Please print the Code and bring with you to the session.
Printing the slides is not necessary 😊

Academy/CDR Code of Ethics for the Profession of Dietetics

**Fundamental Principles**
1. The dietetics practitioner conducts himself/herself with honesty, integrity and fairness.
2. The dietetics practitioner supports and promotes high standards of professional practice.

**Responsibilities to the Public**
3. The dietetics practitioner considers the health, safety and welfare of the public at all times.
4. The dietetics practitioner complies with all laws and regulations applicable or related to the profession or to the practitioner’s ethical obligations as described in this Code.
5. The dietetics practitioner provides professional services with objectivity and with respect for the unique needs and values of individuals.
6. The dietetics practitioner does not engage in false or misleading practices or communications.
7. The dietetics practitioner withdraws from professional practice when unable to fulfill his/her professional duties and responsibilities to clients and others.

**Responsibilities to Clients**
8. The dietetics practitioner recognizes and exercises professional judgment within the limits of his/her qualifications and collaborates with others, seeks counsel, or makes referrals as appropriate.
9. The dietetics practitioner treats clients and patients with respect and consideration.
10. The dietetics practitioner protects confidential information and makes full disclosure about any limitations on his/her ability to guarantee full confidentiality.
11. The dietetics practitioner, in dealing with and providing services to clients and others, complies with the same principles set forth above in “Responsibilities to the Public” (Principles #3-7).

**Responsibilities to the Profession**
12. The dietetics practitioner practices dietetics based on evidence-based principles and current information.
13. The dietetics practitioner presents reliable and substantiated information and interprets controversial information without personal bias, recognizing that legitimate differences of opinion exist.
14. The dietetics practitioner assumes a life-long responsibility and accountability for personal competence in practice, consistent with accepted professional standards, continually striving to increase professional knowledge and skills and to apply them in practice.
15. The dietetics practitioner is alert to the occurrence of a real or potential conflict of interest and takes appropriate action whenever a conflict arises.
16. The dietetics practitioner permits the use of his/her name for the purpose of certifying that dietetics services have been rendered only if he/she has provided or supervised the provision of those services.
17. The dietetics practitioner accurately presents professional qualifications and credentials.
18. The dietetics practitioner does not invite, accept, or offer gifts, monetary incentives, or other considerations that affect or reasonably give an appearance of affecting his/her professional judgment.

**Responsibilities to Colleagues and Other Professionals**
19. The dietetics practitioner demonstrates respect for the values, rights, knowledge, and skills of colleagues and other professionals.

[www.eatright.org/codeofethics](http://www.eatright.org/codeofethics)
What Would (Should) You Do? Ethical Considerations for the CNM

Janet Skates MS, RD, LND, FADA

CNM Symposium 2014
Asheville, NC
April 7, 2014

Objectives:
- Examine the impact of ethics on effective leadership
- Recognize ethical dilemmas
- Distinguish ethical dilemmas from legal, business, personal, or employment issues
- Use the Code of Ethics to address ethically challenging situations that CNMs commonly face

Impact of Ethics on Leadership

Ethics is the heart of leadership.


Ethics and Leadership

Consider

Most ethical decisions have...
- extended consequences.
- multiple alternatives.
- mixed outcomes.
- uncertain consequences.
- personal implications

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Ethics and Professionalism

- Characteristics of profession
- Specialized body of knowledge
- Code of ethics
- Privilege of self-regulation


Functions of the Code of Ethics

- Protect the profession and the credential
- Influence public and private policy
- Improve professional practice
- Educate dietetics practitioners about ethical decision making
- Meet the guidelines of the accrediting agency for CDR

Academy Ethics Education Toolkit

Purpose of the Code of Ethics

- Education
- Remediation
- Self-regulation

Academy Ethics Education Toolkit

How are complaints handled?

