



## **APBA Policy on Responding to Ethics Questions and Concerns**

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The APBA membership comprises professional and paraprofessional practitioners of applied behavior analysis (ABA) who are credentialed by the Behavior Analyst Certification Board (BACB) and others with interests in the practice of ABA. All members are expected to comply with the BACB's *Professional and Ethical Compliance Code for Behavior Analysts* (<http://bacb.com/ethics-code/>), referred to hereafter as the BACB Code. The Code addresses ethical and professional concerns specific to individuals who are credentialed by the BACB and others who deliver and receive ABA services, and is the basis for BACB review of complaints about the behavior of individuals to whom it has issued credentials. APBA members who hold licenses or other credentials issued by governments are also expected to comply with ethical and conduct standards incorporated in the relevant laws, rules, and regulations.

### **Role of the APBA**

The BACB and the APBA are independent bodies with distinct but complementary missions. Although the APBA places great importance on the ethical practice of ABA, only the BACB may institute sanctions against those who hold BACB credentials. As an organization devoted to serving the needs of practitioners credentialed by the BACB and others involved in delivery of ABA services, however, APBA accepts a leadership role in promoting the ethical delivery of services and the adherence of all its members to the BACB Code. To that end, APBA publishes an Ethics Challenge column in its electronic newsletter, the *APBA Reporter*, addressing ethical dilemmas that are often faced by ABA practitioners. Those articles are archived on the APBA website and are available for use by university faculty, students, supervisors, and supervisees who are members of APBA. In addition, APBA sponsors and participates in panel discussions and workshops on everyday

ethical and professional challenges at conferences and at its own annual convention. Those sessions are invariably well attended and often involve open discussion among panelists and the audience.

### **Questions from APBA Members and Others**

Naturally, APBA members and others often look to APBA for guidance in resolving ethical and professional problems they encounter in their work. The APBA office regularly receives such requests, which fall into several categories:

- **Complaints about practitioners who are credentialed by the BACB.** Some ask how to lodge complaints against BACB-credentialed practitioners for what are viewed as violations of the BACB Code. In those cases, the APBA staff explains that only the BACB can enforce its Code, and refers the inquirer to the Ethics section of the BACB website (<http://bacb.com/ethics/>) for details.
- **Complaints about individuals who are not credentialed by the BACB.** Some concerns expressed to APBA involve individuals who do not hold credentials issued by the BACB. In those situations, the APBA staff informs the inquirer that the BACB can generally take action only in cases involving violation of its Code by those to whom it has issued credentials. The inquirer is encouraged to use the BACB Code as a framework for discussing concerns directly with the relevant parties. APBA may also recommend pursuing actions through local agencies and authorities, such as employers, government agencies, third-party payers, or local law enforcement agencies.
- **Requests for APBA to evaluate ethical situations.** Often APBA is asked to make a judgment about some aspect of professional behavior. Those requests may raise ethical questions that are general in nature, in which case they are welcomed as possible topics for discussion in the Ethics Challenge column in the *APBA Reporter*. Most often, however, they pertain to specific situations that may or may not involve BACB-credentialed practitioners or APBA members.

Assessing such situations is more complicated than it might seem. Ethical issues are usually complex, involve multiple parties, and have more than one resolution. Any one person's opinion may not cover all possible interpretations and options. The person contacting APBA may provide considerable detail to justify his or her concerns, but there is always at least one other side to the story. Learning enough about the situation from all parties to render an objective and fair judgment requires a time-consuming and legally burdensome effort. For instance, although the complainant's concerns may seem warranted, that cannot be assumed. Each party must have the opportunity to present evidence, and efforts must be made to verify or corroborate that evidence. Actions that may impede an individual's ability to make a living or jeopardize his or her professional reputation must be taken only after careful consideration of the relevant facts, and with due process and confidentiality protections for all parties. Applicable laws and regulations may need to be considered, and those vary across locations. At present, APBA is not in a position to conduct such

investigations, and does not have the authority to impose formal sanctions on individuals who are found to have violated the BACB Code. APBA can only reconsider the membership status of individuals who are members of APBA. Additionally, APBA must consider how any assessment of an ethical problem that it provides might be used and publicized.

## **Policy**

**I. Responding to ethical questions and concerns.** When questions about ethical and professional issues in general or with reference to particular situations are posed to APBA, the APBA staff will explain that the organization does not render opinions about such situations and will offer the following recommendations:

- To have the situation discussed in the Ethics Challenge column in the *APBA Reporter*, contact the newsletter editor at [info@apbahome.net](mailto:info@apbahome.net). Responses to situations posed in the Ethics Challenge column are always welcome and should also be sent to [info@apbahome.net](mailto:info@apbahome.net).
- To determine if an activity violates the BACB Code, go to <http://bacb.com/ethics-code/> Read the Code to determine if standards may have been violated. Also go to <http://bacb.com/ethics-code/> for information about the BACB's disciplinary review and appeals processes, and instructions and forms for filing a notice of alleged violation of the Code.
- To resolve an ethical situation, first consult the BACB Code to learn about the profession's values and rules as they apply to the situation. Then discuss the issues with colleagues whose views you respect, taking care not to disclose confidential information about the parties involved. With the assistance of those colleagues, formulate a course of action, if warranted. Possible actions might include:
  - Discussing the situation with the individual(s) involved in a private, non-confrontational context, referencing the BACB Code. Every effort should be made to resolve the situation in a mutually satisfactory way.
  - Arranging for formal peer review of the situation by bringing in expert behavior analysts to assess the circumstances and recommend a resolution (see the articles on peer review in the *APBA Reporter*, April and May 2010 in the archives at [www.apbahome.net](http://www.apbahome.net)). Again, confidentiality and privacy must be protected throughout this process.
  - Taking concerns to a local authority or entity that may have the means to enforce a resolution.
  - Filing a formal notice of alleged violation as instructed on the BACB web site (<http://bacb.com/ethics/>) when the situation involves a

BACB-credentialed individual and you believe the Code has been violated.

**II. Terminating APBA membership.** When a BACB-certified member of APBA has his or her certification revoked by the BACB, APBA will terminate that person's membership in APBA. Individuals who have their certification reinstated by the BACB may apply to rejoin APBA, which will verify their certification status with the BACB.