

Ethical Dilemmas for Supervisors

2023 Minnesota Supervisors' Conference Association
Breezy Point Resort

The Office

<https://vimeo.com/111360699>

Objectives

- Identify ethical dilemmas that supervisors may encounter
- Exploration of past social work problems
- Learn approaches, to address ethical dilemmas
- Review current ethical dilemmas that supervisor experience
- Recognize the difference between an ethical dilemma and a clinical issues
- Define the term ethical misconduct



Erika Sletten, MSW, LICSW

Hospice and home care supervisor
Outpatient Therapist
Hospice and home care social worker
Long term care social work supervisor
Long term care social worker
Child Protection/Family Preservation



Contact information

(507)327-8369

erika_solberg@yahoo.com

“Between right and wrong is a
troublesome gray area.”

(Boeing Ethics Poster)

During the training today, please write down an ethical dilemma, as a supervisor, that you have experienced. We will discuss these during the presentation.

1) Who was involved (do not include names)?

2) What was the problem?

3) What NASW Code of Ethics were impacted?

Ethics

Comes from Greek Root
ethos which means
“custom, usage or habit”.

A question of which
actions are morally right
and how things should be.

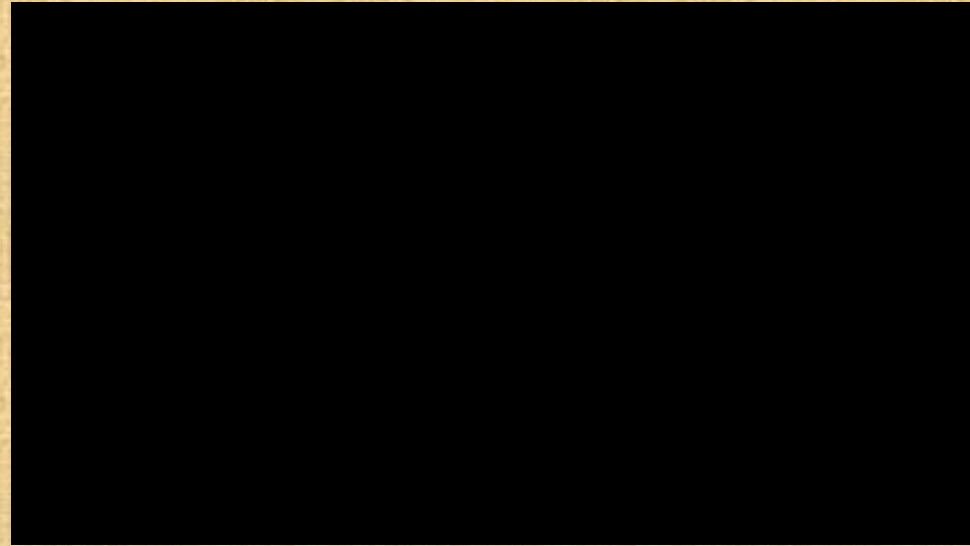


Jane Addams 09/06/1860 – 05/21/1935

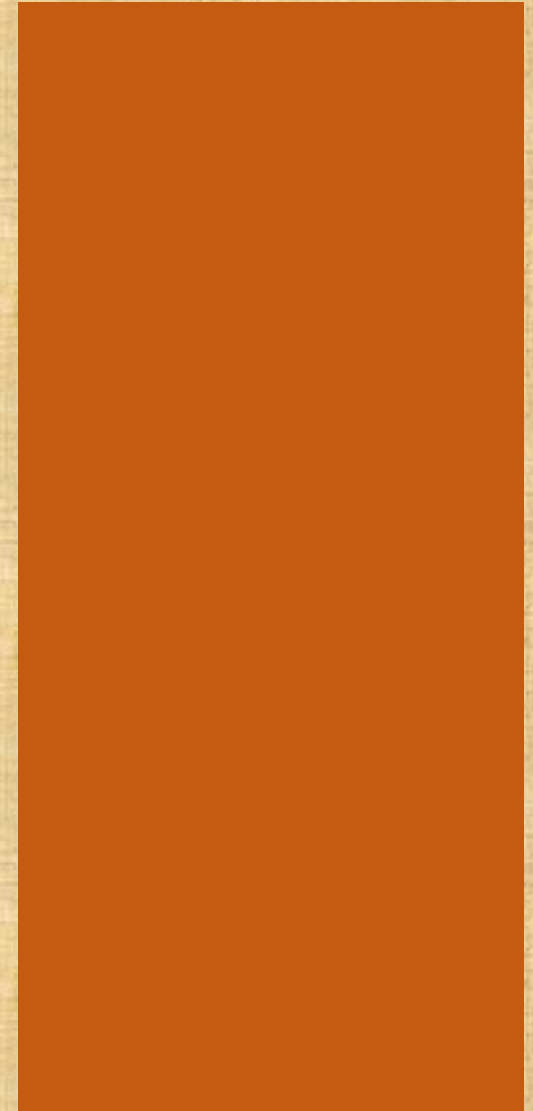


Social Workers

[https://www.youtube.com/
watch?v=sQ9Lh905RjA](https://www.youtube.com/watch?v=sQ9Lh905RjA)



Who do you work for?



Increase your awareness
by recognizing the
difference between:



- ✓ Individual or personal values
- ✓ Group values
- ✓ Societal values
- ✓ Professional Values

What is Ethical Misconduct?

- ❑ A social worker has violated the NASW Code of Ethics
- ❑ Unacceptable behavior
- ❑ “Wrong or immoral behavior of someone in a position of authority or responsibility”
(Cambridge Dictionary)

What is Ethical Misconduct (Cont'd)?

- A Louisiana social worker is serving a 15-month federal prison sentence for defrauding the Medicare program by submitting fraudulent claims for psychotherapy services that were never provided.
