Behaving Ethically: Moving from Memorizing to Applying the Ethical Code

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CODE OF ETHICS

Professional and Ethical Compliance Code for Behavior Analysts

Occupational Therapy Code of Ethics (2015)

ETHICAL PRINCIPLES OF PSYCHOLOGISTS AND CODE OF CONDUCT

American Psychological Association

Ethical Principles of Psychologists and Code of Conduct
Do these documents ensure ethical behavior on the part of practitioners?

Why do practitioners make their decisions?

Why do practitioners who know the code sometimes break the code?

Behavioral Ethics

- Research based theory of ethical decision making
- Used within the business professions and business degree programs
- Based largely on theories in the field of social psychology (however can easily be explained in an ABA framework)

Behavioral Ethics and Behavior Analysis

- Both are based on empirical literature
- Both are based on the theory of environmental context influencing behavior
- Both are interested in behavioral function
Four Component Model
(Rest, 1984, 1986)

- **Awareness**
  - Recognize the ethical situation

- **Judgment**
  - Evaluate the ethical situation

- **Intention**
  - Commit to a decision

- **Behavior**
  - Act on your decision

Barriers can occur along the way

- The context of the situation can be incorrectly framed which prevents awareness

- Biases can affect judgment

- Rationalizations and competing reinforcers can effect the intention and the action

Are People Ethical?

- **Good people** who are aware of ethics, laws, professional guidelines and moral reasoning can make serious ethical mistakes based on the influence of context.

- Behavioral ethics is interested in finding how people choose their decisions and why they do or don’t act in ethical situations

- 92% of Americans report that they are satisfied with their moral character

- 75%-80% of Americans report that they are more ethical than their peers (do the math lol)

- However studies show that people, across the board, are not as ethical as they think they are
  (Jennings, 2005; Cohen, et al., 1996)

System 1/System 2 Theory
(Kahneman, 2011)

- Why do rational, knowledgeable, well intentioned people make poor ethical decisions?

- Our decisions are emotional instead of rational

- Ethical judgements are often made intuitively and instantaneously

- We rationalize conclusions after the decision has already been made

- System 2 can, but rarely overrides decisions made by System 1

System 1
Emotion-Based
Intuitive
Instantaneous

System 2
Cognitively-Based
Logical
Thought Out
Primary Messages of Behavioral Ethics
(Prentice, 2014)

**Behavioral Ethics**
1. Most decisions are made instinctively rather than rationally
2. People believe and say they lead ethical lives while often not behaving ethically
3. Social, organizational and situational factors make it hard for people to always act ethically

**ABA Theory**
- Behavior can be shaped outside of active awareness
- Our behaviors are not always consistent with our thoughts or verbal statements
- Our behavior is shaped by the environment

(Cooper, Heron, & Heward, 2007)

Unethical Decision Making

- As with all behavior, ethical decisions are shaped by:
  - Environmental variables
  - Reinforcement/punishment history
  - Rule governed knowledge
  - Stimulus control

Reinforcement Contingencies

<table>
<thead>
<tr>
<th>Occurrence</th>
<th>Decision</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>John didn’t eat all of his lunch</td>
<td>“I don’t have to call his parent”</td>
<td>No negative consequence</td>
</tr>
<tr>
<td>John was a little aggressive toward a peer</td>
<td>“I don’t have to call his parent”</td>
<td>No negative consequence</td>
</tr>
<tr>
<td>John engaged in self-injury, but that’s typical</td>
<td>“I don’t have to call his parent”</td>
<td>No negative consequence</td>
</tr>
<tr>
<td>John ate a paperclip (I think)</td>
<td>“We call the parent? Well he seems okay now”</td>
<td>I hope there is no negative consequence</td>
</tr>
<tr>
<td>John ran from the school and was found an hour later</td>
<td>“I think we should maybe call the parent…”</td>
<td>???</td>
</tr>
</tbody>
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Incrementalism
The Slippery Slope

People get used to minor ethical infractions which, over time, lead them to not notice major ethical infractions

Attenuation to increasing intensities of punishment procedures
“Why is she so prompt dependent? Were just trying to maintain the skill.”

Gradual reinforcement schedule thinning
“How did we ever wind up approving that unethical aversive?”

Respondent generalization
“Hmmm, somehow he now avoids of all teachers. Did we condition that somehow?”

Self Serving Bias
People gather and process information in a self-serving way
Unethical behavior is ignored when the outcome serves self interest
• When a behavior is followed by a preferred consequence, that behavior is more likely to be repeated in the future under similar circumstances (reinforcement).

• When a behavior is followed by an unpreferred consequence (punishment) or the absence of a preferred consequence (extinction), that behavior is likely to not be repeated in the future.

• In future situations, a different behavior is likely to be emitted.

Unfortunately slightly unethical behavior is sometimes reinforced in cases where ethical behavior would not have been reinforced or would have required greater response effort.

