

Ethics and Occupational Therapy Fieldwork

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Today!

- A brief commercial from C-State,, XU, and OSU
- Fieldwork will be discussed through the lens of AOTA's Ethical Principles (2005 version, not 2010...)
- Brief Case Studies



Occupational Therapy at OSU

- Founded in 1942 (5th Oldest in USA)
- 3,000 Occupational Therapy Alumni
- 21st Ranked Nationally US News (2008)
- 42 students per year (200 applicants)
- PhD in Rehab Science started in 2006
- MOT to PhD started in 2010
- 20% of class of 2011 was funded
- OSU party at AOTA Friday Night



Occupational Therapy Faculty



Funded Research Trials/Projects

- Handwriting Consultation in Schools
- Constraint Induced Therapy Trials
- Autism/Picky Eating Interventions
- NIH – Standardized Sensory Measures
- VA Poly-trauma Centers
- Prosthetics/Mirror Imaging
- Rehab Engineering Projects
- National OT/PT injury survey
- Caregiver Burden
- Farming with Arthritis
- Post-Secondary Transitions Programs for kids with DD




We affirm AOTA's centennial vision:

"We envision that occupational therapy is a powerful, widely recognized, science-driven, and evidence-based profession with a globally connected and diverse workforce meeting society's occupational needs."



“As **gatekeepers** of the profession, clinical supervisors will continue to be heavily involved with ethical standards for practice. The most instrumental approach to this responsibility is to be well-informed and personally and professionally sanguine. Both are accomplished by continually putting ethics in the foreground of discussion, contemplation, and practice. In this case, perhaps more than any other, a supervisor’s primary responsibility is to model what they aspire to teach.”

Bernard and Goodyear, 2007, p. 72


Sanguine:

- (adj.): **Cheerfully optimistic, hopeful, or confident.**



AOTA Code of Ethics

2005 Version	2010 Version
1. Beneficence	1. Beneficence
2. Non-maleficence	2. Non-maleficence
3. Autonomy, Confidentiality	3. Autonomy, Confidentiality
4. Duty	4. Social Justice
5. Procedural Justice	5. Procedural Justice
6. Veracity	6. Veracity
7. Fidelity	7. Fidelity



Principle 1. (BENEFICENCE)

Why take Fieldwork Students?



Why take Fieldwork Students?

- Fresh Ideas and Learning
- License and NBCOT CEU’s
- 30% of our students last year took a job with a fieldwork site.
- Help create OT’s you want to work with
- Resources for projects...
- You leave a legacy...
- Evidence-Based Practice



Principle 1. (BENEFICENCE)

- Provide quality services
- Best interest of the client, student, and profession at heart.
- Don’t discriminate – just as our population has become more diverse, so have our students...
 – **GENERATIONAL DIFFERENCES**



Generations at work...

Traditionalist (1900-1945)
 Baby Boomer (1946-1964)
 Generation Xers (1965-1980)
 Millennials(1981-1999)
 (ie. Generation 'Why')



Some Millennials graduated from Preschool



This is a Generation of Negotiation!

Well, not all of them (you), but
many of them (you)!



Boomers on Millennials...

- *"A 60-something graduate recently reflected: 'We wanted what they want. We just felt we couldn't ask.' Herein lies the truth: what young workers want isn't so different from what everyone else wants. However, young workers are asking for it."*

--Karen Cates and Kimia Rahimi,
"Mastering People Management,"
Financial Times, November 19, 2001



Examples...

1. Claire, Hello, my name is Terry and I am currently enrolled in your Thursday class. At the end of last quarter, I made a commitment to be a part of religious group on campus and our meeting is during the second part of the class. This organization is really important to me, and I do not want to skip my obligation all of spring quarter. That being said, I know this class is only one day a week, but are you a professor that generally lets students out early? I in know way expect this from a professor and I totally understand if you don't, but I just wanted to make sure before I go ahead and drop the class. I hope you are enjoying your Spring Break.
2. I know we're not supposed to start registering for the NBCOT and our licenses until December, but I just wanted to know if I need to do anything differently in order to get my temporary license (X still offers that). My goal is to hopefully start working mid-January. I can look it up, but I figured I'd check with you first.



