



Bureau of Special Education
Pennsylvania Training and Technical Assistance Network

National Autism Conference 2013
Penn State University

Post-Workshop Notes

for

Jon S. Bailey, PhD, BCBA-D

Ethics and Professional Behavior

Workshop July 31, 2013

The Double Helix of ABA

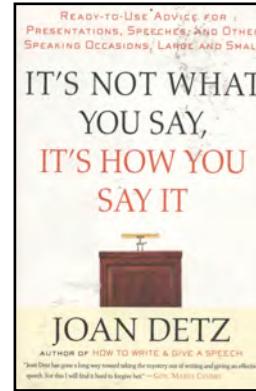


Ethics Responsibilities



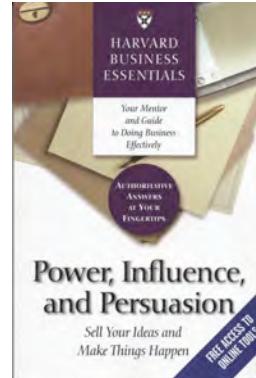
Personal Communications

Are you likable?
Are you sufficiently reinforcing?
Are you clear in what you want?
Are you assertive?
Do you stress integrity?



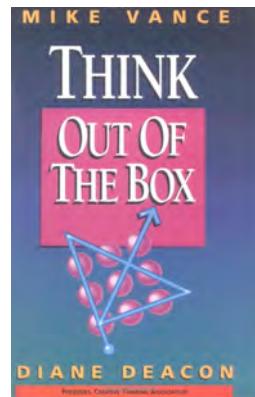
Persuasion & Influence

A process of changing other's attitudes, opinions or behavior over time
Use reinforcers at work every day to encourage ethical behavior:
The 4:1 Rule
Help others with their projects
Become a team player
Learn to build coalitions
Understand how ethical decisions are made



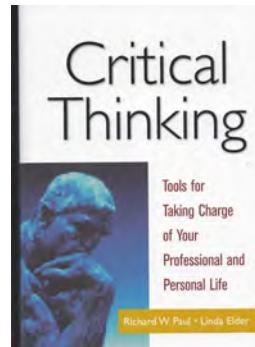
Problem Solving

Some outside-the-box solutions...
Are you trying to resolve a non issue?
Is it really an ethics problem or
Is it a resource problem?
Or a competence problem?



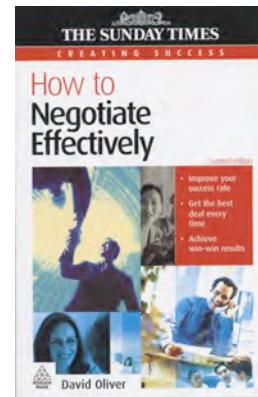
Critical Thinking

Sorting out the truth
What did you hear first? From whom?
What is the other side?
What makes sense given what you know about human behavior?



Negotiation & Lobbying

Some ethics issues require lobbying
Behavioral Negotiating
When and how to lobby for your client



"Think Function"

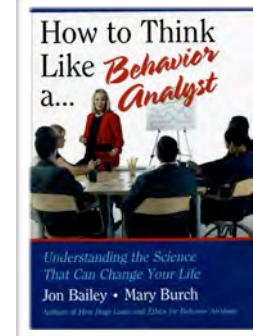
Premise:

There are controlling variables for all behaviors including

unethical conduct

Approach the unethical behavior functionally

Use the controlling variables to developing your solution



"Think Function"

Scenario: The Unpleasant Principal

David is the consulting behavior analyst in a school. He reports directly to the principal, Marie. Normally, Marie is cheerful and happy to see David, but something has changed. **The principal is not smiling.**

Fortunately, David has been observant and noticed over the last few weeks there has been a change in Marie's attitude. She won't make eye-contact if they pass in the hall, she has been short in her responses, and she is making no positive comments like she normally would at IEP meetings.

As David's trusted colleague, you're trying to help him think about the possible functional variables.

Possible Functions	How to Handle
Marie might be having trouble at home She might have a worrisome medical condition She might have been told she has to reduce her budget and let some people go David might have messed up in some way and needs to fix the problem	Show caring and offer comfort Same as above, don't ask questions In this case there is nothing you can do but continue to do good work Ask for a meeting with the Principal and see if she will provide any feedback on recent performance.

Scenario: The Suddenly Distant Parents

As a behavior analyst who works in the home, Betsy enjoyed working with Justin's parents. For months they were upbeat, optimistic, and ready to try anything Betsy asked in order to help Justin, and Justin was progressing nicely.

But lately things have changed and Justin's parents have been rather somber. They show little enthusiasm for any of Betsy's suggestions. Betsy has noticed they seem to avoid eye contact with her and each other and although they have been polite, their politeness seems forced.

