

Code of Ethical Conduct

UNLAWFUL CONDUCT

- Rule 1.1** Once certified, a certified professional shall not be convicted for any misdemeanor or felony relating to the individual's ability to provide substance abuse and other behavioral health services as determined by (insert name of organization).
- Rule 1.2** A certified professional shall not be convicted of any crime that involves the use of any controlled or psychoactive substance.

SEXUAL MISCONDUCT

- Rule 2.1** A certified professional shall, under no circumstances, engage in sexual activities or sexual contact with clients, whether such contact is consensual or forced.
- Rule 2.2** A certified professional shall not engage in sexual activities or sexual contact with clients' relatives or other individuals with whom clients maintain a close personal relationship when there is a risk of exploitation or potential harm to the client.
- Rule 2.3** A certified professional shall not engage in sexual activities or sexual contact with former clients because of the potential harm to the client.
- Rule 2.4** A certified professional shall not provide clinical services to individuals with whom they have had a prior sexual relationship.

FRAUD-RELATED CONDUCT

- Rule 3.1** A certified professional shall not:
1. present or cause to be presented a false or fraudulent claim, or any proof in support of such claim, to be paid under any contract or certificate of insurance;
 2. prepare, make, or subscribe to a false or fraudulent account, certificate, affidavit, proof of loss, or other document or writing, with knowledge that the same may be presented or used in support of a claim for payment under a policy of insurance; or present or cause to be presented a false or fraudulent claim or benefit application, or any false or fraudulent proof in support of such a claim or benefit application, or false or fraudulent information, which would affect a future claim or benefit application, or be paid under any employee benefit program;
 3. seek to have an employee commit fraud or assist in an act of commission or omission to aid fraud related behavior.
- Rule 3.2** An individual shall not use misrepresentation in the procurement of certification or recertification, or assist another in the preparation or procurement of certification or recertification through misrepresentation. The term "misrepresentation" includes but is not limited to the misrepresentation of professional qualifications, education, certification, accreditation, affiliations, employment experience, the plagiarism of application and recertification materials, or the falsification of references.
- Rule 3.3** An individual shall not use a title designation, credential or license, firm name, letterhead, publication, term, title, or document which states or implies an ability, relationship, or qualification that does not exist and to which they are not entitled.
- Rule 3.4** A certified professional shall not provide service under a false name or a name other than the name under which his or her certification or license is held.
- Rule 3.5** A certified professional shall not sign or issue, in their professional capacity, a document or a statement that the professional knows or should have known to contain a false or misleading statement.
- Rule 3.6** A certified professional shall not produce, publish, create, or partake in the creation of any false, fraudulent, deceptive, or

misleading advertisement.

Rule 3.7 A certified professional who participates in the writing, editing, or publication of professional papers, videos/films, pamphlets or books must act to preserve the integrity of the profession by acknowledging and documenting any materials and/or techniques or people (i.e. co-authors, researchers, etc.) used in creating their opinions/papers, books, etc. Additionally, any work that is photocopied prior to receipt of approval by the author is discouraged. Whenever and wherever possible, the certified professional should seek permission from the author/creator of such materials. The use of copyrighted materials without first receiving author approval is against the law and, therefore, in violation of the Code of Ethical Conduct.

EXPLOITATION OF CLIENTS

Rule 4.1 A certified professional shall not develop, implement, or maintain exploitative relationships with clients and/or family members of clients.

Rule 4.2 A certified professional shall not misappropriate property from clients and/or family members of clients.

Rule 4.3 A certified professional shall not enter into a relationship with a client which involves financial gain to the certified professional or a third party resulting from the promotion or the sale of services unrelated to the provision of services or of goods, property, or any psychoactive substance.

Rule 4.4 A certified professional shall not promote to a client for their personal gain any treatment, procedure, product, or service.

Rule 4.5 A certified professional shall not ask for nor accept gifts or favors from clients and/or family members of client.

Rule 4.6 A certified professional shall not offer, give, or receive commissions, rebates, or any other forms of remuneration for a client referral.

Rule 4.7 A certified professional shall not accept fees or gratuities for professional work from a person who is entitled to such services through an institution and/or agency by which the certified professional is employed.

PROFESSIONAL STANDARDS

Rule 5.1 A certified professional shall not in any way participate in discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, socio-economic status, political belief, psychiatric or psychological impairment, or physical disability.