- A Michigan social worker employed by a well-known teaching hospital provided clinical services to brain-injured patients. He was convicted of sexually molesting a patient and is currently serving a sentence in state prison.
- Recently, a Pennsylvania social worker was convicted in state court of involuntary manslaughter, child endangerment, reckless endangerment, perjury, criminal conspiracy, and forgery. This tragic case involved the death of a 14-year-old Philadelphia girl with cerebral palsy whose care was entrusted to the social worker's behavioral health agency, which had a contract with the city department of human services to provide the child with in-home services. The social worker is also serving a 17 1/2-year federal prison term for healthcare fraud.

What are you dealing with?

Ethical Issue
Versus A
Clinical Issue?

- 1) In order for a situation to be an ethical dilemma, there must be two or more competing social work values.
- 2) There is a choice between two options.
- 3) There must be consequences for someone other than the decision maker.

Top Risk Management Audit Results

- ✓ Failure to obtain or document informed consent
- ✓ Treatment without consent
- ✓ Improper and incorrect diagnoses
- ✓ Inappropriate treatment
- ✓ Failure to consult a specialist
- ✓ Failure to refer to a specialist
- ✓ Failure to prevent a clients suicide
- ✓ Causing a clients suicide
- ✓ Failure to protect a third party against damage
- ✓ Inappropriate release of client from hospital
- ✓ False imprisonment
- ✓ Failure to provide adequate care for a client in residential care
- ✓ Defamation
- ✓ Violation of clients civil rights

Dolgoff, R., Lowenbert, F.M. & Harrington, D. (2005). Ethical Decisions for Social Work Practice. CA: Brooks/Cole.

Top Risk Management Audit Results Cont'd

- ✓ Failure to be available when needed
- ✓ Abrupt or inappropriate termination
- ✓ Inappropriate bill collection methods
- ✓ Failure to report suspected child abuse
- ✓ Failure to report suspected child neglect
- ✓ Inadequately protecting a child
- ✓ Violating parental rights
- ✓ Inadequate foster care services
- ✓ Failure to achieve satisfactory results
- ✓ Client abandonment
- ✓ Practicing beyond the scope of competency
- ✓ Failure to control a dangerous client

What causes someone to act unethically?



