

AL 2.000 Code of Ethics – Case Management

Purpose It is the intent of Advocacy Links, LLC to operate with utmost ethical standards and professional actions.

Policy All staff of ADVOCACY LINKS, LLC will abide by the following code ethics, which was originally developed in conjunction with the National Association of Case Management and the National Association of Social Workers. ADVOCACY LINKS, LLC has adopted these precepts and requires each staff member to adhere to these principles.

Preamble The primary mission of the case management profession is to enhance the well-being and help meet the basic human needs of all persons with whom we work. Advocacy Links, LLC staff focus on individual's well-being in a community context and the well-being of society. Fundamental to case management is attention to the environmental forces that create, contribute to, and address problems in living.

Advocacy Links, LLC staff seek to enhance the capacity of people to address their own needs. Advocacy Links, LLC staff also seek to promote the responsiveness of organizations, communities, and other social institutions to individuals' needs and social problems.

The mission of the case management profession is rooted in a set of core values. These core values are the foundation of case management's unique purpose and perspective:

Service
Social justice
Dignity and worth of the person
Importance of human relationships
Integrity
Competence

Core values, and the principles that flow from them, must be balanced within the context and complexity of the human experience.

Purpose Professional ethics are at the core of case management. The profession has an obligation to articulate its basic values, ethical principles, and ethical standards. The Case Management Code of Ethics sets forth these values,

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principles, and standards to guide all case managers, case manager designees and case management students, regardless of their professional function, the settings in which they work or the populations they serve.

The Code of Ethics serves five purposes:

- The Code identifies core values on which case management's mission is based.
- The Code is designed to help Advocacy Links, LLC staff identify relevant considerations when professional obligation conflicts or ethical uncertainties arise in daily practice.
- The Code provides ethical standards to which the State can hold case managers accountable.
- The Code guides practitioners new to the field to case management's mission, values, ethical principles, and ethical standards.
- The Code articulates standards that the case management profession itself can use to assess whether case managers have engaged in unethical conduct.

In subscribing to this Code, Advocacy Links, LLC staff are required to cooperate in its implementation, participate in adjudication proceedings, and abide by any disciplinary rulings or sanctions based on it.

Ethical decision making is a process. There are many instances in case management where simple answers are not available to resolve complex ethical issues. Advocacy Links, LLC staff should take into consideration all the values, principles, and standards in this Code that are relevant to any situation in which ethical judgment is warranted. Advocacy Links, LLC staff decisions and actions should be consistent with the spirit as well as the letter of this Code.

Instances may arise when Advocacy Links, LLC staff' ethical obligations conflict with agency policies or relevant laws or regulations. When such conflicts occur, Advocacy Links, LLC staff must make a responsible effort to resolve the conflict in a manner that is consistent with the values, principles, and standards expressed in this Code.

The Code of Ethics is to be used by individuals, agencies, organizations, and bodies (such as licensing and regulatory boards, professional liability insurance providers, courts of law, agency boards of directors, government agencies, and other professional groups) that choose to adopt it or use it as a frame of reference.

Ethical Principles

The following broad ethical principles are based on case management's core values of service, social justice, dignity and worth of the person, importance of human relationships, integrity, and competence. These principles set

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forth ideals to which all Advocacy Links, LLC staff should aspire.

Value: Service

Ethical Principle: Advocacy Links, LLC staff primary goal is to help people in need and to address social problems.

Case Managers elevate service to others above self-interest. Case Managers draw on their knowledge, values, and skills to help people in need and to address social problems. Advocacy Links, LLC staff are encouraged to volunteer some portion of their professional skills with no expectation of significant financial return (pro bono service).

Value: Social Justice

Ethical Principle: Advocacy Links, LLC staff challenge social injustice.

Advocacy Links, LLC staff pursue social change, particularly with and on behalf of vulnerable and oppressed individuals and groups of people. Advocacy Links, LLC staff's social change efforts are focused primarily on issues of poverty, unemployment, discrimination, and other forms of social injustice. These activities seek to promote sensitivity to and knowledge about oppression and cultural and ethnic diversity. Case managers strive to ensure access to needed information, services, and resources; equality of opportunity; and meaningful participation in decision making for all people.

