

TAASLP Code of Ethics

INTRODUCTION

Members of the Tennessee Association of Audiologists and Speech Language Pathologists (TAASLP) are obligated to uphold the Code of Ethics of the Association in their personal conduct and in the performance of their professional duties. To this end it is the responsibility of each Association member to inform the Ethics Committee of possible Ethics Code violations. The processing of alleged violations of the Code of Ethics will follow the procedures specified below in an expeditious manner to ensure that violations of ethical conduct by members of the Association are halted in the shortest time possible.

PROCEDURES

1. Suspected violations of the Code of Ethics shall be reported in letter format giving documentation sufficient to support the alleged violation. Letters must be addressed to:

Chair, Ethics Committee

c/o Association Executive

Tennessee Association of Audiologists and Speech Language Pathologists

P.O. Box 331307

Nashville, TN 37203

2. Following receipt of a report of a suspected violation, at the discretion of the Chair, the Ethics Committee will request a signed Waiver of Confidentiality from the complainant indicating that the complainant will allow the Ethics Committee to disclose his/her name ~~only~~ if necessary during investigation of the allegation.

a. The Ethics Committee may, under special circumstances, act in the absence of a signed Waiver of Confidentiality. For example, in cases where the Ethics Committee has received information from a state licensure or registration board of a member having his or her license or registration suspended or revoked, then the Ethics Committee will proceed without a complainant.

b. The Chair may communicate with other individuals, agencies, and/or programs for additional information as may be required for review at any time during the deliberation.

3. The Ethics Committee will convene to review the merit of the alleged violation as it relates to the Code of Ethics

a. The Ethics Committee shall meet to discuss the case, either in person, by electronic means or by teleconference. The meeting will occur within 60 days of receipt of the waiver of confidentiality, or of notification by the complainant of refusal to sign the waiver. In cases where another form of notification brings the complaint to the attention of the Ethics Committee, the Committee will convene within 60 days of notification.

b. If the alleged violation has a high probability of being legally actionable, the case may be referred to the licensing board or other appropriate agency. The Ethics Committee may postpone further deliberation until the legal process has been completed.

4. If there is sufficient evidence that indicates a violation of the Code of Ethics has occurred, upon majority vote, the member will be forwarded a Notification of Potential Ethics Concern.

a. The circumstances of the alleged violation will be described.

b. The member will be informed of the specific Code of Ethics rule that may conflict with member behavior.

c. Supporting documents that may serve to further educate the member about the ethical implications will be included, as appropriate.

d. The member will be asked to respond fully to the allegation and submit all supporting evidence within 30 calendar days.

5. The Ethics Committee will meet either in person or by teleconference:

a. within 60 calendar days of receiving a response from the member to the Notification of Potential Ethics Concern to review the response and all information pertaining to the alleged violation, or

b. within sixty (60) calendar days of notification to member if no response is received from the member to review the information received from the complainant.

6. If the Ethics Committee determines that the evidence supports the allegation of an ethical violation, then the member will be provided written notice containing the following information:

- a. The right to a hearing in person or by teleconference before the Ethics Committee;
- b. The date, time and place of the hearing;
- c. The ethical violation being charged and the potential sanction; and
- d. The right to present a defense to the charges.

At this time the member should provide any additional relevant information. As this is the final opportunity for a member to provide new information, the member should carefully prepare all documentation.

7. Potential Rulings.

- a. When the Ethics Committee determines there is insufficient evidence of an ethical violation, the parties to the complaint will be notified that the case will be closed.
- b. If the evidence supports the allegation of a Code violation, the rules(s) of the Code violated will be cited and sanction(s) will be specified.