Desperation

Greed

Impairment



❖ Leaders

Leaders have a responsibility for creating trust and cultivating cultural values.

“Cure sometimes, relieve often, comfort always”

(Old medical maxim)

Ethical Dilemmas that Supervisors may encounter:

- Dual relationships (power differential) (“can’t party anymore”)
(employee has a side business that the supervisor would like to use)
- Breaking confidentiality
- Lacking competency (ethics training should be provided)
- Financial conflicts of interest
- Unhealthy boundaries (off hours telephone calls or touching)
- Making fair decisions (evaluation is not for friends)
- Documentation (monitoring and documenting poor work performance)
- Duty to warn
- Promoted from within (prior established coworker relationships)

How do you feel when there is an ethical dilemma?



Medical Care Ethical Principles

“Medicine is a science of uncertainty and an art of probability”
Dr. William Osler

Beneficence

Justice

Integrity

Nonmaleficence

Fidelity

Empathy

Compassion

Respect for autonomy

Beneficence – acting to benefit clients.

Non maleficence – not to harm clients.

Respect for Autonomy – acknowledges the moral right of every competent individual to choose their own plan.

Justice – playing by the rules, evenly distribute benefits in a fair manner to all.

Empathy - <https://www.youtube.com/watch?v=1Evwgu369Jw>

Compassion – a feeling of deep sympathy for someone who has experienced a misfortunate event.

Fidelity – being faithful to your client.

Integrity – practice in a manner consistent with the NASW Code of Ethics. Act honestly and responsibly. Promote ethical practices on the part of the organizations that you are affiliated with.

Other professions that have a code of ethics:

Lawyers

Educators

Nurses

Physicians

Others?

NASW Code of Ethics

Sexual Harassment

**Cultural Competence
Sexual Relationships**

Informed Consent

**Service
Social Justice**

**Dignity and Worth of the Person
Importance of Human Relationships**

**Integrity
Competence**

Impairment of Colleagues

Commitment to Employer

**Discrimination
Competence**

**Conflicts of Interest
Privacy and Confidentiality
Commitment to Clients**

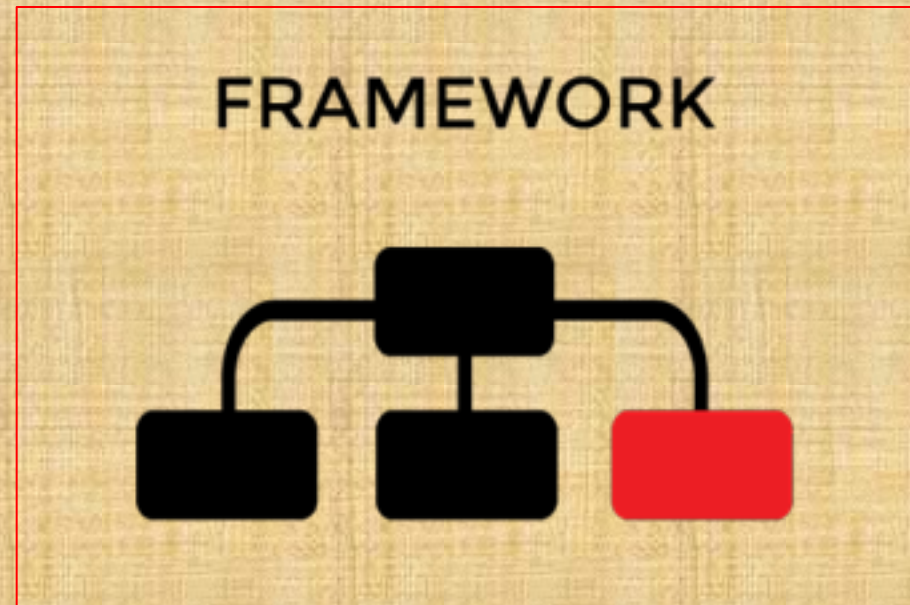
**Self-determination
Unethical Conduct of Colleagues**

