

Ethics Interface

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Dilemma

I recently was retained by a plaintiff attorney and completed a life care plan for his client. I just received a report written by the defense life care planner viciously attacking my plan. This has happened many times with the same life care planner. When does the criticism of another person's work cross the line? At what point is this unprofessional or unethical?

Response

Life care planners come from individual primary health care/disability backgrounds. In those employment situations, someone is not hired specifically to analyze our work. It can be painful and even embarrassing to have our work critiqued in a written and public forum. However, a boundary is crossed when the life care planner is attacked rather than the work or methodology. Such statements can be considered disparaging remarks.

It is helpful to review the definition of disparaging remarks from the glossary of the CRCC Code of Ethics: "public statements that degrade, belittle, minimize, defame, demean, humiliate, or scorn individuals or groups of individuals. These differ from critiques, which are intended to provide comparisons of thoughts, ideas, methods, work products, or conclusions. If statements criticize the individual as a person, their character or intellect, or are based on incorrect information or fictional claims, these are considered disparaging remarks."

Criticism of our work can be a challenge but it is something life care planners must learn to accept as an inevitable part of the work. Life care planners can minimize criticism by using well-established and accepted methodology, staying within their scope of practice, and using consistency as they develop life care plans. A life care planner retained to critique another's life care plan must be mindful that critiques should be focused on the work, the methodology, and conclusions of the opposing life care planner rather than a personal attack about the value of the person. A life care planner who violates these principles can be reported for an ethical breach to the certifying organization.

Relevant Organizational Standards

From the Certification of Disability Management Specialists (2015)

RPC 3.02 – Indirect Service Provision

When serving as case consultants or expert witnesses, certificants shall provide unbiased, objective opinions.

From the International Academy of Life Care Planners (2015)

Ethical

5. Life care planners are professionals, from varying educational backgrounds, who maintain professional conduct when addressing opposing life care plan consultants. Life care plan consultants should focus upon methodology of plan development, supporting documentation for recommendations and plan content.

From the International Commission on Health Care Certification. (2015).

Principle 1 - Professional and Legal Standards

ICHCC certificants shall behave in legal, ethical, and professional manner in the conduct of their profession, maintaining the integrity of the Code of the Professional Ethics and avoiding any behavior which would cause harm to other entities and/or individuals

R1.1 ICHCC Certificants shall obey the laws and statutes in the legal jurisdiction in which they practice and are subject to disciplinary action for any violation to the extent that such violation suggests the likelihood of professional misconduct.

R1.4 ICHCC Certificants shall not engage in any acts or omission of a dishonest, deceitful, or fraudulent nature in the conduct of their professional activities.

R1.5 ICHCC Certificants shall understand and abide by the Principles and Rules of Professional Conduct, which are prescribed in the *Code of Professional Ethics*.

R 1.6 ICHCC Certificants shall not advocate, sanction, participate in, and cause to be accomplished, otherwise carry out through another, or condone any act, which the ICHCC Certificants are prohibited from performing by the *Code of Professional Ethics*.

Principle 4 - Professional Relationships

ICHCC Certificants shall act with integrity in their relationships with colleagues, other organizations, agencies, institutions, referral sources and other professions as to facilitate the contributions of all specialists.

R4.5 ICHCC Certificants shall not discuss with evaluatee and/or referral source reputations and/or competency of colleagues in a disparaging manner, nor will they provide judgments to the evaluatees regarding quality and appropriateness of treatment they may have received from other professionals.

R4.8 ICHCC Certificants possessing knowledge of any rule violation of this Code of Professional Ethics is obligated to

reveal information to the International Commission on Health Care Certification unless the information is protected by law.

From the AANLCP- Code of Ethics 2015
Ethics Guideline

3. The nurse life care planner incorporates high standards of professional conduct through the continuum of the nurse life care planning services.

The nurse life care planner demonstrates honesty, integrity, responsibility, accountability, timeliness and respect for human dignity.

The nurse life care planner will not knowingly engage in unethical or unlawful activities nor will they knowingly misrepresent their background or credentials, or promote personal interests for personal gain.

The nurse life care planner remains objective and does not impose individual values on others.

5. The nurse life care planner assumes responsibility and accountability for all actions, opinions, recommendations, and commitments.

The nurse life care planner assumes accountability for his/her life care plan, as well as their actions, opinions and decisions.

The nurse life care planner relies upon his/her specialized education, body of knowledge, level of competence and experience when accepting and completing an assignment.

The nurse life care planner's professional services are delivered in a competent, concise and timely manner.

6. The Nurse Life Care Planner provides professional services with objectivity. The nurse life care planner demonstrates critical thinking in decisions, recommendations and opinions. All functions of the nurse life care planner are void of personal opinion, prejudice and conflict of interest or any such other consideration that could interfere with or influence objectivity, performance or outcome.

References

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The column is meant to be an educational forum for life care planners. It is not designed to offer an authoritative opinion from the editor or editorial board of the *Journal of Life Care Planning*, the board of the International Academy of Life Care Planners, or the board of its parent organization, the International Association of Rehabilitation Professionals, nor is this column designed to represent or replace official opinions from the certifying body or other organizations associated with the practice of life care planning.