

SLIDE #1

Introduction (Introduce self and the activities to occur)

Schedule of activities

1. Distribute CPEU questions for completion (5-10 minutes) [Refer to Handout – B]
2. Provide overview of ethics
3. Describe the Academy/CDR Code of Ethics for the Profession of Dietetics
4. Conduct discussion of 3 case scenarios - group exercise [Refer to Handout - G]
5. Summarize the key points for session.

Objectives of the ethics training session [Refer to Handout A].

Practitioners/students will be able to:

1. State the function and purpose of the Academy/CDR Code of Ethics.
2. Learn where to access the Academy/CDR Code of Ethics from the Academy Web site, or the *Journal of the Academy of Nutrition and Dietetics*.
3. Identify Academy resources available regarding the Academy/CDR Code of Ethics which are available for Academy members (credentialed and non-credentialed), and non-Academy member CDR credentialed practitioners.
4. Identify the distinction between ethical issues and legal, business, policy, or personal issues.
5. Identify principles within the Academy/CDR Code of Ethics that may apply to a specific situation in her/his practice.

SLIDE #2

A layperson's (humorous) definition of "ethics" may include ... [refer to slide].

We all have a different idea of what the word "ethics" means because dietetics is a diverse profession, with individuals from various generations, backgrounds, experiences, education, areas of practice, etc.

Despite our diversity, our definition of "Professional Ethics" will likely include many similarities.

This session will discuss "Professional Ethics" and the Academy/CDR Code of Ethics for the Profession of Dietetics.

SLIDE #3

Here are three formal definitions of ethics.

The definition that best applies to our discussion of "professional ethics" is number three.

A Code of Ethics:

- It is a set of rules for practitioner behavior.
- It is a statement of behavioral norms for a profession or a community of shared values.
- It can help practitioners work through an ethical practice dilemma or issue.
- It can help build a public trust in the activities of a profession.

SLIDE #4

Generally speaking there are three types of codes:

Aspirational codes: These are statements of ideals or broadly worded principles toward which a practitioner should strive. As a model, you might think of the Hippocratic Oath.

Educational codes: These combine aspirational principles with guidelines to help individual professionals make informed choices in ethically ambiguous situations. As an example you might think of a student honor code.

Regulatory codes: These codes include a detailed set of rules to govern professional conduct. They serve as a basis for settling grievances either between members and/or nonmembers. They are enforced by monitoring and applying sanctions. These types of codes require the largest commitment of resources (time, energy and people) to receive, process and enforce complaints. An example is the Police Officer's Code of Conduct.

The Code of Ethics has aspects of all three types of codes with an increased emphasis on educational and remedial interventions.

SLIDE #5

The Code of Ethics for our profession is defined by 5 general categories with 19 principles – [Refer to Handout C (complete Code) or D (abbreviated Code with Categories and Principles, but does not include the Process).]

The 5 categories were created to demonstrate the application for the 19 principles. The first category stresses the importance of the first 2 principles which are fundamental to all practitioners regardless of the area of practice and status. The four remaining categories stress the impact of the principles to the various audiences we serve.

You might think of the principles as the common “values” we share in our individual definitions of “professional ethics”.

SLIDE #6

As a working document, our Code has a number of very specific functions.

1. Protect the profession and the credential: Misuse of credentials is prohibited by the Code —
Category: Responsibilities to the Profession, Principle #17
2. Influence public and private policy: Aid dietetics professionals in lobbying efforts or organizational policy development —
Category: Responsibilities to the Public, Principles #3, #5, #6;
Category: Responsibilities to Clients, Principles #9 and #10;
Category: Responsibilities to the Profession, Principles #12, #13, #14
3. Improve professional practice: Following the Code promotes better decision making when professional ethics are challenged.
Fundamental Principles, Principles #1 and #2;
Category: Responsibilities to Colleagues and Other Professionals, Principle #19.
4. Educate dietetics professionals about ethical decision making: This is done through presentations like this one or at FNCE or through Ethics in Action columns and Ethics Opinions published in the *Journal*.
Category: Responsibilities to the Profession, Principles #12, #13, #14.
5. Meet the guidelines of the accrediting agency for the Commission on Dietetic Registration (CDR):
The National Commission for Certifying Agencies mandates the need for a Code of Ethics.

SLIDE # 7

The focus of the Code is education, remediation, and self regulation. The purpose of the Code is not to “Police” practitioners.

SLIDE #8

How does the Code fit in with other Academy and Commission on Dietetic Registration (CDR) initiatives?

