LBESPA Code of Ethics (Modified Format for Training Purposes)

§701. Preamble

A. The CODE OF ETHICS of the Louisiana Board of Examiners for Speech-Language Pathology and Audiology specifies professional standards that govern clinical and scientific practice, direct professional conduct, provide for proper implementation of professionals' responsibilities to those served, and ensure the welfare of the consumer.

B. ANY ACTION THAT VIOLATES THE INTENT AND PURPOSE OF THIS CODE SHALL BE CONSIDERED UNETHICAL. Although the Code of Ethics cannot be inclusive of all specific situations, failure to delineate any particular responsibility or practice in this Code of Ethics shall not be construed as denial of the existence of such responsibilities or practices.

C. PRINCIPLES OF ETHICS FORM THE UNDERLYING MORAL BASIS FOR THE CODE OF ETHICS. Individuals shall observe these principles as affirmative obligations under all conditions of professional activity.

D. RULES OF ETHICS ARE SPECIFIC STATEMENTS OF MINIMALLY ACCEPTABLE AS WELL AS UNACCEPTABLE PROFESSIONAL CONDUCT which are applicable to all individuals.

E. Rules of Ethics for Audiology, Speech-Language Pathology, Provisional Speech-Language Pathology, and Restricted Speech-Language Pathology Licensees

1. PRINCIPLE OF ETHICS I. RESPONSIBILITY TO PERSONS SERVED PROFESSIONALLY. Licensees shall honor their responsibility to hold paramount the welfare of persons they serve professionally or who are participants in research and scholarly activities, provide professional services with honesty and compassion, and respect the rights of those served. The licensee shall take all reasonable precautions to avoid harm to the individual served professionally.

   a. COMPETENCE. Individuals shall provide all clinical services and scientific activities competently.

   b. USE OF RESOURCES/REFERRAL. Individuals shall use every resource, including interprofessional collaboration and referral when applicable, to ensure that appropriate service is provided.

   c. DISCRIMINATION. Individuals shall not discriminate in the delivery of professional services or in the conduct of research and scholarly activities on the basis of race, ethnicity, citizenship, sex, gender identity/gender expression, sexual orientation, age, religion, national origin, disability, culture, language, or dialect.

   d. MISREPRESENTATION OF CREDENTIALS. Individuals shall not misrepresent their credentials nor those under their supervision including aides, assistants, technicians, other support personnel, students, research interns, or individuals completing the postgraduate professional employment/experience, and they shall fully inform those they serve professionally of the name, role, and credentials of persons providing services.

   e. DELEGATION OF TASKS. Individuals may delegate tasks related to the provision of clinical services to students, aides, assistants, technicians, or other support personnel only if those persons are adequately trained and appropriately supervised. The responsibility for the welfare of those served remains with the fully licensed individual.

   f. DELEGATION OF TASKS. Individuals shall not delegate tasks that require the unique skills, knowledge, judgment or credentials that are within the scope of practice of their profession to aides, assistants, technicians, other support personnel or nonprofessionals over whom they have supervisory authority.
g. **FULLY INFORMED CONSENT.** Individuals shall obtain consent from the persons they serve only after a description of and discussion about the nature and possible risks and effects of services to be rendered, technology to be employed, and products to be dispensed. Consumers shall also be informed about possible effects of not engaging in treatment or following clinical recommendations. When the consumer is incapable of providing informed consent, individuals should seek authorization from a legally authorized/appointed representative or family member.

h. **INFORMED CONSENT.** Individuals shall enroll and include persons as participants in research only if participation is voluntary, without coercion, and with informed consent.

i. **ACCURATE REPRESENTATION OF SERVICE/PRODUCT/RESEARCH.** Individuals shall accurately represent the intended purpose of a service, product, or research endeavor and shall abide by established standards for clinical practice and the responsible conduct of research.

j. **EVALUATION OF SERVICES/TECHNOLOGY/PRODUCTS.** Individuals shall evaluate the effectiveness of services rendered, technology employed, and products dispensed and shall provide services or dispense products only when benefits can reasonably be expected.

k. **GUARANTEE OF RESULTS.** Individuals shall not guarantee, directly or by implication, the results of any treatment or procedure; however, they may make a reasonable statement of prognosis.

