

Guidelines to the *Occupational Therapy Code of Ethics*

Professional Behaviors

Principles From Code

1. HONESTY: Professionals must be honest with themselves, must be honest with all whom they come in contact with, and must know their strengths and limitations.

1.1. In education, research, practice, and leadership roles, individuals must be honest in receiving and disseminating information by providing opportunities for informed consent and for discussion of available options.

Veracity

1.2. Occupational therapy practitioners must be certain that informed consent has been obtained prior to the initiation of services, including evaluation. If the service recipient cannot give informed consent, the practitioner must be sure that consent has been obtained from the person who is legally responsible for the service recipient.

Autonomy, Veracity

1.3. Occupational therapy practitioners must be truthful about their individual competencies as well as the competence of those under their supervision. In some cases the therapist may need to refer the client to another professional to assure that the most appropriate services are provided.

Duty, Veracity

1.4. Referrals to other health care specialists shall be based exclusively on the other provider's competence and ability to provide the needed service.

Beneficence

1.5. All documentation must accurately reflect the nature and quantity of services provided.

Veracity

1.6. Occupational therapy practitioners terminate services when they do not meet the needs and goals of the recipient or when services no longer produce a measurable outcome.

Procedural Justice,
Beneficence

1.7. All marketing and advertising must be truthful and carefully presented to avoid misleading the client or the public.

Veracity

1.8. All occupational therapy personnel shall accurately represent their credentials and roles.

Veracity

<p>1.9. Occupational therapy personnel shall not use funds for unintended purposes or misappropriate funds.</p>	<p>Duty, Veracity</p>
<p>2. COMMUNICATION: <i>Communication is important in all aspects of occupational therapy. Individuals must be conscientious and truthful in all facets of written, verbal, and electronic communication.</i></p>	
<p>2.1. Occupational therapy personnel do not make deceptive, fraudulent, or misleading statements about the nature of the services they provide or the outcomes that can be expected.</p>	<p>Veracity</p>
<p>2.2. Professional contracts for occupational therapy services shall explicitly describe the type and duration of services as well as the duties and responsibilities of all involved parties.</p>	<p>Veracity, Procedural Justice</p>
<p>2.3. Documentation for reimbursement purposes shall be done in accordance with applicable laws, guidelines, and regulations.</p>	<p>Veracity, Procedural Justice</p>
<p>2.4. Documentation shall accurately reflect the services delivered and the outcomes. It shall be of the kind and quality that satisfies the scrutiny of peer reviews, legal proceedings, payers, regulatory bodies, and accrediting agencies.</p>	<p>Veracity, Procedural Justice, Duties</p>
<p>2.5. Occupational therapy personnel must be honest in gathering and giving fact-based information regarding job performance and fieldwork performance. Information given shall be timely and truthful, accurate, and respectful of all parties involved.</p>	<p>Veracity, Fidelity</p>
<p>2.6. Documentation for supervisory purposes shall accurately reflect the factual components of the interactions and the expected outcomes.</p>	<p>Veracity</p>
<p>2.7. Occupational therapy personnel must give credit and recognition when using the work of others.</p>	<p>Veracity, Procedural Justice</p>
<p>2.8. Occupational therapy personnel do not fabricate data, falsify information, or plagiarize.</p>	<p>Veracity, Procedural Justice</p>
<p>2.9. Occupational therapy personnel refrain from using biased or derogatory language in written, verbal, and electronic communication about clients, students, research participants, and colleagues.</p>	<p>Nonmaleficence, Fidelity</p>

<p>2.10. Occupational therapy personnel who provide information through oral and written means shall emphasize that ethical and appropriate service delivery for clients cannot be done without proper individualized evaluations and plans of care.</p>	<p>Beneficence</p>
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3. ENSURING THE COMMON GOOD: *Occupational therapy personnel are expected to increase awareness of the profession’s social responsibilities to help ensure the common good.*

<p>3.1. Occupational therapy personnel take steps to make sure that employers are aware of the ethical principles of the profession and occupational therapy personnel’s obligation to adhere to those ethical principles.</p>	<p>Duty</p>
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<p>3.2. Occupational therapy personnel shall be diligent stewards of human, financial, and material resources of their employers. They shall refrain from exploiting these resources for personal gain.</p>	<p>Fidelity</p>
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<p>3.3. Occupational therapy personnel should actively work with their employer to prevent discrimination and unfair labor practices. They should also advocate for employees with disabilities to ensure the provision of reasonable accommodations.</p>	<p>Procedural Justice</p>
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<p>3.4. Occupational therapy personnel should actively participate with their employer in the formulation of policies and procedures. They should do this to ensure that these policies and procedures are legal, in accordance with regulations governing aspects of practice, and consistent with the AOTA <i>Occupational Therapy Code of Ethics</i>.</p>	<p>Procedural Justice</p>
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<p>3.5. Occupational therapy personnel in educational settings are responsible for promoting ethical conduct by students, faculty, and fieldwork colleagues.</p>	<p>Duty, Fidelity</p>
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<p>3.6. Occupational therapy personnel involved in or preparing to be involved in research, including education and policy research, need to obtain all necessary approvals prior to initiating research.</p>	<p>Procedural Justice</p>
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4. COMPETENCE: *Occupational therapy personnel are expected to work within their areas of competence and to pursue opportunities to update, increase, and expand their competence.*