Rule 5.2 A certified professional who fails to seek therapy for any psychoactive substance abuse or dependence, psychiatric or psychological impairment, emotional distress, or for any other physical health related adversity that interferes with their professional functioning shall be in violation of this rule. Where any such conditions exist and impede their ability to function competently, a certified professional must request inactive status of their credential for medical reasons for as long as necessary.

Rule 5.3 A certified professional shall meet and comply with all terms, conditions, or limitations of a certification or license.

Rule 5.4 A certified professional shall not engage in conduct that does not meet the generally accepted standards of practice.

Rule 5.5 A certified professional shall not perform services outside of their area of training, expertise, competence, or scope of practice.

Rule 5.6 A certified professional shall not reveal confidential information obtained as the result of a professional relationship, without the prior written consent from the recipient of services, except as authorized or required by law.

Rule 5.7 The certified professional shall not permit publication of photographs, disclosure of client names or records, or the nature of services being provided without securing all requisite releases from the client, or parents or legal guardians of the clients.

Rule 5.8 The certified professional shall not discontinue professional services to a client nor shall they abandon the client without facilitating an appropriate closure of professional services for the client.

Rule 5.9 A certified professional shall not fail to obtain an appropriate consultation or make an appropriate referral when the client's problem is beyond their area of training, expertise, competence, or scope of service.

SAFETY & WELFARE

Rule 6.1 A certified professional shall not administer to himself or herself any psychoactive substance to the extent or in such manner as to be dangerous or injurious to a recipient of services, to any other person, or to the extent that such use of any psychoactive substance impairs the ability of the professional to safely and competently provide services.

Rule 6.2 All certified professionals are mandated child abuse reporters.

RECORD KEEPING

Rule 7.1 A certified professional shall not falsify, amend, or knowingly make incorrect entries or fail to make timely essential entries into the client record.

ASSISTING UNQUALIFIED/UNLICENSED PRACTICE

Rule 8.1 A certified professional shall not refer a client to a person that he/she knows or should have known is not qualified by training, experience, certification, or license to perform the delegated professional responsibility.

DISCIPLINE IN OTHER JURISDICTIONS

Rule 9.1 A certified professional holding a certification, license, or other authorization to practice issued by any certification authority or any state, province, territory, tribe, or federal government whose certification or license has been suspended, revoked, placed on probation, or other restriction or discipline shall promptly alert the Board of such disciplinary action.

COOPERATION WITH THE BOARD

Rule 10.1 A certified professional shall cooperate in any investigation conducted pursuant to this Code of Ethical Conduct and shall not interfere with an investigation or a disciplinary proceeding or attempt to prevent a disciplinary proceeding or other legal action from being filed, prosecuted, or completed. Interference attempts may include but are not limited to:

1. the willful misrepresentation of facts before the disciplining authority or its authorized representative;
2. the use of threats or harassment against, or an inducement to, any client or witness in an effort to prevent them from providing evidence in a disciplinary proceeding or any other legal action;
3. the use of threats or harassment against, or an inducement to, any person in an effort to prevent or attempt to prevent a disciplinary proceeding or other legal action from being filed, prosecuted or completed;
4. refusing to accept and/or respond to a letter of complaint, allowing a credential to lapse while an ethics complaint is pending, or attempting to resign a credential while an ethics complaint is pending. Violation of this rule under these circumstances will result in the immediate and indefinite suspension of the certified professional's credential until the ethical complaint is resolved.

Rule 10.2 A certified professional shall:

1. not make a false statement to the Hong Kong Association of Professionals Specializing in Addiction Counseling or any other disciplinary authority;
2. promptly alert colleagues informally to potentially unethical behavior so said colleague could take corrective action;
3. report violations of professional conduct of other certified professionals to the appropriate licensing/disciplinary authority when he/she knows or should have

known that another certified professional has violated ethical standards and has failed to take corrective action after informal intervention.

- Rule 10.3** A certified professional shall report any uncorrected violation of the Code of Ethical Conduct within 90 days of alleged violation. Failure to report a violation may be grounds for discipline.
- Rule 10.4** A certified professional with firsthand knowledge of the actions of a respondent or a complainant shall cooperate with the investigation or disciplinary proceeding. Failure or an unwillingness to cooperate in the investigation or disciplinary proceeding shall be grounds for disciplinary action.
- Rule 10.5** A certified professional shall not file a complaint or provide information to the Hong Kong Association of Professionals Specializing in Addiction Counseling, which he/she knows or should have known, is false or misleading.
- Rule 10.6** In submitting information to Hong Kong Association of Professionals Specializing in Addiction Counseling, a certified professional shall comply with any requirements pertaining to the disclosure of client information established by the federal or state government.