l. **INDEPENDENT EVIDENCE-BASED DECISIONS.** Individuals shall use independent and evidence-based clinical judgment, keeping paramount the welfare of those served.

m. **SERVICES VIA CORRESPONDENCE ONLY.** Individuals shall not provide clinical services solely by correspondence but may provide services via telepractice consistent with professional standards and state and federal regulations.

n. **CONFIDENTIALITY.** Individuals shall protect the confidentiality of any professional or personal information about persons served professionally or participants involved in research and scholarly activities, and may disclose confidential information only when doing so is necessary to protect the welfare of the person or of the community, is legally authorized, or is otherwise required by law.

o. **CONFIDENTIALITY AND SECURITY OF RECORDS.** Individuals shall protect the confidentiality and security of records of professional services rendered, research and scholarly activities conducted, and products dispensed. Access to these records shall be allowed only when doing so is necessary to protect the welfare of the person or of the community, is legally authorized, or is otherwise required by law.

p. **MAINTENANCE OF RECORDS/ACCURATE BILLING.** Individuals shall maintain timely records and accurately record and bill for services provided and products dispensed, and shall not misrepresent services rendered, products dispensed, or research and scholarly activities conducted.

q. **IMPAIRED PRACTITIONER.** Individuals whose professional practice is adversely affected by substance abuse or other health-related conditions are impaired practitioners and shall seek professional assistance and, where appropriate, withdraw from the affected areas of practice.

r. **REPORTING OF IMPAIRED PRACTITIONER.** Individuals who have knowledge a practitioner is unable to provide professional services with reasonable skill and safety shall report this information to the appropriate authority including the licensure board.

s. **PATIENT/CLIENT ABANDONMENT.** Individuals shall provide reasonable notice and information about alternatives for obtaining care in the event that the individual can no longer provide professional services.
2. **PRINCIPLE OF ETHICS II. RESPONSIBILITY FOR ONE’S PROFESSIONAL COMPETENCE.** Individuals shall honor their responsibility to achieve and maintain the highest level of professional competence and performance consistent with prevailing practice standards.

a. **COMPETENCE.** Individuals shall engage in only those aspects of the professions that are within the scope of their practice and competence, considering their level of licensure, registration, education, training and experience.

b. **COMPLIANCE WITH RESEARCH STANDARDS.** Individuals who engage in research shall comply with institutional, state, and federal regulations that address any aspects of research.

c. **PROFESSIONAL DEVELOPMENT/CONTINUING EDUCATION.** Individuals shall enhance and refine their professional competence and expertise through engagement in lifelong learning applicable to their professional activities and skills.

d. **ADMINISTRATIVE/SUPERVISORY ROLES.** Individuals in administrative or supervisory roles shall not require or permit their professional staff to provide services or conduct research activities that exceed their competence, education, training, experience, and licensure status.

e. **ADMINISTRATIVE/SUPERVISORY ROLES.** Individuals in administrative or supervisory roles shall not require or permit their professional staff to provide services or conduct clinical activities that compromise their independent and objective professional judgment.

f. **USE OF TECHNOLOGY/INSTRUMENTATION.** Individuals shall make use of technology and instrumentation consistent with accepted professional practice guidelines and shall ensure that all technology and instrumentation use to provide services or to conduct research and scholarly activities are in proper working order and are properly calibrated. When such technology is not available, and appropriate referral should be made.

3. **PRINCIPLE OF ETHICS III.** Individuals shall honor their RESPONSIBILITY TO THE PUBLIC when advocating for communication, swallowing, and vestibular needs of the public, and shall provide accurate information involving any aspect of the professions.

a. **MISREPRESENTATION OF CREDENTIALS, ETC.** Individuals shall not misrepresent their credentials, competence, education, training, experience, or scholarly contributions.

b. **CONFLICT OF INTEREST.** Individuals shall avoid engaging in conflicts of interest whereby personal, financial, or other considerations have the potential to influence or compromise professional judgment and objectivity.

c. **MISREPRESENTATION OF SERVICES/PRODUCTS/RESEARCH.** Individuals shall not misrepresent research and scholarly activities, diagnostic information, services rendered, results of services provided, products dispensed, or the effects of products dispensed.

