ALABAMA STATE BOARD OF SOCIAL WORK EXAMINERS ADMINISTRATIVE CODE

CHAPTER 850-X-9 STANDARDS OF PROFESSIONAL CONDUCT & ETHICS

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Section 34-30-57, Code of Ala. 1975, (1991) authorizes the Board to promulgate rules and regulations that set forth standards for licensed bachelor social workers, licensed master social workers, and independent clinical social workers. Pursuant thereto, the Board has formally adopted the following standards of professional conduct and ethics:

(1) The Social Worker's Conduct and Comportment as a Social Worker.

(a) Propriety - The social worker shall maintain high standards of personal conduct in the capacity or identity as social worker.

1. The private conduct of the social worker is a personal matter to the same degree as is any other person's, except when such conduct compromises the fulfillment of professional responsibilities.

2. The social worker shall not participate in, condone, or be associated with dishonesty, fraud, deceit, misrepresentation, or criminal activity.

3. The social worker shall distinguish clearly between statements and actions made as a private individual and as a representative of the social work profession or an organization or group.

(b) Competence and Professional Development - The social worker shall strive to become and remain proficient in professional practice and the performance of professional functions.

1. The social worker shall accept responsibility or employment only on the basis of existing competence or the intention to acquire the necessary competence.

2. The social worker shall not misrepresent professional qualifications, licensure, certification, education, experience, or affiliations.

3. The social worker shall not allow his/her own personal problems, psychosocial distress, substance abuse, or mental health difficulties to interfere with professional judgment and performance or jeopardize the best interests of those for whom the social worker has a professional responsibility.

4. The social worker whose personal problems, psychosocial distress, substance abuse, or mental health difficulties interfere with professional judgment and performance should immediately seek consultation and take appropriate remedial action by seeking professional help, making adjustments in workload, terminating practice, or taking any other steps necessary to protect clients and others.

5. The social worker shall not knowingly allow another person to use his or her license.

6. The social worker shall not impersonate another person holding a license issued by the Board.

(c) Service - The social worker shall regard as primary the service obligation of the social work profession.

1. The social worker shall retain ultimate responsibility for the quality and extent of the service that individual assumes, assigns, or performs.

2. The social worker shall act to prevent practices that are inhumane or discriminatory against any person or group of persons.

(d) Integrity - The social worker shall act in accordance with the highest standards of professional integrity and impartiality.

1. The social worker should be alert to and resist the influences and pressures (including those that arise from personal beliefs) that interfere with the exercise of professional discretion and impartial judgment required for the performance of professional functions.

2. The social worker shall not exploit professional relationships for personal gain.

(e) Scholarship and Research - The social worker engaged in study and research should be guided by the conventions of scholarly inquiry.

1. The social worker engaged in research should consider carefully the possible consequences for human beings.

2. The social worker engaged in research shall ascertain that the consent of participants in the research is voluntary and informed, without any implied deprivation or penalty for refusal to participate, and with due regard for participant's privacy and dignity.

3. The social worker engaged in research should protect participants from unwarranted physical or mental discomfort, distress, harm, danger, or deprivation.

4. The social worker who engages in the evaluation of services or cases shall discuss them only for the professional purposes and only with persons directly and professionally concerned with them.

5. Information obtained about participants in research shall be treated as confidential.

6. The social worker shall take credit only for work actually done in connection with scholarly and research endeavors and credit contributions made by others.

(2) The Social Worker's Ethical Responsibility to Clients.

(a) Primacy of Client's Interests - The social worker's primary responsibility is to promote the well-being of the client.

1. The social worker should serve clients with devotion, loyalty, determination, and the maximum application of professional skills and competence.

2. The social worker shall not exploit relationships with clients for personal advantage.

3. The social worker shall not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, color, sex, age, religion, political belief, mental or physical handicap, or any other preference or personal characteristic, condition or status.

4. The social worker shall not condone or engage in any dual or multiple relationships with clients or former clients in which there is a risk of exploitation of or potential harm to the client. The social worker is responsible for setting clear, appropriate, and culturally sensitive boundaries.

5. The social worker shall under no circumstances engage in sexual activities or sexual contact with current clients, whether such contact is consensual or forced.

6. The social worker shall not engage in sexual activities or sexual contact with client's relatives or other individuals with whom clients maintain a close personal relationship when there is a risk of exploitation or potential harm to the client. The social worker shall assume the full burden for setting clear, appropriate, and culturally sensitive boundaries.

7. The social worker should not engage in sexual activities or sexual contact with former clients because of the potential for harm to the client. If a social worker engages in conduct contrary to this prohibition or claims that an exception to this prohibition is warranted because of extraordinary circumstances, it is the social worker not the client who assumes full burden of demonstrating that the former client has not been exploited, coerced, or manipulated, intentionally or unintentionally.