Possible Functions	How to Handle
The parents might be fighting about something One of them might have lost their job One of them might have lost a family member Betsy might have said something that angered or insulted the parents	Show caring and offer comfort Same as above, don't ask questions Betsy has to do her job the best she can, if one of the parents wants to talk, be a good listener. Without being pushy Betsy can ask for feedback on how she is doing, subtly hint that she feels some tension, "Have I done anything to offend?"

Use Shaping Effectively

In most organizations ethical behaviors must be shaped at all levels from management to line staff

Be alert for opportunities to improve ethical attitudes in small ways every day if...

It affects your clients' rights

It will reduce your liability

"Shaping, shaping...always shaping"



Tips for Using Shaping Effectively

Contingent Smiling when you hear ethics conversations

Contingent Head Nodding when you see ethical behaviors

Contingent Acknowledgement e.g.

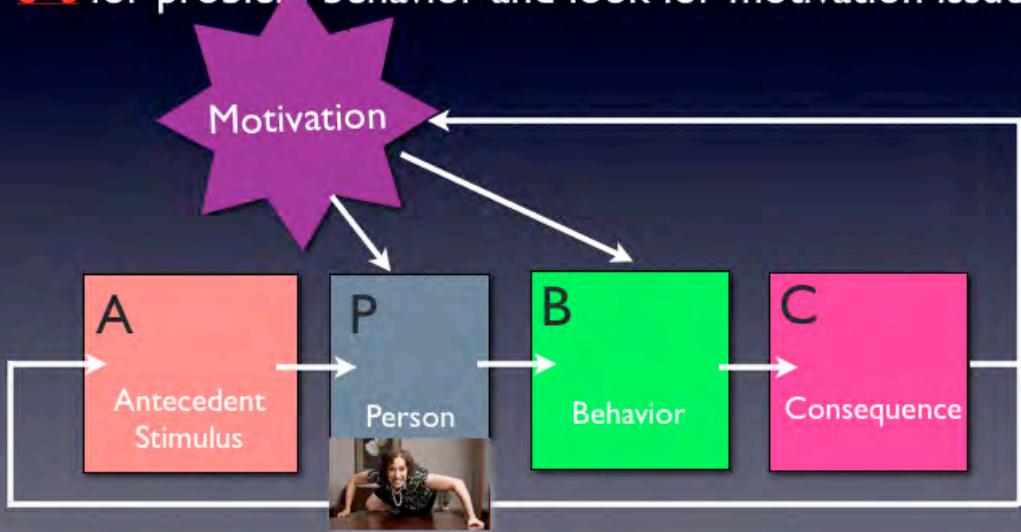
"That's interesting." "You are right about that."

Contingent Positive follow up questions

"Tell me more." "Now how did you do that?"

Handling Difficult People *Behaviors*

Look for stimuli in the environment that may serve as *S_Ds* for problem behavior and look for motivation issues



Here is an example of a Difficult Behavior You May Encounter

Passive Aggressive

Ask yourself...What are the circumstances under which the behavior occurs?

What other factors may be involved?

Past history

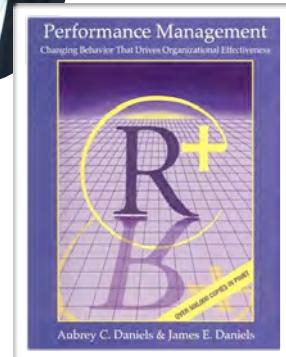
Skill set

Avoid conflict

Performance Management



The application of basic principles of behavior to business, industry and organizations.



Areas of Application of PM

Manufacturing
Engineering
Sales
Customer Service
Information Management
Safety
Distribution and Transportation

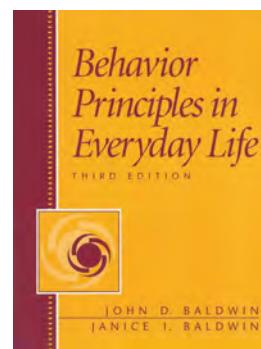
*PM is particularly useful in **human services** to improve the quality of service delivery, compliance with protocols, and meeting of objectives.*

It is essential for anyone who manages others.

Improving staff-client interactions
Increasing compliance with company policy
Improving staff safety
Increasing accuracy of data collection

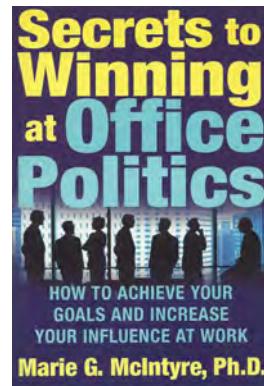
Using Contingencies to Affect Ethical Behaviors

Natural environmental contingencies
Social contingencies
Tangibles
Organizational consequences
Sanctions



Using Leverage to Affect Attitudes and Change Ethical Behavior

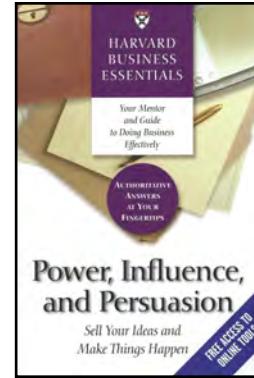
"Higher occupational status
Have something the other person needs
Are a sole provider of a resource
Have influence with people in authority
Have a good reputation for producing results
Have less emotional attachment
Have a positive relationship with the other person"