d. **FRAUD.** Individuals shall not defraud through intent, ignorance, or negligence, or engage in any scheme to defraud in connection with obtaining payment, reimbursement, or grants and contracts for services provided, research conducted, or products dispensed.

e. **ACCURATE, COMPLETE STATEMENTS TO THE PUBLIC.** Individuals’ statements to the public shall provide accurate and complete information about the nature and management of communication disorders, about the professions, about professional services, about products, and about research and scholarly activities.

f. **ACCURATE STATEMENTS TO THE PUBLIC.** Individuals’ statements to the public shall adhere to prevailing
professional norms and shall not contain misrepresentations when advertising, announcing and promoting their professional services and products or when reporting research results.

g. **FALSE STATEMENTS/COMPLETION OF MATERIALS.** Individuals shall not make false statements regarding areas of professional practice and shall complete all materials honestly and without omission.

4. **PRINCIPLE OF ETHICS IV: RESPONSIBILITY TO THE PROFESSIONS.** Individuals shall uphold the dignity and autonomy of the professions, maintain harmonious interprofessional and intraprofessional relationships, and accept the professions' self-imposed standards.

a. **WORKING COLLABORATIVELY.** Individuals shall work collaboratively, when appropriate, with members of one's own profession and members of other professions to deliver the highest quality of care.

b. Individuals shall exercise **INDEPENDENT PROFESSIONAL JUDGMENT** in recommending and providing professional services when an administrative mandate, referral source, or prescription prevents keeping the welfare of persons served paramount.

c. Individuals' **STATEMENTS TO COLLEAGUES** about professional services, research results, and products shall adhere to prevailing professional standards and shall contain no misrepresentations.

d. Individuals **SHALL NOT ENGAGE IN ANY FORM OF CONDUCT THAT ADVERSELY REFLECTS ON THE PROFESSIONS** or on the individual's fitness to serve persons professionally.

e. Individuals shall not engage in **DISHONESTY, NEGLIGENCE, FRAUD, DECEIT, OR MISREPRESENTATION.**

f. **APPLICANTS for licensure or registration, AND INDIVIDUALS MAKING DISCLOSURES SHALL NOT MAKE FALSE STATEMENTS** and shall complete all application and disclosure materials honestly and without omission.

g. Individuals shall not engage in any form of **HARASSMENT, POWER ABUSE, OR SEXUAL HARASSMENT.**

h. Individuals shall not engage in **SEXUAL ACTIVITY** with students, patients/clients, research participants, speech-language pathology assistants, aides, or licensees over whom they exercise professional authority or power.

i. **SUPERVISEE VIOLATING STATUTE, RULES, CODE OF ETHICS.** Individuals shall not allow anyone under their supervision to engage in any practice that violates any provision of the practice act or Rules and Regulations including the Code of Ethics.

j. **CREDIT FOR AUTHORSHIP.** Individuals shall assign credit only to those who have contributed to a publication, presentation, protocol, process, or product. Credit shall be assigned in proportion to the contribution and only with the contributor's consent.

k. **PLAGIARISM, MANDATORY REFERENCING OF SOURCES/IDEAS/RESEARCH/ PRESENTATIONS/ PRODUCTS.** Individuals shall not engage in plagiarism and shall reference the source when using other persons' ideas, research, presentations, or products in written, oral, or any other media presentation or summary.

l. **DISCRIMINATION IN PROFESSIONAL RELATIONSHIPS.** Individuals shall not discriminate in their relationships with colleagues, assistants, other support personnel, students, and members of other professions and disciplines on the basis of race, ethnicity, citizenship, sex, gender identity/gender expression, sexual orientation, age, religion, national origin, disability, culture, language, or dialect.

m. Individuals shall **COMPLY WITH LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS** applicable to professional practice, research ethics, and the responsible conduct of research.
n. Individuals shall INFORM THE BOARD OF ANY VIOLATIONS of the practice act and the Rules and Regulations including the Code of Ethics.

o. Individuals shall COOPERATE FULLY WITH THE BOARD on matters of professional conduct relative to the practice act and the Rules and Regulations including the Code of Ethics, and shall not make false statements of fact or withhold relevant facts necessary to fairly adjudicate complaints.