Journal - NASW Code of Ethics

- 1. What is something that you forgot about, in the NASW Code of Ethics?**
- 2. I struggle with this part of the Code?**
- 3. I am very comfortable with these Values and Ethical Principles?**

Ethical Decision Making Framework

Two Models



Ethical Decision Making Framework

Model A

- 1) Determine whether there is an ethical issue or/and dilemma.**
- 2) Identify the key values and principles involved.**
- 3) Rank the values or ethical principles which are most relevant to the issue or dilemma.**
- 4) Develop an action plan, using your practice skills and competencies.**
- 5) Implement your plan.**
- 6) Reflect on the outcome.**

Ethical Decision Making Framework (cont'd)

Model B

- 1) Know the facts**
- 2) Identify the required information**
- 3) List the concerns**
- 4) Develop possible resolutions**
- 5) Evaluate the resolutions**
- 6) Recommend an action**

Steps for Resolving Conflict

Recognize the Problem

Evaluate

Identify Alternative Responses

Decide and DO IT

Monitor and Review Outcomes



Scenarios as a Group

Small Group Work to Solve Ethical Dilemmas

Model A

- 1) Determine whether there is an ethical issue or/and dilemma.
- 2) Identify the key values and principles involved.
- 3) Rank the values or ethical principles which are most relevant to the issue or dilemma.
- 4) Develop an action plan, using your practice skills and competencies.
- 5) Implement your plan.
- 6) Reflect on the outcome.

Model B

- 1) Know the facts
- 2) Identify the required information
- 3) List the concerns
- 4) Develop possible resolutions
- 5) Evaluate the resolutions
- 6) Recommend an action

Example 1: The manager feels that Jean should be terminated, there is no documentation of poor performance.

Example 2: Bonnie, does not feel that a vulnerable adult report should be made.

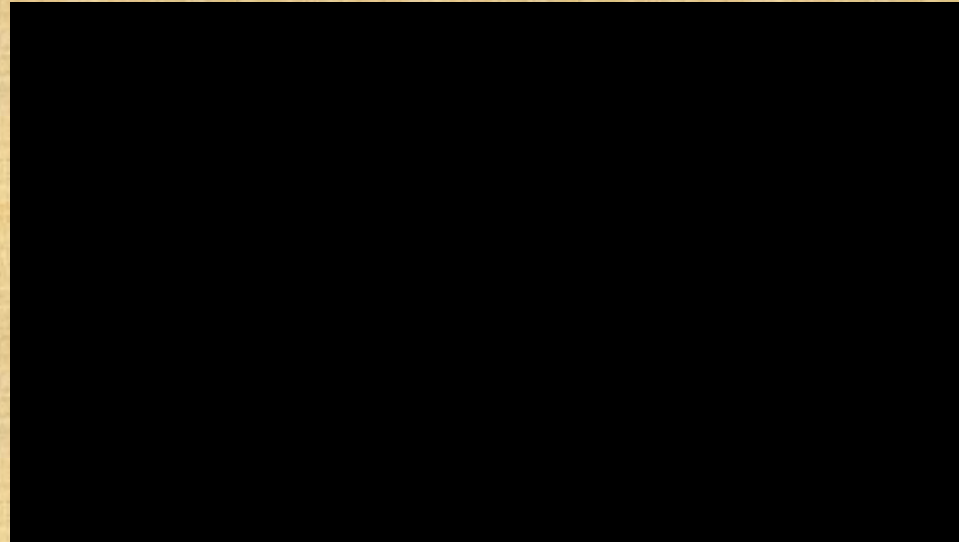
Example 3: Joseph makes a T-shirt, for the supervisor, this is his family company and expects \$25.00 payment.

Documentation
Documentation
Documentation

Why is documentation important?

Remember why you are here.....

https://www.youtube.com/watch?v=A27QjpQ_Leo



Hospice Care – A Sign of Living Hope

Who we are is as important and instrumental as what we do.