Millennials (Cons)

- **Impatient:** Raised in a world dominated by technology and instant gratification
- **Skeptical:** Life experiences
- **Blunt and Expressive:** Making their point is most important
- **"CLINICAL REASONING"** is done through technology (Wiki, Google...)



Millennials (Pros)

- Adaptable
- Technologically savvy:
- Can grasp new concepts: This generation is learning oriented
- Efficient multi-taskers: They will do it faster and better than their competition
- Civic minded and were taught to think in terms of the greater good...high rate of volunteerism



Millennials and fieldwork...

- Results more important than experience
- They will work hard when the purpose is clearly defined
- They like examples
- Creative within boundaries, most are comfortable on a team.



Do this, don't do that! A Guide for Fieldwork

Sadly, my mom did not raise them

- Sometimes they do stupid stuff without knowing it's stupid!



Principle 2. (NONMALEFICENCE)

- Non-exploitive Therapeutic Relationships (Grey's Anatomy is a TV show!)
- Our students are instructed not to date in healthcare during FW!



Principle 3: Autonomy and Confidentiality

- **FERPA**
 1. Student must consent to have records released or performance discussed
 2. This applies both the fieldwork educator and the university.
- **HIPAA**
 1. Student has same HIPAA protection as patients.
 2. Student may choose not to disclose disability (no accommodation).



ADA and Fieldwork Students

- Safety may be used to adapt job duties or to exclude students if there is an actual risk vs. perceptions and stereotypes (EPILEPSY).
- If a student does not disclose his/her disability, there is nothing to accommodate (Mental Health issues).
- The site determines what is reasonable or not.
- If the site agrees to the accommodations, the site is obligated to pay for them.



Injuries during Fieldwork

- Student has an obligation to report.
- Facility has no legal obligation to provide a reasonable accommodation to students.
- But... most do (light duty...)

**Principle 4. DUTY of FW Educators**(Johnson et al *OT Practice* 2007)

1. **Clear performance expectations**
 1. Fieldwork Data Form.
 2. Weekly Objectives
 3. Site Specific Objectives to match FWPE
2. **Collaborates with student in goal setting.**
 1. Weekly Meetings – documentation if a problem arises
3. **Prepare students for challenging situations.**
4. **Provides activities to challenge a student's optimal performance**

**Duty of FW Educators...**

5. Provides the student with prompt, direct, specific, and constructive feedback.
 - What are you as Fwed doing to help/hinder?
6. Makes specific suggestions to the student for improvement in performance.
7. Uses verbal, non-verbal, and written communication effectively.
8. Initiates interaction to resolve conflict and to raise issues of concern.

**Duty of FW Educators...**

9. Uses a variety of approaches to facilitate student performance (written, supportive, confrontational, multiple supervisors)
10. Elicits and responds to student's feedback and concerns (introverts/extroverts)
11. Collaborates with student and AFWC to identify and modify learning as needed.
12. Serves as a role model for professional behavior

**Ohio Revised Code for Student supervision (4755-7-01)**

1. A supervising occupational therapy practitioner shall adhere to the following criteria:
 - **Be licensed** and in good standing, by the OT section of the licensure board.
 - Must have completed **one year of clinical practice** experience as a fully licensed occupational therapy practitioner

**Ohio Revised Code for Student supervision (4755-7-01)**

2. The Supervising Occupational therapy practitioner shall only assign duties or functions to the occupational therapy student that are **commensurate with his/her education and training.**
 - How do you document the student is competent to do what you are asking them to do?
3. An occupational therapy student shall be supervised by an occupational therapist. An OT assistant student shall be supervised by an occupational therapist or an OT assistant.

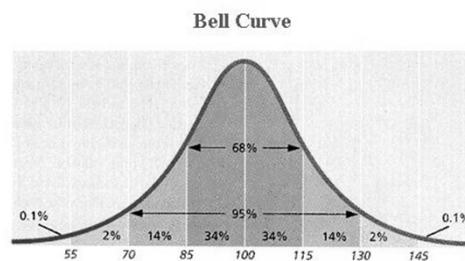


**Duty: Not all students are created equal...
and sometimes doing your duty is hard.**

Supervisor, Student, Site, and
Patients



Jean Errors or Jean Ayres?