Value: Dignity and Worth of the Person

Ethical Principle: Advocacy Links, LLC staff respect the inherent dignity and worth of the person.

Advocacy Links, LLC staff treat each person in a caring and respectful fashion, mindful of individual differences and cultural and ethnic diversity. Advocacy Links, LLC staff promote clients' socially responsible self-determination. Advocacy Links, LLC staff seek to enhance clients' capacity and opportunity to change and to address their own needs. Advocacy Links, LLC staff are cognizant of their dual responsibility to clients and to the broader society. They seek to resolve conflicts between clients' interests and the broader society's interests in a socially responsible manner consistent with the values, ethical principles, and ethical standards of the profession.

Value: Importance of Human Relationships

Ethical Principle: Advocacy Links, LLC staff recognize the central importance of human relationships.

Advocacy Links, LLC staff understand that relationships between and among people are an important vehicle for change. Advocacy Links, LLC staff engage people as partners in the helping process. Advocacy Links, LLC staff seek to strengthen relationships among people in a purposeful effort to promote, restore, maintain and enhance the well-being of individuals, families, social groups, organizations, and communities.

Value: Integrity

Ethical Principle: Advocacy Links, LLC staff are continually aware of the profession's mission, values, ethical principles, and ethical standards and practice in a manner consistent with them. Advocacy Links, LLC staff act honestly and responsibly and promote ethical practices on the part of the organizations with which they are affiliated.

Value: Competence

Ethical Principle: Advocacy Links, LLC staff practice within their areas of competence and develop and enhance their professional expertise.

Advocacy Links, LLC staff continually strive to increase their professional knowledge and skills and to apply them in practice. Advocacy Links, LLC staff should aspire to contribute to the knowledge base of the profession.

Ethical Standards

The following ethical standards are relevant to the professional activities of all Advocacy Links, LLC staff. These standards concern (1) case managers' ethical responsibilities to clients, (2) case managers' ethical responsibilities to colleagues, (3) case managers' ethical responsibilities in practice settings, and (4) case managers' ethical responsibilities as professionals.

Commitment to Clients

Advocacy Links, LLC staff' primary responsibility is to promote the well-being of clients. However, case managers' responsibility to the larger society or specific legal obligations may, on limited occasions supersede, the loyalty owed clients, and clients should be so advised. (Examples include when a case manager is required by law to report that a client has abused a child or has threatened to harm self or others.)

Self-Determination

Advocacy Links, LLC staff respect and promote the right of clients to self-determination and assist clients in their efforts to identify and clarify their goals. Case Managers, in conjunction with others, may limit clients' right to self-determination when, in the case managers' professional judgment,

**Case
Manager's
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Responsibility
to Clients**

clients' actions or potential actions pose a serious, foreseeable, and imminent risk to themselves or others.

Informed Consent

- (a) Case Managers should provide services to clients only in the context of a professional relationship based, when appropriate, on valid informed consent. Case Managers should use clear and understandable language to inform clients of the purpose of the service, risks related to the services, limits to services because of the requirements of a third-party payer, relevant costs, reasonable alternatives, clients' right to refuse or withdraw consent, and the time frame covered by the consent. Case Managers should provide clients with an opportunity to ask questions.
- (b) In instances when clients are not literate or have difficulty understanding the primary language used in the practice setting, case managers should take steps to ensure clients' comprehension. This may include providing clients with a detailed verbal explanation or arranging for a qualified interpreter, translator or advocate whenever feasible.
- (c) In instances when clients lack the capacity to provide informed consent, Case Managers should protect clients' interests by seeking permission from an appropriate third party and informing clients consistent with the clients' level of understanding. In such instances Case Managers should seek to ensure that the third party acts in a manner consistent with clients' wishes and interests. Case managers should take reasonable steps to enhance such clients' ability to give informed consent.
- (d) In instances when clients are receiving services involuntarily, Case Managers should provide information about the nature and extent of services and about the extent of the clients' right to refuse service.
- (e) Case Managers who provide services via electronic media (such as computer, telephone, radio, and television) should inform recipients of the limitations and risks associated with such services.
- (f) Case Managers should obtain clients' informed consent before audiotaping or videotaping clients or permitting observation of services to clients by a third party.

