

Ethics Interface

Nancy Mitchell

This column is the collaborative effort of Nancy Mitchell, Mary Barros-Bailey, Sherry Latham, Ann Neulicht, and Bobbi Dominick. The author is grateful for their editorial support, wisdom, and collective experience.

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 it designed to represent or replace official opinions from the certifying body or other organizations associated with the practice of life care planning.

Dilemma

I received my certification as both a CLCP and a CNLCP years ago, but I never renewed them. Is it okay that I continue to use those acronyms after my name? I did everything to apply for and earn those credentials.

Response

An awarded credential may only be used during the valid time period of the certification/license. If you fail to recertify or renew your certification you must immediately stop using the credential designation. The misuse of credentials is a clear violation of our standards of performance and ethical standards. Individuals who continue to use a credential beyond its expiration should be reported to the certifying board. The fraudulent use of credentials will likely have a negative impact on one's professional reputation.

Relevant Organizational Standards

From the International Academy of Life Care Planning Standards of Practice (2015)

I. INTRODUCTION

C. Transdisciplinary Perspective

Life care planning is a transdisciplinary specialty practice. Each profession brings to the process of life care planning practice standards which must be adhered to by the individual professional, and these standards remain applicable while the practitioner engages in life care planning activities. Each professional works within specific standards of practice and regulatory requirements for his or her discipline to ensure accountability, provide direction, and mandate responsibility for the standards for which he or she is accountable. These standards include, but are not limited to, activities related to quality of care, qualifications, collaboration, law, ethics, advocacy, resource utilization, and research. In addition, each individual practitioner is responsible for following the Standards of Practice for Life

Care Planners.

III. STANDARDS OF PERFORMANCE

1. STANDARD: The life care planner has an educational background and professional preparation suitable for life care planning.

MEASUREMENT CRITERIA:

- a. Possesses the appropriate educational requirements in a rehabilitation or health care field as defined by his or her professional discipline.
- b. Maintains current professional licensure, provincial registration, or national board certification that is required to practice a professional rehabilitation or health care discipline.
- d. Participates in specific continuing education as required to maintain the individual practitioner's licensure, registration, or certification within his or her profession.
- e. Obtains continuing education and/or training to remain current in the knowledge and skills relevant to life care planning.

2. STANDARD: The life care planner shall practice in an ethical manner and follow the Code of Ethics of his or her respective professions, roles, certifications and credentials.

MEASUREMENT CRITERIA:

- a. Follows the Code of Ethics for his or her profession.
- b. Follows the Code of Ethics for his or her professional roles, certifications, and credentials.

From the International Commission on Health Care Certification (2015)

X. PRINCIPLES AND ASSOCIATED RULES

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.

Rules of Professional Conduct:

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, the extent that such violation suggests the likelihood of professional misconduct.

R1.3--ICHCC Certificants shall be familiar with, observe and discuss with their evaluatees as well as referral sources the legal limitations of their services.

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.

R1.6--ICHCC Certificants shall not advocate, sanction, participate in or 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.

R1.8--ICHCC Certificants shall not misrepresent the credential.

Principle 2 - Evaluator and ICHCC Certificants Relationship

ICHCC Certificants shall respect the integrity and protect the welfare of people and groups with whom they work. The primary obligation of the certificant is to the evaluatee outside of independent medical examinations and independent review of plans in which no physician/patient relationship exists.

Rules of Professional Conduct:

R2.1 ICHCC Certificants shall not misrepresent their role or competence to evaluatee. Certificants will not misrepresent their role or competence to patients. Certificants will provide information about their credentials, if requested.

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.

Rules of Professional Conduct:

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.

Principle 5 Public Statements/Fees

ICHCC Certificants shall adhere to professional standards in establishing fees and promoting their services.

Rules of Professional Conduct:

R5.2 ICHCC Certificants who advertise their services to the general public shall fairly and accurately present the material.

Principle 9-Competence

Rules of Professional Conduct:

R9.1 ICHCC Certificants shall function within the limits of which they are professionally qualified and competent.

R9.2 ICHCC Certificants shall continuously strive through reading, attending professional meetings and taking course instruction to keep abreast of new developments, concepts, and practices that are essential to providing the highest quality of services to their evaluatees.

VI. CERTIFICATION MAINTENANCE AND RENEWAL: The International Commission on Health Care Certification asserts that certified professionals should maintain a high level of skills and knowledge through development of professional skills and continuing education. Requirements for certification renewal are designed to encourage the continuation of professional development which will aid in the effective delivery of health care services.

Failure to renew your certification will result in the revocation of your certified status. The applicant acknowledges that the information submitted on a signed application is accurate. ICHCC retains the right to revoke or suspend certification if a certification is granted on the basis of false, misleading or inaccurate information if such information becomes evident upon inquiry.