8. The social worker shall not provide clinical services to an individual with whom the social worker has had a prior sexual relationship.

9. The social worker must set clear, appropriate and culturally sensitive boundaries that govern any physical contact with a client.

10. The social worker shall not sexually harass clients. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

11. The social worker shall not use derogatory language in written or verbal communications to or about clients. The social worker shall use accurate and respectful language in all communications to and about clients.

12. The social worker should provide clients with accurate and complete information regarding the extent and nature of the services available to them.

13. The social worker shall apprise clients of their risks, rights, opportunities, and obligations associated with social service to them.

14. The social worker should seek advice and counsel of colleagues and supervisors whenever such consultation is in the best interest of the clients.

15. The social worker shall terminate service to clients, and professional relationships with them, when such service and relationships are no longer required or no longer serve the client's needs or best interests.

16. The social worker should not withdraw services precipitously except under unusual circumstances, giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects.

17. The social worker who anticipates the termination or interruption of service to clients shall notify clients promptly and seek the transfer, referral, or continuation of service in relation to the client's needs and preferences.

(b) Rights and Prerogatives of Clients - The social worker should make every effort to foster maximum self-determination on the part of clients.

1. When the social worker must act on behalf of a client who has been adjudged legally incompetent, the social worker should safeguard the interests and rights of that client.

2. When another individual has been legally authorized to act on behalf of a client, the social worker should deal with that person always with the client's best interest in mind.

3. The social worker should not engage in any action that violates or diminishes the civil or legal rights of clients.

(c) Confidentiality and Privacy - The social worker shall respect the privacy of clients and hold in confidence all information obtained in the course of professional service except as required by law.

1. The social worker shall share with others confidences revealed by clients, without their consent, only for compelling professional reasons or as required by law.

2. The social worker should inform clients fully about the limits of confidentiality in a given situation, the purposes for which information is obtained, and how it may be used.

3. The social worker shall keep timely and accurate records detailing problems, treatment plans, scope of services, and dates and content of client contacts for a minimum of three years after the date on which services were last provided to the client. Records shall be securely kept to ensure the confidentiality of clients. Records or other oral or written information which personally identifies the client shall not be released to third parties unless:

(i) the client or authorized representative consents in writing;

(ii) a court of competent jurisdiction orders release of the records;

(iii) the records are otherwise due to be disclosed under Alabama or federal law;

(iv) the information released does not compromise the confidentiality of any other individuals; or

(v) the Board issues a subpoena for the records pursuant to its investigatory or regulatory authority.

4. The social worker should afford clients with reasonable access to any official social work records concerning them.

5. When providing clients with access to records, the social worker shall take due care to protect the confidences of others contained in those records.

6. The social worker shall obtain informed consent of clients before taping, recording, or permitting third party observation of their activities.

7. The social worker shall take precautions to ensure and maintain the confidentiality of information transmitted to other parties through the use of computers, electronic mail, facsimile machines, telephones, voicemail, social media, and other

electronic or computer technology. Disclosure of identifying information should be avoided whenever possible.

(d) Fees - When setting fees, the social worker shall ensure that they are fair, reasonable, considerate, and commensurate with the service performed. When setting fees, the social worker shall exercise due regard for the client's ability to pay.

1. The social worker shall not divide a fee with a referral source. The social worker shall not accept the division of a fee as compensation for a referral. This provision is intended to assure that referrals are always based solely on the best interests of the client.

2. The social worker shall explain the fee schedule and ensure the client's understanding.

(3) The Social Worker’s Ethical Responsibility To Colleagues.

(a) Respect, Fairness, and Courtesy - The social worker shall treat colleagues with respect, courtesy, fairness, and good faith.

1. The social worker should cooperate with colleagues to promote professional interests and concerns.

2. The social worker shall respect confidences shared by colleagues in the course of their professional relationships and transactions unless otherwise required by law.

3. The social worker should create and maintain conditions of practice that facilitate ethical and competent professional performance by colleagues.

4. The social worker should treat with respect, and represent accurately and fairly, the qualifications, views, and findings of colleagues and use appropriate channels to express judgments on these matters.

5. The social worker who replaces or is replaced by a colleague in professional practice should act with consideration for the interest, character, and reputation of that colleague.

6. The social worker shall not exploit a dispute between a colleague and employers to obtain a position or otherwise advance the social worker's interest.

7. The social worker should seek arbitration or mediation when conflicts with colleagues require resolution for compelling professional reasons.

8. The social worker should extend to colleagues of other professions the same respect and cooperation that is extended to social work colleagues.

9. The social worker who serves as an employer, supervisor, or mentor to colleagues shall make orderly and explicit arrangements regarding the conditions of their continuing professional relationship.