<p>4.1. Occupational therapy personnel developing new areas of competence (skills, techniques, approaches) must engage in appropriate study and training, under appropriate supervision, before incorporating new areas into their practice.</p>	<p>Duty</p>
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<p>4.2. When generally recognized standards do not exist in emerging areas of practice, occupational therapy personnel must take responsible steps to ensure their own competence.</p>	<p>Duty</p>
<p>4.3. Occupational therapy personnel shall develop an understanding and appreciation for different cultures in order to be able to provide culturally competent service. Culturally competent practitioners are aware of how service delivery can be affected by economic, age, ethnic, racial, geographic, gender, gender identity, religious, and political factors, as well as marital status, sexual orientation, and disability.</p>	<p>Beneficence, Duty</p>
<p>4.4. In areas where the ability to communicate with the client is limited (e.g., aphasia, different language, literacy), occupational therapy personnel shall take appropriate steps to facilitate meaningful communication and comprehension.</p>	<p>Autonomy</p>
<p>4.5. Occupational therapy personnel must ensure that skilled occupational therapy interventions or techniques are only performed by qualified persons.</p>	<p>Duty, Beneficence, Nonmaleficence</p>
<p>4.6. Occupational therapy administrators (academic, research, and clinical) are responsible for ensuring the competence and qualifications of personnel in their employment.</p>	<p>Beneficence, Nonmaleficence</p>
<p>5. CONFIDENTIAL AND PROTECTED INFORMATION: <i>Information that is confidential must remain confidential. This information cannot be shared verbally, electronically, or in writing without appropriate consent. Information must be shared on a need-to-know basis only with those having primary responsibilities for decision making.</i></p>	
<p>5.1. All occupational therapy personnel shall respect the confidential nature of information gained in any occupational therapy interaction. The only exceptions are when a practitioner or staff member believes that an individual is in serious, foreseeable, or imminent harm. In this instance, laws and regulations require disclosure to appropriate authorities without consent.</p>	<p>Confidentiality</p>
<p>5.2. Occupational therapy personnel shall respect the clients' and colleagues' right to privacy.</p>	<p>Confidentiality</p>
<p>5.3. Occupational therapy personnel shall maintain the confidentiality of all verbal, written, electronic, augmentative, and non-verbal communications (e.g., HIPAA).</p>	<p>Confidentiality</p>

6. CONFLICT OF INTEREST: *Avoidance of real or perceived conflict of interest is imperative to maintaining the integrity of interactions.*

<p>6.1. Occupational therapy personnel shall be alert to and avoid any action that would interfere with the exercise of impartial professional judgment during the delivery of occupational therapy services.</p>	<p>Nonmaleficence</p>
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<p>6.2. Occupational therapy personnel shall not take advantage of or exploit anyone to further their own personal interests.</p>	<p>Nonmaleficence</p>
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<p>6.3. Gifts and remuneration from individuals, agencies, or companies must be reported in accordance with employer policies as well as state and federal guidelines.</p>	<p>Veracity, Procedural Justice</p>
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<p>6.4. Occupational therapy personnel shall not accept obligations or duties that may compete with or be in conflict with their duties to their employers.</p>	<p>Veracity, Fidelity</p>
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<p>6.5. Occupational therapy personnel shall not use their position or the knowledge gained from their position in such a way that knowingly gives rise to real or perceived conflict of interest between themselves and their employers, other association members or bodies, and/or other organizations.</p>	<p>Veracity, Fidelity</p>
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7. IMPAIRED PRACTITIONER: *Occupational therapy personnel who cannot competently perform their duties after reasonable accommodation are considered to be impaired. The occupational therapy practitioner's basic duty to students, patients, colleagues, and research subjects is to ensure that no harm is done. It is difficult to report a professional colleague who is impaired. The motive for this action must be to provide for the protection and safety of all, including the person who is impaired.*

<p>7.1. Occupational therapy personnel shall be aware of their own personal problems and limitations that may interfere with their ability to perform their job competently. They should know when these problems have the potential for causing harm to clients, colleagues, students, research participants, or others.</p>	<p>Nonmaleficence</p>
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<p>7.2. The individual should seek the appropriate professional help and take steps to remedy personal problems and limitations that interfere with job performance.</p>	<p>Nonmaleficence</p>
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<p>7.3. Occupational therapy personnel who believe that a colleague's impairment interferes with safe and effective practice should,</p>	<p>Nonmaleficence</p>
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when possible, discuss their questions and concerns with the individual and assist their colleague in seeking appropriate help or treatment.