Code of Ethics: The categories and principles help guide a dietetic practitioner’s practice. They apply to all Academy members (credentialed and non-credentialed) plus Commission on Dietetic Registration (CDR) credentialed practitioners.

The Standards of Professional Practice: Describe a method or approach for monitoring and improving dietetics practice.

The CDR Professional Development Portfolio: The portfolio is a framework for RDNs and DTRs to plan and develop continuing professional education.

All three are different initiatives. Yet, all three work toward improving dietetics practice and promoting the profession.

SLIDE #9

The history of our Code [as outlined on this slide] dates back to 1934 and continues up to our current Code of Ethics.

NEW CODE HISTORY FOR 2009

In 2007, a joint Academy/Commission on Dietetic Registration (CDR) task force set out to review and update the Code.

Aided by expert and legal consultation, they reviewed the codes of ten professional associations to identify potential application's to code for the profession. The draft code was presented to the Academy Board of Directors, House of Delegates and Commission on Dietetic Registration for input before it was released to the membership. Member input was obtained from over 300 members.

After three drafts, the new Code was approved by the House of Delegates and Academy Board of Directors and the Commission on Dietetic Registration in June 2009. The new revised code was published in the August 2009 Journal of the America Dietetic Association.

The Code was effective as of January 1, 2010 for all Academy members (credentialed and non-credentialed) and CDR credentialed practitioners.

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The Code is accessible via the following resources. [Refer the audience to Handout C or D which is a reprint of the Code from the August 2009 Journal.] An abbreviated Academy/CDR Code of Ethics is available and provides just the categories and principles and can be found on Academy and CDR's web sites.

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In addition to the Code itself, a number of tools and resources are available. [Refer to Handout E]

Ethics Committee: The 3 person committee that oversees all activities related to the Code of Ethics with special emphasis on education of practitioners.

Ethics Team: Academy staff -- Representatives from various Academy Headquarters teams support the Ethics Committee and help members on ethical issues.

Ethics for Further Reading List: This list is a resource that can be used by educators to direct reading and learning objectives for students, both introductory and advanced, in the area of ethics and ethical behaviors as a professional in dietetics. The list will be useful for practitioners to keep

current on ethics and the impact on practice. This list was prepared by the Academy Ethics Committee and will be updated twice per year (January and August). [Refer to Handout F]

Ethics Education Toolkit: Presentation materials available for educating members and facilitating discussions in affiliates/districts and DPG meetings. The presentation can be used in educational settings with students or as in-service for practitioners.

Academy's Food and Nutrition Conference and Exhibition (FNCE): An ethics session is routinely offered. Recent examples include Open Space Discussion: *Being Ethical in an Unethical World*.

Ethics Opinions: Ethics opinions reflect the interpretation or application of the Academy/CDR Code of Ethics for the Profession of Dietetics by the Ethics Committee in response to a specific ethics issue or situation facing dietetics practitioners in practice. Opinions serve as an educational guide for conduct and are published in the *Journal of the Academy of Nutrition and Dietetics*. The most recently published was *Ethics Opinion: Eliminating Dietetics Related Inequities*. [Refer to Handout E]

Ethics in Action Columns: These columns provide education for members on ethical practice. The column is published in the *Journal of the Academy of Nutrition and Dietetics*. The articles can be found on Academy's web site at www.eatright.org/About/Content.aspx?id=7998

Case Studies: In order to assist practitioners and students to understand the application of the 2009 Code of Ethics, the Ethics Committee commissioned the development of case studies based on "real life situations" that RDNs and DTRs face on a daily basis. A total of 24 case studies are provided. Each case study provides an overview of the situation, questions for discussion and key points to consider. These case studies should be used after reviewing the 2009 Code and would be useful for group discussions or classroom assignments. [Refer to Handout G]

Case Studies and Discussion Question for Ethics Video Series: These case studies, featured in the video series, can be used to encourage discussions of the cases described in each video. Be sure to have a copy of the 2009 Code of Ethics available for a reference.

Code of Ethics — Video Version: This 10 minute video provides the practitioner with an overview of the Code of Ethics and the value it provides in daily practice. The video contains the perspective of a variety of RDNs and DTRs within the Academy of Nutrition and Dietetics. This video can be used to stimulate a discussion about the implications of the Academy/CDR Code of Ethics for the Profession of Dietetics.

Ethics Video Series: Ethical Dilemmas in Dietetics Practice: A series of five videos are provided which present a case study with a series of questions to be considered. This is followed by a roundtable discussion of the case study by members who have served on the Academy/CDR Ethics Committee and the Code of Ethics Task Force. Each video is 5-7 minutes in duration.

