



**The Utah Family Coalition
Policy and Training Manual
2015**

Three

Ethics and Boundaries

Confidentiality

Ethics & Confidentiality Study and Review Questions



Section 3: Ethics & Boundaries

Definition: Ethics are a set of rules, laws and guidelines that individuals internalize and adopt. This code of conduct provides direction on how to proceed in all situations and creates healthy boundaries. Some professions adopt a formalized set of ethics that must be adhered to and any violations are grounds for termination and/or legal prosecution.

Purpose: To understand what ethics are and how adopting a code of ethics provides you with healthy boundaries which will protect you and the families you work with.

Participant Objectives:

- Develop a plan for setting and keeping boundaries as an FRF.
 - Demonstrate knowledge of and adherence to an ethical code of conduct as it relates to your role as Family Resource Facilitator.
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Setting and Keeping Boundaries

As Family Resource Facilitators it is important to set and keep boundaries in order to:

- Uphold ethical principles and standards
- Protect our own well-being which enhances our ability to be of value to our own family and the families we serve.
- Set an empowering example and be a role model for the families we work with.
- Honor and respect the boundaries, roles, and responsibilities of community partners and professionals that we work with.

HOW TO BEGIN: THINGS TO CONSIDER

Knowing yourself and your personal values, strengths, and weaknesses will help you determine what boundaries you need to set in order to stay healthy and balanced in your role as Family Resource Facilitator.

Understanding your role as Family Resource Facilitator, what peer support is and isn't will help identify boundaries to protect yourself, your agency and the families you work with.

CODE OF ETHICS for Family Resource Facilitators
(Adapted from the National Federation of Families for Children’s Mental Health CODE
OF ETHICS for Peer Support Providers)
See Forms UFC-002

Upon completing training and requirements for certification as a Family Resource Facilitator with the Utah Family Coalition and Division of Substance Abuse and Mental Health Family Resource Facilitator program, I, _____, pledge to strive to:

- Share my experience as a parent when it may help other family members,
- Support other family members as peers with a common background and history rather than as experts who have all the answers,
- Acknowledge that each family member’s answers may be different than mine,
- Take responsibility for clarifying my role as a Family Resource Facilitator and as a parent of a child who experienced emotional, behavioral or mental health challenges,
- Build partnerships with others who are involved in the care of our children,
- Commit to honesty in all my interactions as a Family Resource Facilitator and expect the same from others,
- Commit to a non-judgmental and respectful attitude in my dealings with and discussions regarding families,
- Commit to a non-adversarial approach to advocacy in my role as a Family Resource Facilitator, and

THEREFORE, in order to fulfill this pledge, I agree to abide by the following principles, rules and procedures.

Principle 1 – Integrity

In order to maintain high standards of competence and integrity, I will:

1. Apply the principles of resiliency, wellness and/or recovery, family-driven, youth guided or youth-driven, consumer-driven approaches. As well as peer to peer mutual-learning principles in every day interactions with family members;
2. Promote the family member’s ethical decision-making and personal responsibility consistent with that family member’s culture, values and beliefs;
3. Promote the family members’ voices and the articulation of their values in planning and evaluating children’s behavioral health related issues;
4. Teach, mentor, coach and support family members to articulate goals that reflect each family member’s current needs and strengths;
5. Demonstrate respect for the culture-based values of the family members engaged in peer support;
6. Communicate information in ways that are both developmentally and culturally appropriate;
7. Empower family members I am assisting to be fully informed in preparing to make decisions and understand the implications of these decisions;

8. Maintain high standards of professional competence and integrity;
9. Abstain from discriminating against or refusing services to anyone on the basis of race, ethnicity, gender, gender identity, religion/spirituality, culture, national origin, age, sexual orientation, marital status, language preference, socioeconomic status, or disability;
10. Only assist family members whose concerns are within my competency as determined by my education, training, experience, and on-going supervision/consultation;
11. Abstain from establishing or maintaining a relationship for the sole purpose of financial remuneration to me or the agency associated with me; and
12. Terminate a relationship when it becomes reasonably clear that the peer relationship is no longer the desire of the family member.