8. The Committee shall sanction members based on the severity of the violation and history of prior ethical violations. A simple majority of voting members is required to institute a sanction unless otherwise noted. Sanctions may include one or more of the following:

- a. Educative Letter. This sanction alone is appropriate when:
 1. The ethics violation appears to have been inadvertent.
 2. The member's response to Notification of Potential Ethics Concern indicates a new awareness of the problem and the member resolves to refrain from future ethical violations.

b. Cease and Desist Order. The member signs a consent agreement to immediately halt the practice(s) which were found to be in violation of the Code of Ethics.

c. Reprimand. The member will be formally reprimanded for the violation of the Code of Ethics.

d. Mandatory continuing education

1. The EPC will determine the type of education needed to reduce chances of recurrence of violations.

2. The member will be responsible for submitting documentation of continuing education within the period of time designated by the Ethics Committee.

3. All costs associated with compliance will be borne by the member.

e. Probation of Suspension. The member signs a consent agreement in acknowledgement of the Ethics Committee decision and is allowed to retain membership benefits during a defined probationary period.

1. The duration of probation and the terms for avoiding suspension will be determined by the Ethics Committee.

2. Failure of the member to meet the terms for probation will result in the suspension of membership.

f. Suspension of Membership.

1. The duration of suspension will be determined by the Ethics Committee.

2. The member may not receive membership benefits during the period of suspension.

3. Members suspended are not entitled to a refund of dues or fees.

g. Revocation of Membership. Revocation of membership is considered the maximum punishment for a violation of the Code of Ethics.

1. Revocation requires a two-thirds majority of the voting members of the Ethics committee.
2. Individuals whose memberships are revoked are not entitled to a refund of dues or fees.
3. One year following the date of membership revocation the individual may reapply for, but is not guaranteed, membership through normal channels and must meet the membership qualifications in effect at the time of application.
4. The member may appeal the Final Finding and Decision of the Ethical Practices Committee to the Association Executive Council. The route of Appeal is by letter format through the Ethics Committee to the Executive Council of the Association. Requests for Appeal must:

- a. be received by the Chair, Ethics Committee, within 30 days of the Ethics Committee's notification of the Final Finding and Decision,
- b. state the basis for the appeal, and the reason(s) that the Final Finding and Decision of the Ethics Committee should be changed,
- c. not offer new documentation.

The EPC chair will communicate with the Executive Director of the Association to schedule the appeal at the earliest feasible Executive Council meeting.

The Executive Council will review the documents and written summaries, and deliberate the case.

The decision of the Executive Council regarding the member's appeal shall be final.

5. In order to educate the membership, upon majority vote the Ethical Practices Committee, the circumstances and nature of cases shall be presented in the Professional Resource area of the Association website. The member's identity will not be made public.

6. No Ethics Committee member shall give access to records, act or speak independently, or on behalf of the Ethics Committee, without the expressed permission of the members then active. No member may impose the sanction of the Ethics Committee, or to interpret the findings of the Committee in any manner which may place members of the Ethics Committee or Executive Council, collectively or singly, at financial, professional, or personal risk.

7. The Ethics Committee Chair shall maintain a Book of Precedents that shall form the basis for future findings of the Committee.

CONFIDENTIALITY AND RECORDS

Confidentiality shall be maintained in all Ethics Committee discussion, correspondence, communication, deliberation, and records pertaining to members reviewed by the Ethics Committee.

1. Complaints and suspected violations are assigned a case number.
2. Identity of members involved in complaints and suspected violations and access to EPC files is restricted to the following:
 - a. EPC Chair
 - b. EPC member designated by EPC Chair when the chair recuses him or herself from a case.
 - c. Executive Director
 - d. Executive Council, following majority vote of Ethics committee
3. Original records shall be maintained at the Association office in a locked cabinet.
 - a. One copy will be sent to the Ethics Committee chair or member designated by the Chair.
 - b. Copies will be sent to members of the Committee.
4. Communications shall be sent to the members involved in complaints by the Association office via certified or registered mail, after review by Legal Counsel.

5. When a case is closed,

a. The chair will forward all documentation to the Association Central Records Repository.

b. Members shall destroy all material pertaining to the case.

6. Complete records generally shall be maintained at the Association Central Records Repository for a period of five years.

a. Records will be destroyed five years after a member receives a sanction less than suspension, or five years after the end of a suspension, or after membership is reinstated.

b. Records of membership revocations for persons who have not returned to membership status will be maintained indefinitely.