Competence

- (a) Advocacy Links, LLC staff should provide services and represent themselves as competent only within the boundaries of their education, training, license, certification, consultation received, supervised experience, or other relevant professional experience.
- (b) Advocacy Links, LLC staff should provide services in substantive areas or use intervention techniques or approaches that are new to them only after

- engaging in appropriate study, training, consultation, and supervision from people who are competent in those interventions or techniques.
- (c) When generally recognized standards do not exist with respect to an emerging area of practice, Case Managers should exercise careful judgment and take responsible steps (including appropriate education, research, training, consultation and supervision) to ensure the competence of their work and to protect clients from harm.

Cultural and Social Diversity

- (a) Case Managers should understand culture and its function in human behavior and society, recognizing the strengths that exist in all cultures.
- (b) Case Managers should have a knowledge base of their clients' cultures and provide services that are sensitive to clients' cultures and to differences among people and cultural groups.
- (c) Case Managers should obtain education about and seek to understand the nature of social diversity and oppression with respect to race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, and mental or physical disability.

Conflicts of Interest

- (a) Advocacy Links, LLC staff should be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment. Advocacy Links, LLC staff should inform clients when a real or potential conflict of interest arises and take reasonable steps to resolve the issue in a manner that makes the clients' interests primary and protects clients' interests to the greatest extent possible. In some cases, protecting clients' interests may require termination of the professional relationship with proper referral of the client.
- (b) Advocacy Links, LLC staff should not take unfair advantage of any professional relationship or exploit others to further their personal, religious, political or business interests.
- (c) Advocacy Links, LLC staff should not engage in dual or multiple relationships with clients or former clients in which there is a risk of exploitation or potential harm to the client. In instances when dual or multiple relationships are unavoidable, Advocacy Links, LLC staff should take steps to protect clients and are responsible for setting clear appropriate and culturally sensitive boundaries. (Dual or multiple relationships occur
- (d) when case managers relate to clients in more than one relationship, whether professional, social or business.

Privacy and Confidentiality

- (a) Case Managers should respect clients' right to privacy. Advocacy Links, LLC staff should not solicit private information from clients unless it is essential to providing services. Once private information is shared, standards of confidentiality apply.
- (b) Advocacy Links, LLC staff must be informed of and comply with HIPPA requirements for confidentiality of private information.

Access to Records

- (a) Case Managers should provide each client with reasonable access to records concerning him or herself. Case Managers should limit clients' access to their records, or portions of their records, only in exceptional circumstances when there is compelling evidence that such access would cause serious harm to the client. Both clients' requests and the rationale for withholding some or all of the record should be documented in clients' files.
- (b) When providing clients with access to their records, Case Managers should take steps to protect the confidentiality of other individuals identified or discussed in such records.

Sexual Relationships

- (a) Case Managers should under no circumstances, engage in sexual activities or sexual contact with current clients, whether such contact is consensual or forced.
- (b) Case Managers should not engage in sexual activities or sexual contact with clients' relatives or other individuals with whom clients maintain a close personal relationship. Sexual activity or sexual contact with clients' relatives or other individuals with whom clients maintain a personal relationship has the potential to be harmful to the client and may make it difficult for the Case Manager and client to maintain appropriate professional boundaries. Case Managers assume the full burden for setting clear, appropriate, and culturally sensitive boundaries.

Physical Contact

Advocacy Links, LLC staff should not engage in physical contact with clients when there is a possibility of psychological harm to the client as a result of the contact (such as cradling or caressing clients). Advocacy Links, LLC staff who engage in appropriate physical contact with clients are responsible for setting clear, appropriate, and culturally sensitive boundaries that govern such physical contact.

**Case
Manager's
Ethical
Responsibility
to Colleagues**

Sexual Harassment

Advocacy Links, LLC staff should not sexually harass clients. Sexual harassment includes jokes, sexual advances, sexual solicitation, requests for sexual favors and other verbal or physical conduct of a sexual nature.

