
Ethical Dilemma Breakdown of the Possible Violation of Ethical Codes

Introduction

This paper is a breakdown of a hypothetical vignette of a counselor named Iris who is a registered mental health counselor supervisee at a local agency. Iris is experienced and is very close to obtaining licensure in mental health counseling. She has recently been tasked with an assignment that she is uneasy with and approaches her supervisor for some professional advice regarding this dilemma, believing it may be in violation of both ethical codes and company regulations. The purpose of this paper is to present the evidence at hand and resolve the matter with a logical and strategic explanation while recognizing the ethical and legal ramifications of the dilemma.

Ethical Problem

Iris has been diligently working at Community Health of South Florida Inc. (CHI) for a couple years now, investing all she can of herself to help patients recover their lives and overcome their setbacks. She is just a few months shy of obtaining her Mental Health Practice Licensure in Miami, Florida. The primary ethical dilemma is that the agency's director is requesting that she prepare and deliver reports of clients they have counseled for the week, inclusive of certain confidential information contained in their files, along with the list of supervisors and other professionals who have consulted those same counselees. The director explained to Iris that it is critical she solicit and submit this information quickly and thoroughly as he needs it to compile and prepare his weekly report to submit it to the agency's Board. Iris approaches her counseling supervisor with her specific concerns. She then proceeds to inform the supervisor of the agency's director's request, along with her conflict and hesitation in providing this information. She shares that she has witnessed the director divulge client's private information in the past, including diagnoses, to other professionals for whom he associates with. She also mentions that she has witnessed the director's secretary discuss client's confidential information with other members of the staff. Unfortunately, the purpose is not to assist or support anyone in helping these clients. Instead, they have used this information for personal enjoyment, as a form of entertainment and ridicule, mocking these clients and their conditions as the butt of their jokes. Iris is understandably concerned that she would be violating the client's rights and confidentiality if she provides the director with their private information because of what she has witnessed the director, and the secretary, do with it in the past. Ultimately, Iris is responsible for her decision as to whether or not to provide the director with this report. Iris knows that if she submits this report to the director, she would be in violation of ethical codes due to the report pertaining to the client's confidential information. While this is undeniably a valid concern for Iris, she is fearful of the consequences of not fulfilling the director's request. She could potentially jeopardize her relationship with her supervisor, and ultimately her position and employment with the agency. More than this, it presents an ethical dilemma which could pose an even greater risk to her entire career and the agency's reputation and licensing for not protecting the client's confidentiality. Lastly, this could have a damaging and lasting effect on their clients, who in embarrassment, could leave the agency altogether to start all over again with a reputable

agency and suffer major setbacks in their road to recovery.

ACA Code of Ethics

"Trust is the cornerstone of the counseling relationship" "Counselors have the obligation to review in writing and verbally with clients the rights and responsibilities of both counselor and clients" . Part of this consent includes confidentiality information states "Counselors protect the confidential information of prospective and current clients. Counselors disclose information only with appropriate consent or with sound legal or ethical justification". Information shared with others goes into more detail as to the "privacy and confidentiality of clients are maintained by subordinates, including employees, supervisees, students, clerical assistants, and volunteers." The above presented vignette poses a dilemma with regards to breaking client's confidentiality. Both the director and the secretary are in violation of Confidentiality and Privacy under the 2014 Ethics Codes. "When consulting with colleagues, counselors do not disclose confidential information that reasonably could lead to the identification of the client". Basically, it comes down to whether or not Iris is ethical in providing this weekly report to director.

Ethical Decision Making

Corey, Corey, Corey, and Callanan state: Principle ethics is a set of obligations and a method that focuses on moral issues with the goal of (a) solving particular dilemma or set of dilemmas and (b) establishing a framework to guide future ethical thinking and behavior. Principles typically focus on acts and choices, and they are used to facilitate the selection of socially and historically acceptable answers to the question "What shall I do?"

Corey mentions and describes "six basic moral principles that form the foundation of functioning at the highest ethical level as a professional: autonomy, nonmaleficence, beneficence, justice, fidelity, and veracity." Iris, by safeguarding her client's confidential information, is supporting the therapeutic process and furthering their relationship by doing no harm (beneficence). She is also establishing a trusting relationship with her clients and honoring her commitment to "inform consent" and reinforces the client's ability to trust the counselor.

Possible Course of Action

Just as Iris has an ethical obligation, Iris's supervisor has an ethical obligation to Iris to help her define the problem and come up with a fair solution. At the end of the day, Iris has to decide if she is going to comply with the director's request or not. There are three things Iris wants to accomplish: she wants to honor her ethical obligation, she wants to protect her client's confidentiality, and she wants to keep her job.

The goal would be for Iris and her supervisor to accomplish all three of these objectives together. One of the things they can do is meet with the director and see if they can all agree on a report that allows for the necessary information, without disclosing the client's private information. There is also a possibility that the director has strayed for so long, that he may have confused the lines of distinction and is unaware that he is in breach of the Code of Ethics. It would be wise for Iris to sit down with him, and the supervisor, and provide him with a copy of the 2014 Code of Ethics, and review with him in detail those codes he is in violation of. Lastly, Iris can contact the American Counselor Association Ethic's Board to seek counsel or report her

director. It is important for Iris and her supervisor to consider the consequences of all of these options and determine which one is the best and eliminate any course of action that can cause Iris her job.

Steps in Making Ethical Decisions

Corey et al. state that by following the steps below, these steps will allow Iris to approach this dilemma strategically, thoroughly analyze this ethical problem, and help her arrive at the best resolution. These steps are: 1) Identify the problem or dilemma, 2) identify the potential issues involved, 3) reviewing relevant ethics code, 4) know the applicable laws and regulation, 5) obtain consultation, 6) consider probable course of action, 7) enumerate the consequences of various decisions, and 8) choose what appears to be the best course of action.

The purpose of Biblical Ethics

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Scripture underscores the practical purpose that ethics serves. The first concerns the validation of our Christian identity. According to Jesus, when our lives exhibit the ethics of love, we demonstrate to the world that we belong to him and we reinforce the claim that we are sons and daughters of God. The second is seen in Jesus' assertion that the ethical life glorifies God. Jesus teaches that when our light shines before people, they will see our good works and glorify our Father in heaven. Moral integrity honors God. The third is ethics is a means of Christian witness and mission. The foundation of ethics is God himself, and this author believes firmly these are words to live by.

Recommendation

It is this author's recommendation that Iris do the best that she can to support the Informed Consent Form signed by the clients of CHI and protect their confidentiality by following the eight steps outlined earlier. She should meet with the director, and her supervisor, to agree on a report protocol that identifies the specific information he

requires to submit to the Board without disclosing their client's private information. All parties, and ultimately all staff, must be reminded that CHI is an agency that serves the community and must uphold all ethical standards and work to protect their clients from emotional harm.