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| <p>7.4. When efforts to assist an impaired colleague fail, the occupational therapy practitioner is responsible for reporting the individual to the appropriate authority (e.g., employer, agency, licensing or regulatory board, certification body, professional organization).</p> | <p>Nonmaleficence</p> |
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8. SEXUAL RELATIONSHIPS: *Sexual relationships that occur during any professional interaction are forms of misconduct.*

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| <p>8.1. Because of potential coercion or harm to former clients, students, or research participants, occupational therapy practitioners are responsible for ensuring that the individual with whom they enter into a romantic/sexual relationship has not been coerced or exploited in any way.</p> | <p>Nonmaleficence</p> |
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| <p>8.2. Sexual relationships with current clients, employees, students, or research participants are not permissible, even if the relationship is consensual.</p> | <p>Nonmaleficence</p> |
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| <p>8.3. Occupational therapy personnel must not sexually harass any persons.</p> | <p>Nonmaleficence</p> |
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| <p>8.4. Occupational therapy personnel have full responsibility to set clear and appropriate boundaries in their professional interactions.</p> | <p>Nonmaleficence</p> |
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9. PAYMENT FOR SERVICES AND OTHER FINANCIAL ARRANGEMENTS: *Occupational therapy personnel shall not guarantee or promise specific outcomes for occupational therapy services. Payment for occupational therapy services shall not be contingent on successful outcomes.*

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| <p>9.1. Occupational therapy personnel shall only collect fees legally. Fees shall be fair and reasonable and commensurate with services delivered.</p> | <p>Procedural Justice</p> |
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| <p>9.2. Occupational therapy personnel do not ordinarily participate in bartering for services because of potential exploitation and conflict of interest. However, such an arrangement may be appropriate if it is not clinically contraindicated, if the relationship is not exploitative, and if bartering is a culturally appropriate custom.</p> | <p>Beneficence</p> |
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| <p>9.3. Occupational therapy practitioners can render pro bono (“for the</p> | <p>Beneficence,</p> |
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<p>good,” free of charge) or reduced fee occupational therapy services for selected individuals only when consistent with guidelines of the business/facility, third-party payer or government agency.</p>	<p>Procedural Justice</p>
<p>9.4. Occupational therapy personnel may engage in volunteer activities to improve access to occupational therapy or by providing individual service and expertise to charitable organizations.</p>	<p>Beneficence</p>
<p>9.5. Occupational therapy personnel who participate in a business arrangement as owner, stockholder, partner, or employee have an obligation to maintain the ethical principles and standards of the profession. They also shall refrain from working for or doing business with organizations that engage in illegal or unethical business practices (e.g., fraudulent billing).</p>	<p>Procedural Justice</p>
<p>10. RESOLVING ETHICAL ISSUES: <i>Occupational therapy personnel should utilize any and all resources available to them to identify and resolve conflicts and/or ethical dilemmas.</i></p>	
<p>10.1. Occupational therapy personnel are obligated to be familiar with the Code and its application to their respective work environments. Occupational therapy practitioners are expected to share the Code with their employer and other employees and colleagues. Lack of familiarity with and knowledge of the Code is not an excuse or a defense against a charge of ethical misconduct.</p>	<p>Duty</p>
<p>10.2. Occupational therapy personnel who are uncertain of whether a specific action would violate the Code have a responsibility to consult with knowledgeable individuals, ethics committees, or other appropriate authorities.</p>	<p>Duty</p>
<p>10.3. When conflicts occur in professional organizations, members must clarify the nature of the conflict and, where possible, seek to resolve the conflict in a way that permits the fullest adherence to the <i>Code</i>.</p>	<p>Fidelity</p>
<p>10.4. Occupational therapy personnel shall attempt to resolve perceived violations of the Code within institutions by utilizing internal resources.</p>	<p>Fidelity</p>
<p>10.5. If the informal resolution is not appropriate or is not effective, the next step is to take action by consultation with or referral to institutional, local, district, territorial, state, or national groups who have jurisdiction over occupational therapy practice.</p>	<p>Fidelity</p>

10.6. Occupational therapy personnel shall cooperate with ethics committee proceedings and comply with resulting requirements. Failure to cooperate is, in itself, an ethical violation. Procedural Justice

10.7. Occupational therapy personnel shall only file formal ethics complaints aimed at protecting the public or promoting professional conduct rather than harming or discrediting a colleague. Fidelity

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Note : Commission on Standards and Ethics (SEC) changed to Ethics Commission (EC) in September 2005 per AOTA Bylaws. This document was developed by the EC in 2005 and replaces the 1998 document of the same name.

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