Jean Errors' barriers to practice...

1. **Admissions.**
2. **Academic Preparation.**
3. **Level I Fieldwork.**
4. **Professional Behavior.**
5. **Level II Fieldwork.**
6. **NBCOT Examination.**
7. **HR Screening and Policies.**



When a student struggles...*

- Identify Issues early (**week three**)
1. Identify specific problem behaviors (from site objectives) with student.
 2. Receive student input. **Call me!**
 3. Describe level of competence expected. Suggestions for student improvement.
 4. Ask for student feedback on how you can improve supervision.
 5. Sometimes failure wakes a student up.



Things that are helpful

FEED FORWARD – Describe the behavior you need to see the student demonstrate next time.

LEARNING CONTRACTS – External structure to help student focus on what is important (responsible to you & me)

– **Learning Goals:** Has a time frame, describe behavior you need, and measurable.

– **Must have consequences if not met.**



If a student fails...

1. Complete FWPE (doesn't have to be week 12)
 - **Safety, Ethical Lapse (must <3 on 1, 2, 3)**
2. Meet with the student.
3. Make recommendations for next fieldwork.
4. Inform school.
5. Respect student's right to confidentiality.
6. Sometimes this is what the student needs to be successful in the future.
7. Student will be asked to do remediation...



Principle 5. PROCEDURAL JUSTICE

- Understand and stay updated on laws, and association and facility policies...
- Maintain timely records of professional activity.
- Understand student billing.
- Contracts.



What are your legal obligations as a supervisor?

- Contract with employers
- Defined in state law, insurance contracts, and national standards.
- Primary legal issues: malpractice, liability, duty to warn, protect, and report, due process; confidentiality and informed consent.



AOTA's current understanding of student Medicare reimbursement

- Different in Ohio for OT and PT students
 - PT is line of site, OT is not by practice act.
- Medicare released new interpretive guidelines (2010 and 2011).
 - COTA's can be 'qualified practitioner'
- Some settings have more restrictive guidelines due to reimbursement, site policies...



Supervision Definitions

- **Clinical Decisions made by OTR/COTA:**
The OTR is present, not treating other patients and is directing the therapy, either by 'prior authorization' or during the treatment.
- **Line of sight:** I see you.
- **State practice act:** "The supervising Occupational therapy practitioner shall only assign duties or functions to the occupational therapy student that are commensurate with his/her education and training."



Medicare Student supervision requirements

Setting	A	B
SNF	Line of site, treating no others, but MDS #s can count (can do paperwork), & both treat in a group situation (bill as group)	Clinical Judgments by OTR/OTA (can't do paperwork)
Hospital	State Practice Act	N/A
Home Health	State Practice Act	Clinical Judgments by OTR/OTA
Inpatient Rehab	State Practice Act	N/A



Medicare Student supervision requirements

Setting	A	B
Private Practice	N/A	Clinical Judgments by OTR/OTA
Certified Rehab Agency	N/A	Clinical Judgments by OTR/OTA
Comprehensive Outpatient Facility	N/A	Clinical Judgments by OTR/OTA



Principle 6. VERACITY

- Represent credentials and qualifications truthfully.
- Disclose any potential conflicts of interest.
- Refrain from any form of communication that contains false, fraudulent, deceptive, or unfair statements or claims.



Liability – Vicarious and Direct:

1. Vicarious Liability – one assumes the liability for the actions of another. (supervisor is not directly negligent)

Respondent Superior: assume the liability for those you supervise.

⇒ Poor Judgment (Breach of Duty) is not necessary for Vicarious Liability



2. To avoid Direct Liability lawsuits (Negligent FW Educator)

- Keep student within scope of practice.
- Provide regularly scheduled supervision.
- Provide emergency coverage.
- Assess student's level of competence
- Assess clients that students are treating.
- Monitoring student's work with clients.
- Avoid McDreamy situations...