p. MANDATORY SELF-REPORTING OF SANCTIONS OR DENIAL OF CREDENTIAL. Individuals who have been publicly sanctioned or denied a license, registration, or a professional credential by any professional association, professional licensing authority or board, or other professional regulatory body shall self-report by notifying the Board in writing within thirty (30) days of the final action or disposition. Such written notification shall consist of a certified copy of the final action, sanction, or disposition.

q. MANDATORY SELF-REPORTING OF CONVICTION. Individuals who have been convicted, been found guilty, or entered a plea of nolo contendere to any misdemeanor involving dishonesty, physical harm or the threat of physical harm to the person or property of another, or any felony, shall self-report by notifying the Board in writing within thirty (30) days of the conviction, plea, or finding of guilt. Such written notification shall consist of a certified copy of the conviction, plea, nolo contendere record, or minute/docket entry.

F. Rules of Ethics for Speech-Language Pathology Assistant and Provisional Speech-Language Pathology Assistant Licensees

1. PRINCIPLE OF ETHICS I. Licensees shall honor their RESPONSIBILITY TO HOLD PARAMOUNT THE WELFARE OF PERSONS THEY SERVE or who are participants in research and scholarly activities, provide services with honesty and compassion, and respect the rights of those served. The licensee shall take all reasonable precautions to avoid harm to the individual served.

a. COMPETENCE/PRESCRIPTION BY SUPERVISING SLP. Individuals shall provide clinical services and scientific activities competently and engage only in those activities prescribed by the supervising speech-language pathologist.

b. DISCRIMINATION. Individuals shall not discriminate in the delivery of services or in the conduct of research and scholarly activities on the basis of race, ethnicity, citizenship, sex, gender, identity/gender expression, sexual orientation, age, religion, national origin, disability, culture, language, or dialect.

c. MISREPRESENTATION OF CREDENTIALS. Individuals shall not misrepresent their credentials and shall fully inform those they serve of their name, role, and credentials.

d. SERVICE PROVISION OUTSIDE SCOPE OF PRACTICE/WITHOUT APPROVAL OF SUPERVISING SLP. Individuals shall not provide services via telepractice, interpret test or assessment results, guarantee results, make referrals, discharge patients/clients, provide patient/client or family counseling, nor perform clinical tasks without the knowledge and approval of the supervising speech-language pathologist.

e. CONFIDENTIALITY. Individuals shall protect the confidentiality of clinical or personal information about persons served or participants involved in research and scholarly activities and shall not disclose confidential information orally or in writing to anyone not designated by the supervising speech-language pathologist and without the authorization of the patient/client or their designee.

f. CONFIDENTIALITY AND SECURITY OF RECORDS. Individuals shall protect the confidentiality and security of records of services rendered, research and scholarly activities conducted, and products dispensed. Access to these records shall not be allowed unless directed by the supervising speech-language pathologist.

g. MAINTENANCE OF RECORDS/MISREPRESENTATION OF SERVICES. Individuals shall maintain timely and adequate records of services rendered, shall not charge for services not rendered, and shall not misrepresent services rendered, or research and scholarly activities conducted.
h. IMPAIRED PRACTITIONER. Individuals whose services are adversely affected by substance abuse or other health-related conditions are impaired practitioners and shall seek professional assistance and, where appropriate, withdraw from the affected areas of practice.

i. REPORTING OF IMPAIRED PRACTITIONER. Individuals who have knowledge that a licensee is unable to provide services with reasonable skill and safety shall report this information to the appropriate authority including the licensure board.

2. PRINCIPLE OF ETHICS II. RESPONSIBILITY FOR COMPETENCE AND PERFORMANCE. Individuals shall honor their responsibility to achieve and maintain the highest level of competence and performance.

a. SERVICE PROVISION WITHIN SCOPE OF PRACTICE. Individuals shall engage in only those aspects of service provision that are within the scope of their practice and competence, considering their level of licensure, education, training and experience.

b. QUALIFICATIONS. Individuals shall hold the appropriate qualifications for the area(s) in which they are providing services. Individuals shall engage in lifelong learning throughout their careers.

c. SUPERVISION REQUIRED. Individuals shall not provide services unless appropriately supervised.

d. PREPARATION FOR SERVICE PROVISION. Individuals shall not provide services for which the licensee has not been properly prepared.

e. USE OF TECHNOLOGY/INSTRUMENTATION. Individuals shall utilize technology and instrumentation as directed by the supervising speech-language pathologist, ensuring that proper working order is maintained and calibration has been established.

