inadequate funding or treatment hours	Learn stakeholder or client goals; prioritize and do one thing that will make a difference	Research and learn different funding streams; learn about policy in your state; work with other experienced analysts who have successfully used frugal models; seek mentorship in treating underfunded populations
Lack of supervision or specific training	Do no harm; document barriers and risks and benefits of alternatives; refer out if needed; pursue training, supervision, and mentorship from diverse sources; connect client with multiple referrals	Take self assessment regularly to understand current gaps in repertoire. Seek supervision from different sources; partner with universities and agencies interested in expanding opportunities; set up 5 year plan for respecialization or expanding populations. Start your journal clubs and earn CEU's while keeping up with literature and being the change you need to see in your verbal community
Mismatch between administration's ethics and yours	Voice commitment to the code; honor commitment to employer; speak to a lawyer and mentor; read contract again; document barriers, referrals and recommendations	Read contracts carefully. Educate others on your ethics before accepting positions. Model and reinforce approaching ethical problem solving. Learn a company's (or supervisor's or supervisee's or client's family's) values and build these into your treatment.

Thanks for participating! Now take it from here...

Ethics resources for Kolu and Winn 2016

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**It's easy
to stand with
the crowd.
It takes
Courage
to stand alone.**

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