SLIDE #12

The Ethics Committee is composed of three members each appointed for three year terms. One is appointed by the president to represent the BOD, one is appointed by the Speaker as a representative for HOD, and one is appointed by the chair of CDR to represent the Commission.

SLIDE #13

Any member or non-member can make a complaint to the Ethics Committee. They must submit their name when making the complaint. If the complaint is determined to be valid, it is then forwarded to the person against whom the complaint is made. Both the complaint and the response are then discussed by the Ethics Committee in Executive Session.

SLIDE #14

These procedures are intended to permit a fair resolution of disputes on ethical practices in a manner that protects the rights of individuals while promoting understanding of ethical practice.

The Ethics Committee has the authority and the flexibility to determine the best way to resolve a dispute including educational means where appropriate.

SLIDES #15 AND #16

Then what happens?

Any of the following may be the case resolution.

- ✧ Case may be dismissed
- ✧ Further information may be requested
- ✧ Person may be contacted with specific actions for educational intervention
- ✧ Membership in the Academy of Nutrition and Dietetics may be censured, placed on probation, suspended, or revoked
- ✧ RDN or DTR credential or board certified specialist credential may be suspended or revoked
- ✧ Ethics Committee uses a defined policy and procedure handbook to guide its decisions

SLIDE #17

This slide is a compilation of the types of ethics cases the Academy Ethics committee has faced. The complaints noted on the slide have occurred during the period of 2009-2011. The number of complaints that the Ethics Committee addresses per year is usually 15-20. If a complaint warrants investigation, it usually takes 4-6 months to gather the necessary information and for the Ethics Committee to determine a course of action (dismiss, censure a practitioner, place a practitioner on probation, suspend the credential for a period of time or revoke the credential).

SLIDE #18

What are the first steps in working through an ethical issue? You can start with a series of simple questions:

1. Is the situation described an ethical issue? OR
2. Is it a legal issue? State and federal laws provide oversight for much of the work in our field. There is a difference between law and ethics.
 - ✧Laws: codify societal norms. Enforcement is through the criminal justice system.
 - ✧Ethics: guidelines for behavior. This may not involve formal enforcement.
 - ✧Legal decisions may not universally be considered ethical.
 - ✧Many ethical principles are not formalized into law.
3. Is it an employer policy? Example - disagreement with supervisor.
4. Is it a personal issue? An issue too specific to be reflected in the Academy/CDR Code. Example: religious or cultural beliefs supersede professional code of ethics.
5. Is it a business dispute? An issue arising from a business dispute or poor business practices.
6. Does the complaint relate to an Academy member or Commission on Dietetic Registration (CDR) credentialed practitioner? The Code only applies to these two groups. The lines between these issues are blurry. But, these simple questions help us identify “up-front” what may be involved in making a decision and how the Code may or may not be helpful.

When a violation of the Code has occurred, the complainant should be able to cite which principle has been violated.

SLIDE #19

Utilizing Academy’s Legal Counsel. The Academy legal counsel plays an active role in the Ethics Committee. Legal counsel participates in all Ethics Committee meetings and provides counsel regarding decisions made by the committee.

SLIDE #20

In the following group activity we’ll take a closer look at a few practice *situations and examine how the Code can be used as a tool and resource.*

INSTRUCTIONS FOR FACILITATORS: *Case Scenario Group Exercise.*

- Discussion of ethics cases [Refer to Handout G]. Based on your time schedule, select one or more of the case scenarios for the audience to discuss.
- Divide the audience into small groups. Assign a case to each group.
- Each group will discuss the questions included with the case study handout [Refer to Handout G]
- Ask each group to choose a “reporter”.
- Allow group discussions to continue for approximately 10 minutes.
- After 10 minutes, each group’s “reporter” will report back the results of their group’s discussion to the full session audience.
- Each reporter has approximately two minutes to summarize the group’s discussion.

- Facilitators should show each case on the screen as reporters make their presentations. Summarize each case by pointing-out and reinforcing key points and possible resolution.

SLIDE #21

Questions to discuss for each case study:

1. Is the situation described an ethical issue?
2. Is the situation described a business dispute?
3. What category and principle(s) of the Code of Ethics does it relate to and how/why?
4. What are the key issues?
5. How might you handle as a colleague?

SLIDE #22

Review Case Study #1: Practicing on the Edge of Science

A new RDN and has been employed by a naturopathic medical clinic to provide diet education and therapy to patients. One of the naturopaths is requesting that she recommends a new diet regimen advocating the use of numerous supplements to improve patient's circulation and weight plus an herbal tea for controlling diabetes.