Derogatory Language

Advocacy Links, LLC staff should not use derogatory language in their written or verbal communications to or about clients. Advocacy Links, LLC staff should use accurate and respectful language in all communications to and about clients.

Clients Who Lack Decision Making Ability

When Advocacy Links, LLC staff represent clients who lack the capacity to make informed decisions, Advocacy Links, LLC staff should safeguard the interests and rights of those clients.

Respect

- (a) Advocacy Links, LLC staff should treat colleagues with respect and should represent accurately and fairly the qualification, views, and obligations of colleagues.
- (b) Advocacy Links, LLC staff should avoid unwarranted negative criticism of colleagues in communications with clients or with other professionals. Unwarranted negative criticism may include demeaning comments that refer to colleagues' level of competence or to individuals' attributes such as race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, and mental or physical disability.
- (c) Advocacy Links, LLC staff should cooperate with case management colleagues and with colleagues of other professions.

Confidentiality

Advocacy Links, LLC staff should respect confidential information shared by colleagues in the course of their professional relationships and transactions. Advocacy Links, LLC staff should ensure that such colleagues understand Advocacy Links, LLC staff' obligation to respect confidentiality and any exceptions related to it.

Interdisciplinary Collaboration

- (a) Advocacy Links, LLC staff who are members of an interdisciplinary team should participate in and contribute to decisions that affect the well-being of clients by drawing on the perspectives, values, and experiences of the case management profession.

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- (b) Professional and ethical obligations of the interdisciplinary team as a

whole and of its individual members should be clearly established.

- (c) Advocacy Links, LLC staff for whom a team decision raises ethical concerns should attempt to resolve the disagreement through appropriate channels. If the disagreement cannot be resolved, Advocacy Links, LLC staff should pursue avenues to address their concerns, which are consistent with clients' well-being.

Disputes Involving Colleagues

- (a) Advocacy Links, LLC staff should not take advantage of a dispute between a colleague and an employer or other provider to obtain a position or otherwise advance the Case Manager's own interests.
- (b) Advocacy Links, LLC staff should not exploit clients in disputes with colleagues or engage clients in any inappropriate discussion of conflicts between case managers and their colleagues.

Referral for Services

- (a) Advocacy Links, LLC staff should refer clients to other professionals when the other professional's specialized knowledge or expertise is needed to serve clients fully or when a Case Manager believes that they are not being effective or making reasonable progress with clients and that additional service is required.
- (b) Advocacy Links, LLC staff who refer clients to other professionals should take appropriate steps to facilitate an orderly transfer of responsibility. Advocacy Links, LLC staff who refer clients to other professionals should disclose, with clients' consent, all pertinent information to the new service providers.
- (c) Advocacy Links, LLC staff are prohibited from giving or receiving payment or gifts for a referral.

Sexual Relationships

- (a) Advocacy Links, LLC staff who function as supervisors or educators should not engage in sexual activities or contact with supervisees, students, trainees, or other colleagues over whom they exercise professional authority.

Advocacy Links, LLC staff should avoid engaging in sexual relationships with colleagues when there is potential for a conflict of interest. Advocacy Links, LLC staff who become involved in, or anticipate becoming involved in, a sexual relationship with a colleague have a duty to transfer professional responsibilities, when necessary, to avoid a conflict of interest.

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Sexual Harassment

Advocacy Links, LLC staff should not engage in sexual harassment. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

Unethical Conduct of Colleagues

- (a) Advocacy Links, LLC staff should take adequate measures to discourage, prevent, expose, and correct the unethical conduct of colleagues.
- (b) Advocacy Links, LLC staff should be knowledgeable about established policies and procedures for handling concerns about colleagues' unethical behavior. Advocacy Links, LLC staff should be familiar with national, state and local procedures for handling ethics complaints. These include policies and procedures created by licensing and regulatory bodies, employers, agencies, and other professional organizations.
- (c) Advocacy Links, LLC staff who believe that a colleague has acted unethically should seek resolution by discussing their concerns with the colleague when feasible.
- (d) When necessary, Advocacy Links, LLC staff who believe that a colleague has acted unethically should take action through appropriate formal channels.
- (e) Advocacy Links, LLC staff should defend and assist colleagues who are unjustly charged with unethical conduct.