Principle 2 – Safety

In order to maintain the safety of all members involved with their services, I will:

1. Comply with all laws and regulations applicable to the jurisdiction in which the peer support services are provided;
2. When complying with laws and regulations involving mandatory reporting of harm, abuse or neglect, make every effort to involve the family members in the planning for services. Do your best to ensure that no further harm is done to family members as the result of the reporting;
3. Discuss and explain to family members the rights, roles, expectations, benefits, and limitations of the peer support process;
4. Avoid ambiguity in the relationship with family members and ensure clarity of my role at all times;
5. Maintain a positive relationship with family members. Refrain from premature or unannounced ceasing of the relationship, until a reasonable alternative arrangement is made for continuation of similar peer support services;
6. Abstain from engaging in intimate emotional or physical relationships with family members engaged in a peer support relationship;
7. Neither offer nor accept gifts, other than token gifts related to the professional service of peer support. This is including but not limited to: personal barter services, payment for referrals, or other remunerations; and
8. Abstain from engaging in personal financial transactions with family members engaged in a peer support relationship.

Principle 3 – Professional Responsibility

Through educational activities, supervision, and personal commitment, I will:

1. Stay informed and up-to-date with regard to the research, policy, and developments in the field of parent/peer support and children's behavioral health which relates to my own practice area and children's general health and well-being;
2. Engage in helping relationships that include skills building not exceeding my scope of practice, experience, training, education, or competence;

3. Perform or represent myself as competent to perform only peer services not beyond my education, training, experience, or competence;
4. Seek appropriate professional supervision/consultation or assistance for my personal problems or conflicts that may impair or affect work/volunteer performance or judgment;
5. File a complaint with the Utah Family Coalition when I have reason to believe that another Family Resource Facilitator is or has been engaged in conduct that violates the law of this Code. Making a complaint to the Utah Family Coalition is an additional requirement, not a substitute for or alternative to any duty of filing report(s) required by statute or regulation;
6. Refrain from distorting, misusing, or misrepresenting my experience, knowledge, skills or research findings;
7. Refrain from financially or professionally exploiting a colleague or representing a colleague's work, associated with the provision of peer support or the profession of peer support, as my own;
8. In the role of a supervisor/consultant, be responsible for maintaining the quality of my own supervisory/consultation skills and obtaining supervision/consultation for work as a supervisor/consultant;
9. In the role as a volunteer member or employee of an organization, give credit to persons for published or unpublished original ideas and take reasonable precautions to ensure that my employer or affiliate organization promotes and advertises materials accurately and factually.

Principle 4 – Certification Responsibilities

As an applicant or certificant, I will:

1. Comply with DHS Standards of Practice, UFC Family Resource Facilitator Code of Ethics, and recertification requirements set forth by UFC/DSAMH;
2. Notify the UFC or DSAMH of any legal action with potential impact on my practice of peer support. This includes but is not limited to: the filing in any court of any information, complaint indictment, conviction, revocation of suspended imposition of sentence, revocation of probation/parole, filing of any charge or action before a state, tribal or federal regulatory agency or judicial body concerning the practice of peer support or related professions, or a matter before another certification body. Such notification shall be made within sixty (60) days of the filing of such charge or action. I shall provide documentation of the resolution of such action within sixty (60) days of that resolution.

By signing this form, I affirm that I have read through and understand all the information provided in this document described as Principle 1-4. By signing below, I understand that I will be held responsible and accountable to following these principles, rules, and procedures. If a complaint is made or it is alleged that I have broken any of these principles, rules, or procedures, I agree to have these actions or inactions reviewed and assessed by the UFC in accordance with the complaint guidelines. If it is found that I have violated any of these principles, rules, and

procedures, I understand that measures will be taken against me, up to and including revocation of the certification by the UFC and DSAMH.

Print Name

Signature

Date

**SEE SUPPLEMENTAL – FORMS
FRF CODE OF ETHICS – UFC-007**

You are being asked to develop a plan for setting and keeping boundaries. Let's review and make a list of those areas you need to address in Setting Boundaries:

BOUNDARIES

Some questions to answer as you create your plan for setting and keeping boundaries:

1. What do I need to do to stay healthy physically, mentally and spiritually?
2. Do I have a personal support network? Who are these individuals and how can they assist me in maintaining healthy boundaries?
3. How do I know when I am feeling overwhelmed? What kinds of tendencies, habits or patterns do I have that lead me to becoming overwhelmed and how can I become more aware of these?
4. Who will I talk to when I am feeling overwhelmed?
5. Who will I talk to if I am unsure about how to proceed in a situation that could become problematic?
6. Who will I talk to on a regular basis about the families I am working with, my workload and priorities, etc.?
7. What are some other tendencies that I have that could lead to difficulties with maintaining healthy boundaries? What steps can I take to become more aware of these tendencies and who can I talk to or where can I go to get help with these tendencies?
8. What are some potential triggers for me in this work? And who can support me or help me when these triggers are activated?