Ask participants to discuss the discussion questions. Allow 10 minutes for small group discussion.

SLIDE #23

Small Group Discussion

Ask tables to report on the responses to the questions presented.

1. Is the situation described an ethical issue?
2. Is the situation described a business dispute?
3. What category and principle(s) of the Code of Ethics does it relate to and how/why?
4. What are the key issues?
5. How might you handle as a colleague?

SLIDE #24

Results of Discussions: What was the Ethics Committee's reaction to the case?

Questions #1 and #2: Is the situation described an ethical issue? Or, is it a business dispute?
Committee Response: We believe it is potentially an ethical issue.

Question #3: What category and principle(s) of the Code of Ethics does it relate to and how/why?

Committee Response:

Responsibilities to the Profession, Principle #12: The dietetics practitioner practices dietetics based on evidence based principles and current information. This is under the category of responsibility to the profession.

If the RDN cannot find evidence based practice studies that support these ideas, she should not promote them. Other professionals can be harmed by one individual promoting unsafe or inappropriate diets. On the other hand, if she can find evidence to support the recommendations, even if not the majority opinion, she could recommend the actions and possibly explain it is still uncertain as to its efficacy.

Responsibilities to the Profession, Principle #13: The dietetics practitioner presents reliable and substantiated information and interprets controversial information without personal bias, recognizing that legitimate differences of opinion exist. This is also under the category of responsibility to the profession.

If there are studies that supported these recommendations, it would be up to the RDN to study them and if he/she agreed to support them. He/she should keep the information available if asked by another colleague or Academy why he/she is promoting the controversial strategies.

Fundamental Principles, Principle #2: The dietetics practitioner supports and promotes high standards of professional practice. This is a fundamental principle.

Again if the scientific literature supported these recommendations, the new RDN could recommend them. If there was still controversy in the field, he/she might indicate that to the patients and allow them to decide.

Responsibilities to the Public, Principle #3: The dietetics practitioner considers the health, safety, and welfare of the public at all times. This is a responsibility to the public.

If the recommendation to promote the herbal tea was in addition to following an appropriate diet for diabetes management, it would be acceptable. If on the other hand it was in lieu of following a diet for managing diabetes, it could harm the client. We are credentialed for the protection of the public. We choose to be a part of this profession to promote scientifically based information. This is what separates us from the quacks.

Responsibilities to the Client, Principle #8: The dietetics practitioner recognizes and exercises professional judgment within the limits of his or her qualifications and collaborates with others, seeks counsel, or makes referrals as appropriate. This is under the category of responsibility to the client.

If the new RDN felt he/she could not adhere to these suggestions or did not want to research this new area, but realized others might and thought it would not harm the client, he/she could make referrals as appropriate.

Question #4: What are the key issues?

1. Did the RDN review all the literature on efficacy and safety of all therapies? That is the first step to be taken before making any decisions.
2. Is the recommendation adjunctive or in lieu of the science based literature? For example, herbal tea probably would not harm someone.
3. Is the diet safe? Since the client has diabetes, providing a safe diet would be key while acknowledging the elements of the diet that are not safe would be important for the RDN to share with the client.
4. The RDN in the situation needs to consider whether another RDN or health profession would feel it is appropriate to file an ethics complaint against them because the recommendations are dangerous.

Question #5: How might you handle as a colleague?

Committee Response: It would be best to discuss the situation with the colleague and offer suggestions for how to address the situation.

Recap the key points from the discussion.

SLIDE #25

Review Case Study #2: Falsifying Continuing Professional Education [Refer to Handout G]

An RDN has been attending CPEU programs for 4 years, but has not recorded the information for her 5 year portfolio. She has documentation and paperwork for many of the hours but is not sure she has documentation to satisfy the full 75 hour requirement. She finds information from two wellness programs she attended but does not have the dates presented, nor the number of credit units. Rationalizing that she did attend the presentations, and that CDR will not check, she picks dates within her 5 year PDP period and a number of units and records the information on the activity log.

Ask participants to discuss the discussion questions. Allow 10 minutes for small group discussion.

SLIDE #26

Small Group Discussion

Ask tables to report on the responses to the questions presented.

1. Is the situation described an ethical issue?
2. Is the situation described a business dispute?
3. What category and principle(s) of the Code of Ethics does it relate to and how/why?
4. What are the key issues?
5. How might you handle as a colleague?

SLIDE #27

Results of Discussions: What was the Ethics Committee's reaction to the case?