Understanding Power

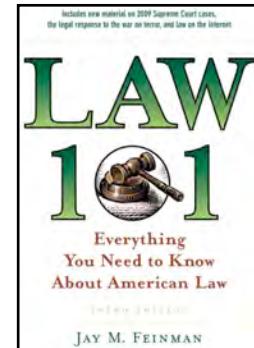
Power is the ability to:

Hire and fire based on ethical behavior
Make important ethics policy decisions
Use performance appraisals to emphasize ethical conduct
Influence other organizations



The Law

HIPAA Privacy Rule
Family law
Rules & regulations regarding custody
Housing law
Employment law
Discrimination law
Your rights as a service provider
Your responsibilities, e.g. report abuse



Now for Some Applications

Case #1: Gift Giving

"I was leaving the elementary school where I have an assistantship as a behavior specialist and a teacher I work with gave me an envelope and said, "Thank you for all your help this semester." I slipped it in my purse and didn't think about it again until I got home. I was shocked to find a card and a \$50 bill."

-A Former Student

Would it be unethical for the student to keep the gift?

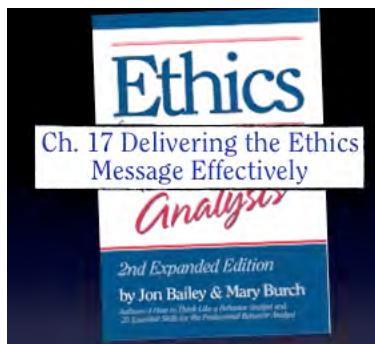
Conflicts of Interest (1.06)

(c) If a behavior analyst finds that, due to unforeseen factors, a potentially harmful multiple relationship has arisen (i.e., one in which the reasonable possibility of conflict of interest or undue influence is present), the behavior analyst attempts to resolve it with due regard for the best interests of the affected person and maximal compliance with these Guidelines.

"Exchanging gifts creates a dual-role relationship, the client and the behavior analyst now become friends, and the BCBA is expected to return the favor at the right time."

"If you find that you have become involved in a harmful dual relationship with a client or other professional, you are required to resolve the situation in the best interests of the person and with due regard for these Guidelines."

-Bailey & Burch, 2011



What Professional Behaviors are Required?

What You Do

- Use an autoclitic
- State the situation
- Refer to Guidelines
- Describe Your Action

What You Say

- "I enjoy working with you"
- "We are not allowed to receive gifts"
- "This is # 1.06(c) in our code of ethics"
- "I do appreciate the thought but I am required to return this to you so we don't get into a conflict of interest situation."

Personal Communications

PERSUASION/
INFLUENCE

Problem Solving

Critical Thinking

Negotiation &
Lobbying

"Think Function"

SHAPING
Handling Difficult
People

Performance
Management

Contingencies

Leverage

POWER

THE LAW

Case #2: Testimonials

I was looking at the website of a behavioral consulting agency, and on their "about us" page, they have "consumer reviews." There are two from "student/ previous employee" and another two from "previous client." Here is an example:

"[BCBA] provided the absolute best plan for our families needs and I strongly recommend using her services. She put together a completely thorough plan that addressed every area of need for our autistic son. She put programs together which improved his behavior, social skills, academics, sleeping, eating and potty training. He is a different child after the three years of ABA therapy services we have received. [BCBA] is professional, thorough, dedicated and insightful. I highly recommend her!"

-A Previous Client

Is this ethical? To me, this is a testimonial, which I thought was against our code of ethics. The reason I ask is because I happen to know that this BCBA is a big advocate for ethics. I was just curious because maybe I misunderstood something in the guidelines. What are your thoughts?

Personal Communications

PERSUASION/ INFLUENCE

Problem Solving

Critical Thinking

Negotiation & Lobbying

"Think Function"

SHAPING

Handling Difficult People

Performance Management

Contingencies

Leverage

POWER

THE LAW

Testimonials (9.07)

Behavior analysts do not solicit testimonials from current clients or patients or other persons who because of their particular circumstances are vulnerable to undue influence.

"You may ask past clients for a statement of satisfaction with your services; if you do, you will need to tell them the purpose of the request and how the information will be used. (Note: behavior analysts must always bear in mind the requirement of client confidentiality which in most cases would preclude using this type of information. Testimonials also should come with disclaimers indicating that such positive outcomes may not occur in all instances since each case is unique.)

-Bailey & Burch, 2011

"Reading about ethics is about as likely to improve one's behavior as reading about sports is to make one into an athlete."

-Professor M. Cooley
Columbia University, 1988

Jon S. Bailey, PhD, BCBA-D

bailey@psy.fsu.edu and BaileyBurch.com

Ethics and Professional Behavior

Penn State Workshop July 31, 2013

Copyright © 2013 All Rights Reserved