ASSIGNMENT

MY PLAN FOR SETTING AND KEEPING BOUNDARIES

1. Ask yourself, based on your self-knowledge, the FRF Code of Ethics and any ethical standards you must adhere to for your hiring and/or anchoring agencies, what boundaries am I going to set?
2. Make a list of boundaries that you think will help you adhere to your personal ethics, the Code of Conduct and ethical standards of UFC and agencies you work for.
3. Review your list and ask yourself the following questions:
 - a. Do these boundaries infringe on the rights and responsibilities of others (parents or professionals that I work with?)

- b. Do these boundaries promote respect for me and others?
 - c. Do these boundaries promote my well-being?
 - d. Do these boundaries set an empowering example of healthy limits for the families I work with?
 - e. Do these boundaries promote the well-being of the families I work with?
 - f. Do these boundaries adhere to the professional standards of the agency I work with?
 - g. Do these boundaries protect the confidentiality of others?
 - h. Are these boundaries consistent with the ethical standards of my agency?
 - i. Do these boundaries help build trust with the families I work with and with the professionals I work with?
4. Next give some thought to what things will help you or hinder you from keeping these boundaries? What will you do to ensure that you will be able to maintain these boundaries?
 5. When you have developed your list of boundaries and the plan for keeping them, review them with your Mentor and your on-site supervisor.

Examples of Boundaries:

I am not a crisis worker.

In the event of a crisis or emergency, please call _____.

I do not give my personal cell phone, home phone or address to families I work with.

If you need to speak to me, the best way to reach me is _____.

Please allow a day or two for me to respond as I work part-time and spend a lot of time in the field working with families and return calls when I am in my office.

Each participant will define ethical behavior and as you can see, setting and keeping boundaries will be very challenging. Daily, your actions as a Family Resource Facilitator will be on display to families and community members. Daily, your ethics will show.

SEE SUPPLEMENTAL – ACTIVITIES
Activity No. 4 - Boundaries

SEE SUPPLEMENTAL – HANDOUTS:

Handout No. 4 – “*A Framework for thinking Ethically*” – Velasquez, M. Moberg, D., et.al

Handout No. 5 – “*Setting Healthy Workplace Boundaries*”



Confidentiality/HIPAA/Duty to Report Abuse or Neglect

Definition:

Confidentiality: Keeping private any and all information including personally identifiable information that a family shares with an FRF. If the information is being shared in the context of a professional or team meeting setting, all appropriate release of information forms must have been signed. When significant and imminent threat to the safety of someone has been revealed the FRF has a duty to report it.

HIPAA: The Health Information Portability and Accountability Act of 1996 (HIPAA) Privacy Rule establishes national standards to protect individuals' medical records and other personal health information. This applies to health plans, health care clearinghouses and those health care providers that conduct certain health care transactions electronically.

Duty to Report Abuse or Neglect: A law that requires any adult over the age of 18 to report any known or suspected abuse or neglect of an elderly person or child to the designated agency that investigates such claims.

Purpose:

The purpose of this section is to learn about the laws and regulations governing confidentiality, HIPAA rules and the duty to report abuse or neglect of a child in the State of Utah. In this section you will learn how important maintaining confidentiality is to building trusting relationships with families and professionals, and, more important, how to balance confidentiality with duty to report laws.

Participant Objectives:

- To understand the meaning and importance of confidentiality.
 - To understand the HIPAA laws
 - To understand the reporting laws and requirements for the State of Utah.
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Confidentiality – A Foundation of Trust for Family Resource Facilitators

As we reviewed and discussed the role of the FRF, we noticed an underlying theme: trust. As an FRF you will be entrusted with information, feelings, dreams, hopes, and challenges from parents, children, and community partners. Confidentiality is the major component of trust. Every day you will adhere to, practice, model, and be challenged to maintain confidentiality. Federal and State laws, policies, rules, and regulations are in place to protect the rights of each individual to keep confidential any personally identifiable information.

