

Policy Name	Code of Ethics
Policy Owner	Senior Director Client Services Operations, Quality and Compliance
Corresponding Procedure	N/A
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HOWARD CENTER CODE OF ETHICS

Howard Center staff must follow policy and procedures which are in alignment with this Code. For the purpose of this Code “staff” refers to all agency employees, board members, volunteers, interns, and students.

Howard Center staff have an obligation to be familiar with this Ethics Code, other applicable ethics codes, and their application to Howard Center staff’s work. Lack of awareness or misunderstanding of an ethical standard is not itself a defense to a charge of unethical conduct. Likewise, it is incumbent upon Howard Center staff to be familiar with agency policies, particularly as they pertain to client care and contact. All agency policies and procedures are posted on the HC intra-net site. Staff are made aware of this at agency orientation upon hire.

Principle 01. - Responsibility for Client Welfare

Howard Center staff, when acting within the scope of their responsibilities as agents of the agency, recognize the important role we serve for our clients. Our primary duty is to do no harm, and our commitment is to work toward improving the health and well-being of individuals, families and our community.

1.01 Commitment to Clients

Howard Center staff’s primary responsibility is to promote the well-being of clients. In general, clients’ interests are primary.

1.02 Self-Determination and Respecting Others

Howard Center staff will respect and promote the right of clients to self-determination whenever possible. In their work-related activities, Howard Center employees will respect the rights of others to hold values, attitudes, and opinions that differ from their own.

1.03 Harassment

Howard Center employees will not engage in behavior that is harassing or demeaning to persons with whom they interact in their work for any reason including based on factors such as a persons’ age, gender expression, race, ethnicity, national origin, religion, sexual orientation, disability, language, or socioeconomic status. Staff should use appropriate and respectful language in all communications to and about clients.

1.04 Physical Contact

Howard Center staff should not engage in physical contact with clients that is not therapeutically necessary and trauma informed.

1.05 Professional Relationship

Howard Center staff will act only in the context of a defined professional relationship or role.

1.06 Informed Consent for Services

(a) Howard Center staff will obtain appropriate informed consent, except in instances in which capacity to consent is in question and there is potential for immediate harm to self or others. Language will be used that is reasonably understandable and accessible to clients.

1.07 Multiple Relationships

(a) In many communities and situations, it may not be possible for Howard Center staff to avoid social or other nonprofessional contacts with clients. In instances when dual or multiple relationships are unavoidable, Howard Center staff should take steps to set appropriate boundaries. Howard Center staff must always be sensitive to the potential harmful effects of other contacts on their work and on those persons with whom they deal. Howard Center staff are not to enter into sexual or economic relationships with current or former clients or their family members to whom they have personally provided services.

(b) Howard Center staff will refrain from taking on professional obligations when preexisting relationships would create a risk of such harm. Howard Center staff will not provide services to a person with whom a prior sexual or economic relationship has existed.

(c) If a Howard Center staff finds that, due to unforeseen factors, a potentially harmful multiple relationship has arisen, the staff will seek guidance from their supervisor to resolve it with due regard for the best interests of the affected person and maximal compliance with the Ethics Code.

1.08 Exploitative Relationships

(a) Howard Center staff will not exploit persons over whom they have supervisory, evaluative, or other authority such as students, supervisees, employees, and clients; this includes engaging in sexual relationships with current or past individuals to whom the staff has provided services.

1.09 In-Person Solicitation

Howard Center staff will not engage, directly or through agents, in uninvited, personal solicitation of business from actual or potential clients or other persons.

1.10 Interruption of Services

(a) Howard Center staff will make reasonable efforts to plan for facilitating care in the event that services are interrupted by factors such as Howard Center staff's illness, death, unavailability, or relocation or by the client's relocation or financial limitations.

(b) When entering into employment or contractual relationships, Howard Center staff will provide for orderly and appropriate resolution of responsibility for client care in the event that the employment or contractual relationship ends, with paramount consideration given to the welfare of the client.

1.11 Terminating the Professional Relationship

(a) Howard Center staff will not abandon clients. Prior to termination, Howard Center staff will discuss with the client an appropriate discharge and/or referral plan, whenever possible.

(b) Howard Center staff will terminate a professional relationship when it becomes reasonably clear that the client no longer needs the service or is not benefiting from continued service.