The maintenance period for the CLCP/CCLCP credential is 5 years, and 80 clock-hours of continuing educational units (CEU's) are required over this period due to the broad spectrum of concepts within this area. The CLCP/CCLCP professional is required to have 8 of the 80 required recertification hours to be of ethical practice subject matter. The ICHCC reviews training programs to determine if the training content has any application to life care planning service delivery. It does not accredit nor approve any training or educational programs that may be applied specific to the CLCP examination. Rather, the ICHCC charges a review fee to all entities requesting coverage of their CEU's for application to the Certified Life Care Planner and the Canadian Certified Life Care Planner credentials, whether the entity meets the approval criteria or is rejected. Criteria for approval or rejection of the reviewed program for CEUs are based on the following:

1. Option One: 80 clock hours of pre-approved and post-approved education/training for each five-year period. Documentation is required to validate that the education or training has been successfully completed in one or more of the focus areas related to life care planning:

a. Pre-approved: If a course was pre-approved, the CLCP/CCLCP professional only needs to send the attendance verification and the attached form. The fee is \$250.

b. Non-Preapproved: If the CLCP/CCLCP professional attended a program which was not approved for CLCP/CCLCP hours, the required documentation must be submitted and is subject to review. This includes a completed ICHCC Non-Preapproved CEU form (found on the ICHCC website), the program agenda and the attendance verification/certificate of completion. The fee is \$250 + a \$10 review fee per non-preapproved program. You may submit as many non-preapproved programs as you wish, but you can only be charged for a maximum of 5 non-preapproved programs for a maximum non-preapproved fee of \$50 in addition to the \$250 recertification fee.

2. Option Two: Re-examination. The fee is \$350 and covers both the examination fee and certification renewal.

From the CDMS Code of Professional Conduct (2015)

DEFINITIONS

Throughout this document, and for the purposes of this document, the following words are defined as:

Certificant: One who holds an active Certified Disability Management Specialist (CDMS) credential.

PRINCIPLES

Principle 6: Certificants shall honor the integrity and respect the limitations placed on the use of the CDMS credential.

Principle 7: Certificants shall obey all laws and regulations, avoiding any conduct or activity that could harm others.

RPC 1.12 - Misconduct

Certificants shall not engage in professional misconduct. It is professional misconduct if the certificant:

RULES OF PROFESSIONAL CONDUCT

SECTION 1 - Relationship with All Parties

a. engages in conduct involving dishonesty, fraud, deceit, or misrepresentation.

RPC 1.09 - Reports

Certificants shall be accurate, honest, unbiased, and timely in reporting the results of their professional activities to appropriate third parties.

RPC 1.12 - Misconduct

Certificants shall not engage in professional misconduct. It is professional misconduct if the certificant:

a. engages in conduct involving dishonesty, fraud, deceit, or misrepresentation;

RPC 1.15 - Advertising

Certificants who describe/advertise services shall do so in a manner that accurately informs the public of the services, expertise, and techniques being offered. Descriptions/advertisements by a certificant shall not contain false, inaccurate, misleading, out-of-context, or otherwise deceptive material or statements.

RPC 1.20 - Use of CDMS Credential

The Certified Disability Management Specialist (CDMS) is a professional credential, and the

initials "CDMS" are personal in nature and may be used only by a current certified individual. The certificant shall not utilize the credential or initials as part of a company, partnership, corporate name, trademark, or logo.

From the Commission for Case Manager Certification Code, Professional Conduct for Case Managers for Standards, Rules, Procedures, and Penalties (2015)

PRINCIPLES

Principle 7: Certificants will obey all laws and regulations.

CCMC RULES OF CONDUCT

Violation of any of these rules may result in disciplinary action by the Commission up to and including revocation of the individual's certification.

Rule 1: A Certificant will not intentionally falsify an application or other documents.

STANDARDS FOR PROFESSIONAL CONDUCT

Section 2 – Professional Responsibility

S 2 - Representation of Practice

Certificants will practice only within the boundaries of their competence, based on their education, training, professional experience, and other professional credentials. They will not misrepresent their role or competence to clients.

S 6 - Use of CCM Designation

The designation of Certified Case Manager and the initials "CCM" may only be used by individuals currently certified by the Commission for Case Manager Certification.

From the Commission on Rehabilitation Counselor Certification, Code of Professional Ethics for Rehabilitation Counselors (2017)

D.1. PROFESSIONAL COMPETENCE

a. BOUNDARIES OF COMPETENCE. Rehabilitation counselors practice only within the boundaries of their competence, based on their education, training, supervised experience, professional credentials, and appropriate professional experience. Rehabilitation counselors do not misrepresent their competence to clients or others.

b. NEW SPECIALTY AREAS OF PRACTICE. Rehabilitation counselors transitioning into specialty areas requiring new core competencies begin practicing only after having obtained appropriate consultation, education, training, and/or supervised experience. While developing skills in new specialty areas, rehabilitation counselors make reasonable efforts to ensure the competence of their work and to protect clients from possible harm.

f. CONTINUING EDUCATION. Rehabilitation counselors recognize the need for continuing education to acquire and maintain a reasonable level of awareness of current scientific and professional information in their fields of activity. They maintain their competence in the skills they use, are open to new procedures, and keep current with professional and community resources for diverse and specific populations with which they work.