As an FRF, you are expected to keep any and all information that you learn about a family confidential. This includes:

- Not talking about your “cases” to your neighbors, family members or others in the community; even if you don’t use their name. Often talking about a person’s situation leads to others being able to identify the individual or family, even if specifics are not used.
- Not talking to professionals about the family if you have not obtained the appropriate signed release of information forms from the parent.
- Not talking to other professionals involved with the family about highly personal or irrelevant information about the family (i.e., gossip) even if you have the correct consent to release information signed by the parent.

Any information a family gives you while working with them comes with the unexpressed assumption that it will be kept confidential between the FRF and the family. This unwritten and unspoken contract must always be honored.

The only exception to this rule is if someone discloses something that indicates there is an immediate threat to the safety of themselves or another person. If disclosed the FRF has a duty to report to the appropriate agency. In the case of child abuse or neglect, the Division of Child and Family Services (DCFS) must be contacted.

During the first meeting with a family it is important to explain that all information they give you will be kept confidential. No information will be shared with anyone else without their expressed written permission. In order to maintain trust it is important to let the family know that there is one exception to this confidentiality rule. If the parent or child reveals to you that there is a risk of someone being abused, neglected or harming themselves, in which case you have a duty to report the situation.

If someone later reveals active abuse and/or neglect or some other information that you deem reportable, you can handle it in several ways depending on the situation:

- Let the family know when they tell you this information that this is something reportable and ask them to report it and/or offer to report it with them.
- Simply let them know you have to report it and do so.

- Report it and not say anything to the family. They will likely find out about the report and may know that you were the person who reported them and trust in the relationship will likely be compromised.
- If you are not sure if something is reportable, consult with your Mentor or on-site supervisor.

The Health Information Portability and Accountability Act of 1996 (HIPAA) Privacy and Security Rules

The Privacy Rule

The HIPAA Privacy Rule establishes national standards to protect individuals' medical records and other personal health information. It applies to health plans, health care clearinghouses as well as those health care providers that conduct certain health care transactions electronically. The Rule requires appropriate safeguards to protect the privacy of personal health information, sets limits and conditions on the uses and disclosures that may be made of such information without patient authorization. The Rule also gives patients rights over their health information, including rights to examine and obtain a copy of their health records, and to request corrections.

The Security Rule

The HIPAA Security Rule establishes national standards to protect individuals' electronic personal health information that is created, received, used, or maintained by a covered entity. The Security Rule requires appropriate administrative, physical, and technical safeguards to ensure the confidentiality, integrity, and security of electronic protected health information.

The Security Rule is located at 45 CFR [Part 160](#) and Subparts A and C of [Part 164](#).

Understanding Health Information Privacy

The HIPAA Privacy Rule provides federal protections for personal health information held by covered entities and gives patients an array of rights with respect to that information. At the same time, the Privacy Rule is balanced so that it permits the disclosure of personal health information needed for patient care and other necessary purposes.

The Security Rule specifies a series of administrative, physical, and technical safeguards for covered entities to use to assure the confidentiality, integrity, and availability of electronic protected health information.

Your Health Information Is Protected By Federal Law

Most of us believe that our medical and other health information is private and should be protected, and we want to know who has this information. The Privacy Rule, a Federal law, gives

you rights over your health information and sets rules and limits on who can look at and receive your health information. The Privacy Rule applies to all forms of individuals' protected health information whether electronic, written or oral. The Security Rule, a Federal law that protects health information in electronic form, requires entities covered by HIPAA to ensure that electronic protected health information is secure.

SEE SUPPLEMENT - HANDOUTS

H-# - Handout No. 6 – Mandatory Reporting Law – PCAU, 2003

H-# - Handout No. 7 – Signs of Child Abuse – PCAU, 2003

H-# - Handout No. 8 – Educational Neglect – PCAU, 2003

H-# - Handout No. 9 – Ten Guidelines for Action if a Child Tells You About Abuse or Neglect

H-# - Handout No. 10 – Reporting Child Abuse

H-# - Handout No. 11 – Calling in a Referral

H-# - Handout No. 12 – Child Abuse and Neglect Investigation

H-# - Handout No. 13 – In Home Services

H-# - Handout No. 14 – Recognizing & Reporting Child Abuse & Neglect Brochure

H-# - Handout No. 15 – Health Information Privacy – For Consumers

H-# - Handout No. 16 – Health Information Privacy – Family Members and Friends

H-# - Handout No. 17 – A Patient's Guide to The HIPAA Privacy Rule