Principle 02. - Professional Responsibility

Howard Center staff will recognize that a responsibility exists to our clients, co-workers, to the agency, and to our respective professions.

2.01 Structuring the Relationship

(a) Howard Center staff will discuss with clients as early as is possible, the nature of anticipated services, fees, staff qualifications, and confidentiality.

2.02 Personal Problems and Conflicts

(a) Howard Center staff will recognize that their personal issues may interfere with their effectiveness.

(b) In addition, Howard Center staff have an obligation to be alert to signs of, and to obtain assistance for, their personal issues at an early stage, in order to prevent significantly impaired performance.

(c) When Howard Center staff become aware of personal issues that may interfere with their performing work-related duties adequately, they will take appropriate measures, such as obtaining professional consultation or assistance, to determine whether they should limit, suspend, or terminate their work-related duties.

2.03 Confronting Ethical Issues

When a Howard Center staff is uncertain whether a particular situation or course of action violates this Ethics Code, Howard Center staff will consult with their Howard Center supervisor. If the situation involves the supervisor or the staff person is not comfortable discussing with the supervisor, consultation can be sought with the supervisor's supervisor, Human Resources, or the Diversity, Equity and Inclusion Department, whichever is most appropriate.

2.04 Conflicts Between Ethics and Organizational Demands

If the demands of an organization with which Howard Center employees are affiliated conflict with this Ethics Code, Howard Center employees will clarify with their supervisor the nature of the conflict, make known their commitment to the Ethics Code, and to the

extent feasible, will seek to resolve the conflict in a way that permits the fullest adherence to the Ethics Code.

2.05 Cooperating With Ethics Inquiries

Howard Center employees will cooperate in ethics investigations, proceedings, and resulting requirements of any affiliated state licensing or certification association to which they belong. In doing so, they must continue to adhere to confidentiality regulations. Failure to cooperate is itself an ethics violation.

2.06 Improper Complaints

Howard Center employees will not file or encourage the filing of ethics complaints that are frivolous and are intended to harm the respondent rather than to protect the public.

Principle 03. - Non-Discrimination

3.01 Howard Center staff will not engage in, condone, or facilitate unfair discrimination for any reason and specifically those based on based on age, gender expression, race, ethnicity, national origin, religion, sexual orientation, disability, language, socioeconomic status, or any basis proscribed by law.

Principle 04. - Competence

4.01 Howard Center staff are encouraged to obtain the training, experience, consultation, or supervision necessary to ensure the competence of their services, or they make appropriate referrals.

4.02 Howard Center staff will provide services only within the boundaries of their competence, based on their education, training, supervised experience, licensure/certification, or appropriate professional experience.

4.03 Howard Center staff will provide services in new areas or involving new techniques only after first undertaking appropriate study, training, supervision, and/or consultation from persons who are competent in those areas or techniques.

Principle 05. - Legal and Moral Standards

5.01 Howard Center staff shall be fully knowledgeable about state and federal laws that relate to the delivery of the services they provide.

5.02 Howard Center staff's behavior off the job will be conducted in a manner that does not negatively impact their ability to do their jobs or threatens the credibility of the agency.

Principle 06. - Remuneration

6.01 Barter (With Patients or Clients)

Howard Center staff will refrain from accepting personal payments, goods, services, or other non-monetary remuneration from clients in return for official services.

6.02 Fees and Financial Arrangements

- (a) As early as is feasible in a professional relationship, Howard Center staff and the client, or other appropriate recipient of services, will reach an agreement specifying the billing arrangements. Howard Center staff and the client/guardian will complete a Payment Agreement Form and discuss any limitations to services that may occur because of financing/insurance coverage.
- (b) Howard Center staff will not exploit recipients of services or payers with respect to fees.
- (c) Howard Center staff will not misrepresent the agency's fees.

6.03 Fee Splitting

Howard Center will not engage in fee splitting.

6.04 Accuracy in Reports to Payers and Funding Sources

In their reports to payers for services or sources of other funding, Howard Center staff will accurately state details of the services provided and the fees or charges.

Principle 07. - Testing and Research

7.01 Evaluation, Diagnosis, and Interventions in Professional Context

Howard Center staff will perform evaluations, diagnostic services, or interventions only within the context of a defined professional relationship, and for that which they have been trained to do. The cabinet will assure all human subjects research safety protections have been verified and are supported (when applicable) from the approval of a regulated IRB.