10. The social worker who has responsibility for employing and evaluating the performance of other staff members, shall fulfill such responsibility in a fair, considerate, and equitable manner, on the basis of clearly enunciated criteria.

11. The social worker who has the responsibility for evaluating the performance of employees, supervisees, or students shall share evaluations with them.

12. The social worker shall not use a professional position vested with power, such as that of employer, supervisor, teacher, or consultant, to his/her advantage or to exploit others.

13. The social worker who functions as a supervisor or educator shall not engage in sexual activities or contact with supervisees, students, trainees, or other colleagues over whom they exercise professional authority.

14. The social worker should avoid engaging in sexual relationships with colleagues when there is potential for conflict of interest. The social worker who becomes involved in, or anticipates becoming involved in, a sexual relationship with a colleague has the duty to transfer professional responsibilities, when necessary, to avoid a conflict of interest.

15. The social worker shall not sexually harass supervisees, students, trainees, or colleagues. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

16. The social worker who has direct knowledge of a social work colleague's impairment due to personal problems, psychosocial distress, substance abuse, or mental health difficulties should consult with that

colleague and assist the colleague in taking remedial action.

17. The social worker who believes that a social work colleague is incompetent and has not taken adequate steps to address the incompetence should take action through appropriate channels established by employers, agencies, NASW, and the Alabama State Board of Social Work Examiners.

(b) Dealing with Colleagues' Clients - The social worker has the responsibility to relate to the clients of colleagues with full professional consideration.

1. The social worker shall not assume professional responsibility for the clients of another agency or a colleague without appropriate communication with that agency or colleague.

2. The social worker who serves the clients of colleagues, during a temporary absence or emergency, shall serve those clients with the same consideration as that afforded any client.

(4) The Social Worker's Ethical Responsibility to the Employer. The social worker shall adhere to commitments made to the employing organization.

(a) The social worker should work to improve the employing agency's policies and procedures, and the efficiency and effectiveness of its services.

(b) The social worker shall not accept employment or arrange student field placements in an organization which is currently under public sanction by the National Association of Social Workers (“NASW”) for violating personnel standards, or imposing limitations on or penalties for professional actions on behalf of clients.

(c) The social worker should act to prevent and eliminate discrimination in the employing organization's work assignments and in its employment policies and practices.

(d) The social worker should use with scrupulous regard, and only for the purpose for which they are intended, the resources of the employing organization.

(5) The Social Worker's Ethical Responsibility to the Profession.

(a) Maintaining the Integrity of the Profession - The social worker shall uphold and advance the values, ethics, knowledge, and mission of the profession.

1. The social worker should protect and enhance the dignity and integrity of the profession and should be responsible and vigorous in discussion and criticism of the profession.

2. The social worker should take action through appropriate channels against unethical conduct by any other member of the profession.

3. The social worker should act to prevent the unauthorized and unqualified practice of social work.

4. The social worker should strive to become and remain proficient in professional practice and the performance of professional functions. The social worker should critically examine and keep current with emerging knowledge relevant to social work. The social worker should routinely review the professional literature and participate in continuing education relevant to social work practice and social work ethics.

5. The social worker should base practice on recognized knowledge, including empirically based knowledge, relevant to social work and social work ethics.

6. The social worker shall make no misrepresentation in advertising as to qualifications, competence, service, or results to be achieved.

(b) Community Service - The social worker should assist the profession in making social services available to the general public.

1. The social worker should contribute time and professional expertise to activities that promote respect for the utility, the integrity, and the competence of the social work profession.

2. The social worker should support the formulation, development, enactment and implementation of social policies of concern to the profession.

(c) Development of Knowledge - The social worker should take responsibility for identifying, developing, and fully utilizing knowledge for professional practice.

1. The social worker should base practice upon recognized knowledge relevant to social work.

2. The social worker should critically examine, and keep current with, emerging knowledge relevant to social work.

3. The social worker should contribute to the knowledge base of social work and share research knowledge and practice wisdom with colleagues.

(6) The Social Worker's Ethical Responsibility to Society. The social worker should promote the general welfare of society.

(a) The social worker should act to prevent and eliminate discrimination against any person or group on the basis of race, color, sex, age, religion, national origin, marital status, political belief, mental or physical handicap, or any other preference or personal characteristic, condition, or status.

(b) The social worker should act to ensure that all persons have access to the resources, services, and opportunities which they require.

(c) The social worker should act to expand choice and opportunity for all persons, with special regard for disadvantaged or oppressed groups or persons.

(d) The social worker should promote conditions that encourage respect for the diversity of cultures which constitute American society.

(e) The social worker should provide appropriate professional services in public emergencies.

(f) The social worker should advocate changes in policy and legislation to improve social conditions and to promote social justice.

(g) The social worker should encourage informed participation by the public in shaping social policies and institutions.

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