When we are highly skilled and deeply attuned, we do our best work.

When we integrate our presence with our mission, we truly practice the art of Hospice care.

We bring to the patient and family more than we often realize.

When we bring confidence, they are less afraid.

When we bring compassion, they are comforted.

Hospice Care – A Sign of Living Hope Cont'd

When we bring sensitivity, they know we care for them.

When we bring creativity, they know possibilities.

When we bring a centered and peace-filled presence,
they touch the spiritual in space and time.

When we bring information, they experience direction.

When we assist in setting goals, they feel respected and involved.

When we respect their need for control,
they experience dignity and freedom.

When we reach out and touch, they know they are not alone.

When we keep our promises to remain until the end,
they know someone will always be walking with them.

Hospice Care – A Sign of Living Hope Cont'd

When we admit that we don't always understand or have answers, they recognize us as human, like themselves.

When we do all we can to relieve pain,
they know they can be hopeful.

When we explore meaning with them, they experience a special quality of life – the quality of their unique existence.

And when we permit our professional skills to mingle with our human awareness and experience, our sense of self is enhanced, and we experience that wonderful, unexpected, and mysterious moment in which what we do and who we are flows as one - then science and art mingle, and we are a powerful medium for healing, both in life and in death.

From The American Journal of Hospice & Palliative Care, May/June 1997

Common Dilemmas

- Receiving Gifts
- Involuntary Commitment
- Breaches of Confidentiality with Minor Clients
- Commission of Illegal Acts
- Interacting on Social Media

Steps to address common dilemmas:

- Consult the Code
- Review State and Federal Law
- Seek Supervision
- Consult the NASW
- Take Time to Process What You Have Learned



Signs of Burnout

- ❖ Exhaustion
- ❖ Isolation
- ❖ Escape Fantasies
- ❖ Irritability
- ❖ Frequent Illness



“Burnout is nature’s way of telling you, you’ve been going through the motions your soul has departed”

~Sam Keen

How to Avoid Burnout:

- Find a new hobby
- Take breaks
- Listen to your body
- Enjoy small things
- Talk about your feelings
- Accept who you are
- Learn that being perfect is not a priority
- Prioritize
- Stay fit
- Stay in touch
- Don't overload
- Eat Healthy



References

Alvarez, M. (2008). PowerPoint for SOCW 551, MSU, M.

Brusman, M. (2012). “Leadership: Facing Moral and Ethical Dilemmas”. Taken from:

<http://www.workingresources.com/professionaleffectivenessarticles/leadership-facing-moral-and-ethical-dilemmas.html>.

Cambridge Dictionary. Taken from <http://dictionary.cambridge.org/us/dictionary/english/misconduct>.

Dewane, Claudia J. (2007). Supervisor, Beware: Ethical Dangers in Supervision. Social Work Today Vol. 7 No. 4 P.34. Taken from www.socialworktoday.com.

Jonsen, A., Siegler, M. & Winslade, W.J. (2015). Clinical Ethics: A Practical Approach to Ethical Decisions in Clinical Medicine. McGraw Hill Education: USA.

Moody, Harry R. (1992). Ethics In An Aging Society. The John Hopkins University Press: Baltimore, Maryland.

Reamer, F.G. (2012). “The Dark Side of Social Work: Ethical Misconduct”. Taken from: http://www.socialworktoday.com/news/eoe_051712.shtml.

National Association of Social Workers (2021). Code of Ethics. Taken from: <https://www.socialworkers.org/About/Ethics/Code-of-Ethics/Code-of-Ethics-English>.

Reamer, F. & Conrad, A.P. (1995) Professional Choices: Ethics at Work: Steps for Ethical Problem-Solving. Taken from: www.naswma.org.

Shersher, J.E. (2021) Social Work Ethics: “Five Common Dilemmas and How to Handle Them Responsibly”. Taken from: <http://www.mswguide.org/blog/social-work-ethics/>.