Principle 08. - Public Statements

8.01 Avoidance of False or Deceptive Statements

Howard Center staff will not make public statements that are false, deceptive, misleading, or fraudulent, either because of what they state, convey, or suggest or because of what they omit, concerning their research, practice, or other work activities or those of persons or organizations with which they are affiliated.

8.02 Media Presentations

When Howard Center staff provide advice or comment by means of public comment or lectures, demonstrations, radio or television programs, prerecorded tapes, printed articles, mailed material, or other media, they will take reasonable precautions to ensure

that (1) the statements are based on appropriate professional literature and practice, (2) the statements are otherwise consistent with this Ethics Code, (3) the information accurately represents the intent or position of Howard Center and (4) the recipients of the information are not encouraged to infer that a relationship has been established with them personally.

8.03 Providing Public Testimony to Governmental Bodies

Howard Center staff may be asked to provide public testimony to governmental bodies (e.g., a House Committee, a town select board) regarding our services and programs. If the testimony includes client “stories”, staff are obligated to protect the privacy of those clients and only share de-identified health information per the Procedure on De-Identification of Protected Health Information. Even if the information is de-identified, caution is still warranted if it can be connected to any publicly available information (e.g., police reports) or can be easily identifiable to people in the community who have any personal knowledge of the individual. Prior to testifying on behalf of the Howard Center, staff must have their testimony reviewed and approved by their respective Chief. Staff testifying NOT on behalf of the Howard Center are still encouraged to notify their supervisor of any testimony to review potential conflicts of interest.

Principle 09. - Publication Credit

9.01 Howard Center staff shall not violate copyright laws. Howard Center employees will cite the source of any material used for publication or educational purposes, internally or externally. Staff shall acknowledge authorship in footnotes or introductory statements. Information provided in an educational setting which is based on work other than the presenters will be attributed to its source.

Principle 10. - Business and Marketing Practices

Howard Center’ business, marketing, clinical, and employment practices are conducted in a manner that is fair and avoids conflicts of interest or the appearance of such conflict. A situation in which undue influence is brought to bear by a person of authority over one with less authority, to the personal benefit of the former, is prohibited. Similarly prohibited are decisions or actions that benefit an individual instead of the agency or a client of the agency.

10.01 Bidding

When bidding is deemed to be an appropriate method for making purchasing decisions, bids for goods or services are reviewed and awarded to the bidder whose offer best serves the interests of the organization.

10.02 Gifts, Gratuities, Bonuses, Honoraria and Incentives

Howard Center staff will refrain from accepting, beyond nominal acknowledgments, gifts, personal payments, goods, services, or other non-monetary remuneration from clients because such arrangements create inherent potential for conflicts, exploitation,

and distortion of the professional relationship. Any gift, gratuity, bonus, honorarium, incentive, or in-kind perquisite, including indirect expenses paid on behalf of a staff or lent to a staff in the course of, or related to their work as a Howard employee, must be disclosed to one's supervisor.

10.03 Gifts from Manufacturers of Prescribed Products – Including Pharmaceuticals, Biological Products, and Medical Devices

Any Howard Center health care professional, a person who regularly practices in Vermont, and a. is authorized by law to prescribe or recommend prescribed products (such as a licensed clinical social worker or a licensed psychologist), and b. is licensed or otherwise lawfully providing health care in Vermont; should not accept any gifts from manufacturers of prescribed products, including but not limited to, food, honoraria, and payments made on their behalf, before consulting with The Chief Medical Officer.

Principle 11. - Societal Obligation

11.01 Staff of Howard Center shall, through their endeavors and community affiliations, advance the understanding of the nature of mental illness, developmental disabilities and substance use disorders. They will strive for the de-stigmatization of these conditions and also work to promote the dignity, self-determination, and worth of the people they serve.

Principle 12. – Employee Fundraising

12.01 Solicitations of any kind must be authorized by The Chief Client Services Officer or The Chief Financial and Operations Officer and must be in keeping with the Agency's mission and values. Staff who are seeking to raise funds for non-profit activities may not individually solicit clients or co-workers for support. With prior authorization of Senior Management, staff may be permitted to place a brochure with instructions as to how to support this activity in a public space such as a staff break area. Questions regarding this policy may be directed to Chief Client Services Officer or the Director of Operations.