D.4. PROFESSIONAL CREDENTIALS

a. ACCURATE REPRESENTATION. Rehabilitation counselors claim or imply only professional qualifications actually completed and correct any known misrepresentations

of their qualifications by others. They truthfully represent their qualifications and those of their professional colleagues. Rehabilitation counselors accurately represent the accreditations of their academic programs and accurately describe their continuing education and specialized training.

- b. **CREDENTIALS.** Rehabilitation counselors claim only licenses or certifications that are current and in good standing.
- c. **EDUCATIONAL DEGREES.** Rehabilitation counselors clearly differentiate between earned and honorary degrees.
- d. **IMPLYING DOCTORAL-LEVEL COMPETENCE.** Rehabilitation counselors refer to themselves as “doctor” in a counseling context only when their doctorate is in rehabilitation counseling or a closely related field from an accredited university. If rehabilitation counselors have a doctoral-level degree in an unrelated field, they clearly state the field in which the doctoral degree was earned. Rehabilitation counselors do not use any abbreviation or statement to imply the attainment of a credential.

E.3. PROVISION OF CONSULTATION SERVICES

- b. **CONSULTANT COMPETENCY.** Rehabilitation counselors provide consultation only in areas in which they are competent. They make reasonable efforts to ensure they have the appropriate resources and competencies. Rehabilitation counselors provide appropriate referral resources when requested or needed.

F.2. FORENSIC COMPETENCY AND CONDUCT

- b. **QUALIFICATION TO PROVIDE EXPERT TESTIMONY.** Forensic rehabilitation counselors have an obligation to present to finders of fact the boundaries of their competence, the factual bases (knowledge, skill, experience, training, and education) for their qualifications as experts, and the relevance of those factual bases to their qualifications as experts on the specific matters at issue.
- FOUNDATION OF KNOWLEDGE.** Forensic rehabilitation counselors have an obligation to maintain current knowledge of scientific, professional, and legal developments within their area of competence. They use knowledge, consistent with accepted clinical and scientific standards, and accepted data collection methods and procedures for evaluation, treatment, consultation, or scholarly/empirical investigations.

K.1. ADVERTISING AND SOLICITING CLIENTS

- a. **ACCURATE ADVERTISING.** When advertising or otherwise representing their services to the public in any form of media, rehabilitation counselors identify

their credentials in an accurate manner that is not false, misleading, deceptive, or fraudulent.

From the American Association of Nurse Life Care Planners- Code of Ethics 2015

AANLCP Code of Ethics

The Code of Professional Ethics and Conduct for the American Association of Nurse Life Care Planners® is based upon the belief that all members have an ethical obligation to practice nurse life care planning with the utmost integrity, competency, and accountability. The code of ethical conduct provides a guideline for the professional performance and behavior of nurse life care planners. As nurse life care planners, we also recognize and support the code of ethics and conduct of the American Nurses Association.

Ethics and Nurse Life Care Planners

The AANLCP® Code of Ethics and Conduct was developed as a guide to the core values and obligations of the profession. ANA's Code to Ethics with Interpretive Statement was looked to as a resource with the belief that all nursing professionals have an ethical obligation to practice with the utmost integrity, competency and accountability. A Code of Ethics and Conduct committee was created in 2011 to explore the current and evolving issues that might be encountered by the nurse life care planner.

- 2. The nurse life care planner maintains professional nursing competency as well as competency in practice of nurse life care planning.
 - A. The nurse life care planner maintains an active license in good standing as a registered nurse.
 - B. The nurse life care planner recognizes and adheres to nursing standards of practice and standards of practice for nurse life care planners.
 - C. The nurse life care planner practices according to the Nurse Practice Act
- 3. The nurse life care planner incorporates high standards of professional conduct through continuum of the nurse life care planning services.
 - A. The nurse life care planner demonstrates, honesty, integrity, responsibility, accountability, timeliness and respect for human dignity.
 - B. 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.
- 7. The NLCP participates in the advancement of the profession through participating in and promoting mentorship, collegiality, education and ongoing knowledge development.

From the American Association of Nurse Life Care Planners Scope and Standards of Practice.

Values and principles guiding nurse life care planning practice. Nurse life care planners embrace the following values and principles that are reflected in the AANLCP Ethics Statement:

Competence: NLCP recognize the continual professional growth, particularly in the knowledge and skill, requires a commitment to lifelong learning. Such learning includes, but is not limited to continue education, networking with professional colleagues, self-study professional reading, certification and seeking advance degrees.

Integrity: For nurse life care planners, integrity is the foundation of practice and demonstrates wholeness of character that is realized through congruence of thoughts, words and actions. As one of the core values, integrity means being truthful, honest, reliable and authentic in all personal and professional matters.

Certification for nurse life care planners is recognized for a period of five years at which time the candidate must retake and pass the current Certification Examination for Nurse Life Care Planners or meet such alternative requirements in effect at that time in order to retain certification.

The CNLCP® recertification criteria includes verification of 60 continuing education units (i.e. CEU's or credit hours) in nurse life care planning, or completion of at least 12 academic semester credits of nursing coursework related to nurse life care planning at the licensee's current level of licensure or higher.

References

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