- Anyone can file a complaint.
- All complaints are confidential.
- Complaints must be signed.
- Member is given opportunity to respond to any complaint.
- Ethics Committee discusses the complaint and response in executive session.

Academy Ethics Education Toolkit

Ethics Complaint Process

- Ethics Committee attempts to reach a fair resolution of disputes on ethical practices.
  - Individuals’ rights are protected
  - Emphasis is on promoting understanding of ethical practice.
- Committee has the authority and flexibility to determine the best way to resolve a dispute.
Possible Resolutions

- Options for resolving an ethics case:
  - Dismiss case
  - Request additional information
  - Require person complete specific ethics education
  - Censure, place on probation, suspend, or revoke Academy membership
  - Suspend or revoke CDR credential

Framework for Responding to Ethical Issues

- Does the complaint relate to a member or CDR credentialed practitioner?
- Is the situation an ethical issue? Or is it a business dispute, employment issue or personal issue?
- What category and principle(s) of the Code of Ethics does it relate to? How/why?
- What are the key issues?
- How might you handle as a colleague?

Is it an ethical issue or . . .

- Legal issue
  - Laws codify social norms
  - Enforced through criminal justice system
  - May not universally be considered ethical

Is it an ethical issue or . . .

- Business issue
  - Failure to deliver quality service or product that meets standards
    - Billing or contract disputes
    - Scheduling problems
    - Dissatisfaction with services

Is it an ethical issue or . . .

- Employment issue
  - Is the issue addressed (or should it be addressed) in employer’s policy?
  - Can issue be resolved in workplace with appropriate structure to provide business oversight?
    - Examples: falsifying records, misrepresenting time worked, misuse of resources

Is it an ethical issue or . . .

- Personal issue
  - Relates to the individual’s morals or own principles regarding right or wrong
  - May differ from the Academy’s code of ethics
  - Examples – religious or cultural issues

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Responding to Ethical Challenges Faced by CNMs

End-of-life care

- A nursing home resident has slowly deteriorated and become more confused over the past two years. She has grown frailer and is unwilling to ambulate. Her appetite has been poor for 6 weeks and she has required more and more assistance to eat. She has lost 5% of usual weight. The RN suggests tube feeding, but the family is resistant. What ethical concerns does this present?

Key Points to Consider

- Respect patient’s self-determination
  - right to consent to, modify, or refuse care
- Provide sufficient information
  - enable client and others to make their own informed decisions
- Refer to another RD
  - if unable to support client’s wishes.

“What you can do is not always what you should do.”
President Obama

“Capability is not character. That distinction is the classic definition of an ethical dilemma.”
Terry Newell, “Ethics is Leadership Work”, 10/31/2013

Non-conventional therapies

- A pediatric RDN splits her time between the hospital and a pediatric gastroenterologist’s office. The physician wants the RDN to complete training to become a certified L.E.A.P. therapist and work with his food sensitive patients to improve their health through identifying and eliminating reaction foods from their diet. What concerns, if any, does this situation raise?

Key Points to Consider

- Emerging science stretches our thinking about ethical practice
- Evolving evidence changes practice
- Need for disclosure when emerging science & financial benefit merge
- Greater accountability for examining evidence
  - Resources – Academy’s EAL, Position or Research Committees

“Ethics Matter: Emerging Science and Its Implications for Ethical Dietetics Practice”
Oct 20, 2014

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Competency Issues

- A RDN in a hospital-based outpatient clinic counsels clients with chronic diseases. In her routine sessions she explains the rationale for the prescribed medical nutrition therapy to clients and provides them with written lists of foods to eat and avoid and tips for menu planning, grocery shopping, and food preparation. . . .