Questions #1 and #2: Is the situation described an ethical issue? Or, is it a business dispute?

Committee Response: We believe it is an ethical issue.

Question #3: What category and principle(s) of the Code of Ethics does it relate to and how/why?

Committee Response:

Fundamental Principles, Principle # 1: The Dietetic Practitioner conducts himself/herself with honesty, integrity and fairness.

Responsibilities to the Public, Principle # 14: The dietetics practitioner assumes a life-long responsibility and accountability for personal competence in practice, consistent with accepted professional standards, continually striving to increase professional knowledge and skills and to apply them to practice.

Both category and principles relate to the behavior that occurred during the logging of continuing professional education units (CPEU's) on the Professional Development Portfolio (PDP) log. The actions relate to the practitioner's responsibility, accountability and honesty in maintaining certification.

Question #4: What are the key issues?

Committee Response:

- Lying on submitted information is a breach of ethics.
- It is unethical to enter false completion dates on the CPEU activity log.
- CDR recertification policy requires that in order to receive credit for a CPEU activity, a registrant must have a verified learning plan in place with a learning need code that relates to the activity.
- Without the correct information she cannot be sure that the activities totaled the correct CPEU's were actually within the 5 year period and were not duplicates of other entries in the log.
- Accurate documentation will not be available for an audit.
- Dietetic practitioners are required to have documentation for all CPEU's.

Question #5: How might you handle as a colleague?

Committee Response: Again, if you are aware of this situation, you are obligated to counsel the RDN to handle the situation ethically. If the RDN refuses, you need to report the situation to the Ethics Committee via the filing of a complaint. We are all obligated to maintain the integrity of the profession, which includes reporting potential violations.

Recap the key points from the discussion.

SLIDE #28

Review Case Study #3: Social Media [Refer to Handout G]

An RDN is on facebook and comes across a posting from an intern that is currently working in a clinical setting. The intern includes information about a patient and what the physician had said to her at the facility without using any names.

Ask participants to discuss the discussion questions. Allow 10 minutes for small group discussion.

SLIDE #29

Small Group Discussion

Ask tables to report on the responses to the questions presented.

1. Is the situation described an ethical issue?
2. Is the situation described a business dispute?
3. What category and principle(s) of the Code of Ethics does it relate to and how/why?
4. What are the key issues?
5. How might you handle as a colleague?

SLIDE #30

Results of Discussions: What was the Ethics Committee's reaction to the case?

Questions #1 and #2: Is the situation described an ethical issue? Or, is it a business dispute?

Committee Response: We believe it is an ethical issue.

Question #3: What category and principle(s) of the Code of Ethics does it relate to and how/why?

Committee Response:

Responsibilities to the Client, Principle #10: The dietetics practitioner protects confidential information and makes full disclosure about any limitation on his/her ability to guarantee full confidentiality.

While the intern may not have used the names of the individuals involved, there is the potential that another intern or another RDN or health care provider might be aware of the situation. Discussing patient encounters via social media is not a good practice to engage.

Question #4: What are the key issues?

Committee Response:

- Protection of confidential patient/client information is critical to ensure confidence in the profession of dietetics by clients and the public.
- Use of social media platforms to discuss patient/client care is not appropriate. These types of discussions should not be placed in writing and shared with individuals outside of an institution.

Question #5: How might you handle as a colleague?

Committee Response: Making the intern aware of the potential harm this situation creates would be appropriate and to discuss other potential situations.

Recap the key points from the discussion.

SLIDE #31

OPTIONAL-Refer to Handout J — this template handout can be duplicated for distribution at a meeting or session. One side of the bookmark has the “First Steps in Working through an Ethical Issue” and the other side has the “Principles of the Code of Ethics”. This is a nice take away for participants.

Points to go home with . . .

Review the answers to the CPEU questions distributed at the start of the session.

Ethics issues are exceedingly complicated: Connected to political, legal and personal issues. Use the Code as a framework for delineating issues.

The Code is aspirational, educational, and regulatory. A complaint process exists but the focus of the Code is on education and remediation.

Upholding the Code is a process of “self regulation”. Each member and credentialed practitioner is responsible for enforcing the Code of Ethics.

With the skills we’ve practiced today, your knowledge of the Code, and the resources Academy has developed for members and credentialed practitioners, you will find the Academy/CDR Code of Ethics a valuable tool in making ethical decisions.

Keep a copy of the Code available in your department or office.

Consider discussing ethical issues quarterly in order to keep this information fresh in your mind.

Help students and new practitioners to become familiar with the Code and the value it brings to protecting the public.

Thanks for your time today.