3. PRINCIPLE OF ETHICS III. Individuals shall honor their RESPONSIBILITY TO THE PUBLIC by providing accurate information in all communications.

a. MISREPRESENTATION OF CREDENTIALS, ETC. Individuals shall not misrepresent their credentials, competence, education, training or experience.

b. CONFLICT OF INTEREST. Individuals shall not participate in professional activities that constitute a conflict of interest.

c. MISREPRESENTATION OF SERVICES/RESEARCH. Individuals shall not misrepresent research and scholarly activities, services rendered or any information, or engage in any scheme or maneuver to defraud in connection with obtaining payment or reimbursement for services.

d. FALSE STATEMENTS/COMPLETION OF MATERIALS. Individuals shall not make false statements regarding areas of practice and shall complete all materials honestly and without omission.

4. PRINCIPLE OF ETHICS IV. RESPONSIBILITY TO THE PROFESSIONS. Individuals shall honor their responsibilities and their relationships with colleagues and members of other professions and disciplines. Individuals shall maintain harmonious interprofessional and intraprofessional relationships and accept the standards delineated for assistants.

a. Individuals’ STATEMENTS TO COLLEAGUES about services, research, or products shall adhere to prevailing standards and contain no misrepresentations.

b. Individuals shall not engage in DISHonesty, NEGLIGENCE, FRAUD, DECEIT, OR MISREPRESENTATION.
c. **APPLICANTS** for licensure and **INDIVIDUALS MAKING DISCLOSURES SHALL NOT MAKE FALSE STATEMENTS** and shall complete all application and disclosure materials honestly and without omission.

d. Individuals shall not engage in any form of **HARASSMENT, POWER ABUSE, OR SEXUAL HARASSMENT**, or any other form of conduct that adversely reflects on service delivery or on the individual’s fitness to serve persons.

e. Individuals shall not engage in **SEXUAL ACTIVITY** with a patient/client or research participant.

f. **CREDIT FOR AUTHORSHIP.** Individuals shall assign credit only to those who have contributed to a publication, presentation, protocol, process, or product. Credit shall be assigned in proportion to the contribution and only with the contributor’s consent.

g. **PLAGIARISM, MANDATORY REFERENCING OF SOURCES/IDEAS/RESEARCH/ PRESENTATIONS/ PRODUCTS.** Individuals shall not engage in plagiarism and shall reference the source when using other persons’ ideas, research, presentations, or products in written, oral, or any other media presentation or summary.

h. **DISCRIMINATION IN PROFESSIONAL RELATIONSHIPS.** Individuals shall not discriminate in their relationships with colleagues and members of other professions and disciplines on the basis of race, ethnicity, citizenship, sex, gender identity/gender expression, sexual orientation, age, religion, national origin, disability, culture, language, or dialect.

i. Individuals shall **COMPLY WITH LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS** applicable to practice and research.

j. Individuals shall **INFORM THE BOARD OF ANY VIOLATIONS** of the practice act or the Rules and Regulations including the Code of Ethics.

k. Individuals shall **COOPERATE FULLY WITH THE BOARD** of matters of professional conduct relative to the practice act or the Rules and Regulations including the Code of Ethics and shall not make false statements of fact or withhold relevant facts necessary to fairly adjudicate complaints.

l. **MANDATORY SELF-REPORTING OF SANCTIONS OR DENIAL OF CREDENTIAL** Individuals who have been publicly sanctioned or denied a license or a professional credential by any professional association, professional licensing authority or board, or other professional regulatory body shall self-report by notifying the Board in writing within (30) days of the final action or disposition.

m. **MANDATORY SELF-REPORTING OF CONVICTION.** Individuals who have been convicted, been found guilty, or entered a plea of nolo contendere to any misdemeanor involving dishonesty, physical harm or the threat of physical harm to the person or property of another, or any felony, shall self-report by notifying the Board in writing within thirty (30) days of the conviction, plea, or finding of guilt. Such written notification shall consist of a certified copy of the conviction, plea, nolo contendere record, or minute/docket entry.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:2650 et seq.