I have only worked with preschoolers with autism. I am offered a job at a very high salary in a great location. The kind of job you can’t refuse. The only problem is that it is with elderly patients in a nursing home. You have no time for training and using a consultant a few hours a month is likely not enough, but all you can afford.

"I am a quick learner and know how to look at the literature when I have a problem. Besides, behavior analytic principles apply to all populations. I am sure it is not very different.”

Framing

People make ethical or unethical decisions depending on how an issue is presented.

The parents in this district rarely attend parent training sessions. They don’t seem to be on board.

Behavior occurs within a context

Behavior is reinforced within a context.
Parents in this district struggle to attend parent training sessions. They have so many conflicting responsibilities it's just not top on the list.

Let's assess the situation. What can we do to make parent training more reinforcing and less effortful?

People categorize others as either in their in-group or not.

We judge the behaviors of out-group members more harshly than those of in-group members.

**Classically Conditioned**
- Good attributes paired with in group members
- Bad attributes paired with out group members
- At least vicariously conditioned through the opinions of others

**Operantly Conditioned**
- Engaging in behaviors consistent with the in-group are reinforced by other in-group members
- Engaging in behaviors consistent with the out-group is punished by the in-group members

Occupational therapists
Pediatricians
Behavior Analysts
Speech therapists

**Not a scientific discipline**
- They just treat symptoms not causes
- Its not empirically supported
- Where's the research and data?
- Its so robotic and just dog training
- They believe in the vaccination theory

**Overconfidence Error**
- People tend to believe they are more ethical than they really are
- This leads to decisions being made in the absence of proper assessment
- False belief that knowledge and personality is equal to ethical action
I took an ethics course. I read Bailey and Burch. I love my clients and families. I have made good decisions in the past. I am an intelligent person. People consider me an expert in the field. I am a good person. I practically memorized the Ethics Code. Did I assess THIS situation? Why am I making THIS decision?

Did I assess THIS situation? Why am I making THIS decision?

**Stanley Milgram Experiment (1963)**

- Avoidance of punishment for noncompliance
- Positive reinforcement for compliance (tangibles, social attention)
- Reinforcement history for compliance with authority figures
- Rule-governed behavior: “you need to comply with authority”
- Authority figures being conditioned with correct decisions

Who is the “authority figure” on your team? How does their behavior shape the behavior of the other team members?

**Conformity Bias**

People conform to behavior of peers even when it goes against ethical beliefs or logic.
You are a BCBA working in the field for about three years. You have worked for various agencies but just landed a position at an internationally known, top-notch clinic. You can’t even believe it when you hear that your direct supervisor is none other than Dr. J. Dr. J is the most published person in behavior analysis to date and his students and supervisees are always featured at conferences. Dr. J is as close to a founding behavior analyst as you can get. Your friends cannot even believe you got this position.

Right after taking the job you realize that Dr. J is very respected at the agency. He basically runs the place on his reputation. Everyone respects his opinions and follows his directions. He is very well liked by his peers and supervisees, but he is also very much in power. He tends to get what he wants and shares the wealth. His supervisees are always highly regarded by other professionals and a written recommendation from Dr. J is worth its weight in gold. So far, Dr. J seems to really like you. Your month evaluation was all positive.

About a month in you start to notice some concerning things occurring at the agency. They frequently back date billing papers, skip some assessments, and making clinical decisions are not always 100% with parents and patients benefitting. It seems like the agency is just doing what Dr. J wants. Everyone seems to be afraid to speak up. You brought this up to some colleagues and they said that everyone just does what Dr. J says to do. He knows what goes on and given his reputation in the field it must be commonly done practices. They seem to not be concerned. You reluctantly followed up with Dr. J and he confirmed that it was no big deal. “You are new to the agency and relatively new to the field of behavior analysis, just follow along and you will eventually go far.”

Practical Influences on Ethical Behavior

- **Time pressure**
  - People are more likely to make unethical decisions when pressured.

- **Transparency**
  - People are more likely to make unethical decisions when their behavior is not being observed.

- **Fatigue**
  - People are more likely to make unethical decisions when they are physically or mentally tired.

- **Resources**
  - People are more likely to make unethical decisions when needed resources are not readily available.

**Familiar?**
Moral Efficacy

- People are less likely to take action to address an unethical situation if they feel that their behaviors will not result in an impact on the situation (Hannah, Avolio, & May, 2011)

- “What’s the point? Nothing is going to change anyway.”

- The ABA Explanation
  - Behavior that is placed on extinction is less likely to occur in the future, under similar circumstance, as compared to behavior that is reinforced
  - After repeated presentations the behavior is extinguished

The Moral of the Story

- Preparing Practitioners for practice is more than memorizing Codes


https://ethicsunwrapped.utexas.edu/