Note: When any circumstance places a client at risk of neglect, abuse or exploitation, and/or places the client in an unsafe environment, an incident report must be filed. When Advocacy Links, LLC staff determine that action should be taken because of unethical or incompetent behavior that does not require an incident report the following process should be followed:

- Contact the colleague to express the concern. If unethical behavior is not corrected, then
- Write the colleague to express the concern with a copy to the supervisor. If unethical behavior is not corrected, then
- Express the concern to the CEO of the agency through written correspondence, then if not corrected
- Follow policy and procedure for complaint resolution established by the Division of Disability, Aging and Rehabilitative Services.

Case Manager's Ethical Responsibility in Practice Settings

Supervision and Consultation

- (a) Advocacy Links, LLC staff who provide supervision or consultation should have the necessary knowledge and skill to supervise or consult appropriately and should do so only within their areas of knowledge and competence.
- (b) Advocacy Links, LLC staff who provide person centered planning are

responsible for setting clear, appropriate and culturally sensitive boundaries.

Education and Training

Advocacy Links, LLC staff who function as educators, field instructors, or trainers should provide instruction only within their areas of knowledge and competence and should provide instruction based on the most current information and knowledge available in the profession.

Client Transfer

- (a) When an individual who is receiving services from another agency or colleague contacts a case manager for services, the case manager should carefully consider the client's needs before agreeing to provide services. To minimize possible confusion and conflict, Advocacy Links, LLC staff should discuss with potential clients the nature of the clients' current relationship with other service providers and the implications, including possible benefits or risks, of entering into a relationship with a new service provider.
- (b) If a new client has been served by another agency or colleague, case managers shall coordinate the transfer using the following process:
- Transferring Case Manager will review the case to assure that all necessary actions are complete and current.
 - Transferring Case Manager will complete a brief transfer summary identifying the issues that the client and interdisciplinary team are currently addressing, and transfer the e-file through InSite.
 - If possible, transferring case manager and receiving case manager will meet with the client to assure a respectful coordination of the case transfer.

Disputes

The profession's values, ethical principles, and ethical standards should guide the actions of Advocacy Links, LLC staff who are involved in disputes.

Reasonable differences of opinion exist among Advocacy Links, LLC staff concerning their primary obligation as professionals. Advocacy Links, LLC staff should carefully examine relevant issues and their possible impact on clients before deciding on a course of action.

Discrimination

Advocacy Links, LLC staff should not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, or mental or physical disability.

Case Manager's Responsibility as Professionals

Private Conduct

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Advocacy Links, LLC staff should not permit their private conduct to interfere with their ability to fulfill their professional responsibilities.

Dishonesty, Fraud and Deception

Advocacy Links, LLC staff should not participate in, condone, or be associated with dishonesty, fraud or deception.

Solicitation

- (a) Advocacy Links, LLC staff should not engage in uninvited solicitation of potential clients who, because of their circumstances, are vulnerable to undue influence, manipulation or coercion.
- (b) Current clients or others who, because of their particular circumstances, are vulnerable to undue influence should not be solicited by Advocacy Links, LLC staff for testimonials.

**Case
Manager's
Responsibility
to the Case
Management
Profession**

Integrity of the Profession

- (a) Advocacy Links, LLC staff should work toward the maintenance and promotion of high standards of practice.
- (b) Advocacy Links, LLC staff should uphold and advance the values, ethics, knowledge, and mission of the profession. Advocacy Links, LLC staff should protect, enhance, and improve the integrity of the profession through appropriate study and research, active discussion, and responsible criticism of the profession.
- (c) Advocacy Links, LLC staff should contribute time and professional expertise to activities that promote respect for the value, integrity, and competence of the profession through research, consultation, service, legislative testimony, presentations in the community, and participation in professional organizations.

*SOURCE: National Association of Case Management

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