(cont’d)

Adapted from the Academy’s Ethics Case Studies

Key Points to Consider

**Staff RDN**
- Differentiate between nutrition education and nutrition counseling
- Unique needs of each client
- Need for self-reflection
- Need to learn counseling skills
- When to refer to another RDN

**CNM**
- Policies and procedures addressing standards & expectations for service provision
- Adequately supervise & evaluate services provided

EHR and privacy issues

While interviewing for a staff position at another facility within the same organization, a RDN mentions her success using a particular documentation style for the nutrition care process. Later, one of the participants in the interview accesses electronic records from the sister facility to compare documentation styles.

Social media

- The nutrition director is interviewing several well-qualified candidates for an RD position in the organization’s large wellness program. The position requires excellent oral and written communication skills. A colleague mentions she is a Facebook friend of one of the applicants. Is it okay for the director to ask the colleague to view the applicant’s personal Facebook page?

Adapted from the Academy’s Ethics Case Studies

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Key Points to Consider

- Publicly available vs. password-protected information
- Use caution with protected information
- Accessing private Facebook account without permission may violate laws protecting digital communications
- Do not ask for Facebook passwords
- Hacking another person’s e-mail is illegal.

Disagreement About MNT Products

- A staff RD requests that her hospital stock a particular specialty formula. After doing a literature review and cost/benefit analysis, the CNM decides against adding the product as the benefit for the cost did not meet organizational standards. It was subsequently reported that the staff RD had told other employees that the hospital is harming patients by refusing to make the item available. What are the ethical implications?

Key Points to Consider

- Employment issue vs. ethical dilemma
- Disagreement between supervisor and employee
- Professional ethics committees usually lack resources to investigate and resolve employment disagreements

Vendor Relations / Gifts

- A staff dietitian arranged to have a sales rep demonstrate a product to the RDN’s and SLP’s during a lunch that the sales rep provided. The sales rep was careful to say the meeting was educational. What are the implications for the CNM? for the staff dietitian?

Key Points to Consider

- Accepting gifts & perception of impropriety
- Educational sessions vs. product demonstrations
- Employer policies may be more stringent than state or federal sunshine laws

Use of Copyright Materials

- A hospital nutrition committee is considering implementing a pre-surgical nutrition protocol to reduce the risk of post-surgical infection after surgery. The CNM obtains copies of several studies of clinical trials from the hospital’s medical library. Is it ethical for the CNM to copy the articles for distribution to the committee members for review prior to the committee meeting?

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Key Points to Consider

- Compliance with copyright
- Fair Use guidelines would not apply
- Rights depend on contracts negotiated between vendor & institution
- When in doubt, ask librarian


Use of copyright materials

- The nutrition director has researched options for nutrition screening tools to develop a screening protocol for the organization’s home-based primary care program. He selects a validated tool that is supported by an extensive research base. He noticed the tool is copyrighted. Is it okay to download and begin using the tool?

Key Points to Consider

- Ethical vs. business issue
- Some screening tools are copyright protected.
- Use of intellectual property
  - Restrictions
  - Permission

Nutrition 15, Ferguson M, Development of a valid and reliable nutrition screening tool for adult acute hospital patients. 458-464, Copyright Elsevier, 1999

Ethics Resources

Making It Relevant

- Ethics Committee & Academy Support Team
- Ethics For Further Reading List
- Ethics in Action columns
- Ethics Opinions
- Ethics Toolkit
- Case Studies
- Ethics Video Series
- Case Studies & Discussion Questions for Video Series

Take Home Messages

- Ethics is the heart of leadership.
- As leaders, CNMs are the role models who set the ethical tone of the department.
- CNMs must create a culture of ethical practice.
- Ethical dilemmas are not always obvious and rarely have easy answers.
- The Academy provides resources to help educate and inform you and your staff on ethical practice.

Questions

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Fellow Ethics Committee Members
- Suzy Weems PhD, RD, Chair
- Mary Russell, MS, RD, FADA, FAND

Academy Ethics Staff
- Harold Holler, RD, LDN
- Anna Murphy, MPH, RD, LD
- Denise Lazar, External Legal Counsel

CNMs who shared their experiences

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