» Haynes (2003)



Principle 6 Veracity

- Identify and fully disclose errors.
- Tell the truth and avoid deception.
- Supervisors must respect the confidentiality they have with their students – seek others' opinions to help with the student and supervisor's learning.
- **BE HONEST IN STUDENT APPRAISAL**



Principle 7. FIDELITY

- Maintain professional communications towards and about peers.
- Encourage and ensure that other Occupational Therapists maintain these ethical standards and be familiar with procedures to follow if they are not.



But Ohio State students do well...

- 99% fieldwork pass rate
- Only about 4% of our students have supervisors who report issues.
- 98% pass NBCOT on the first attempt
- 100% of our students who want to be employed are...
- 97% recommend the site (Michigan)
- 96% recommend the supervisor



**Thank You for the
fidelity you have
shown to our
profession.**



Case Example

Your student appears lethargic and uninterested and her performance gets worse as the clinical progresses. She doesn't seem to notice obvious safety issues in the environment. She has not disclosed any mental health diagnosis to you, but you suspect some underlying depression.



What do you do?

- What ethical principles are involved?
- What do you do?
- What do you not do?



Case Examples

Hospital setting. Tenth week. Student goes to evaluate a patient alone without reading chart (Doctor looking at it). OTS has patient sit EOB. Nurse walks in and asks why TLSO is not on...



What do you do?

- Ethical principles involved?
- What does the student do?
- What does the FW Educator do?
- What issues is the student having?
- How do you help the student resolve these issues?
- Does the student continue with fieldwork?



Case Example

Tim, your student, is one good looking man. Melissa, an SLP who works in the same hospital system that you work in, but she is outpatient and you are inpatient. Tim did a great training on OT's role in Dysphagia and Melissa called Tim at his house and asked for 'clarification.' Tim asks for advice. What do you do?



What do you do?

- What ethical issues are involved?
- What do you do?
- What do you advise Tim to do?



Case Example

- **Your daughter's friend is a PT student at your facility. She tells you a funny story about a famous patient the PT student is treating that she read on the student's FACEBOOK page.**
- What Ethical Issues are involved?
- What do you do?



Reference List – Ethics in Occupational Therapy Fieldwork

- Carpenter, C., & Richardson, B. (2008). Ethics knowledge in physical therapy: A narrative review of the literature since 2000. *Physical Therapy Reviews*, 13(5), 366-374.
- Carraccio, C., & Englander, R. (2004). Evaluating competence using a portfolio: A literature review and web-based application to the ACGME competencies. *Teaching and Learning in Medicine*, 16(4), 381-387.
- Chew F, Fulmino J, Johnson C, Russel L. Changes to student supervision in SNFs: impact on fieldwork. *OT Practice* [serial online]. March 14, 2011;16(4):15-17
- Costa, D. (2003). The Purpose and Value of Fieldwork Education. *American Journal of Occupational Therapy*, 57, 644. (November/December)
- Costa, D. (2007) *Clinical Supervision in Occupational Therapy: A Guide for Fieldwork and Practice*. Bethesda, MD. AOTA Press
- Deluliis, E., Dwyer. (2011). Using the occupational profile for student-centered fieldwork education. *OT Practice*, 16(14), 13-13.
- Dige, M. (2009). Occupational therapy, professional development, and ethics. *Scandinavian Journal of Occupational Therapy*, 16(2), 88-98.
- Estes, J., & Brandt, L., Cheyney. (2011). Navigating fieldwork's ethical challenges: Relevant issues & appropriate resolution techniques. *OT Practice*, 16(7), 7.
- Geddes, E. L., Salvatori, P., & Eva, K. W. (2009). Does moral judgement improve in occupational therapy and physiotherapy students over the course of their pre-licensure training? *Learning in Health & Social Care*, 8(2), 92-102.
- Geddes, E. L., Wessel, J., & Williams, R. M. (2004). Ethical issues identified by physical therapy students during clinical placements. *Physiotherapy Theory & Practice*, 20(1), 17-29.
- Glennon, T. J., & Van Oss, T. (2010). Identifying and promoting professional behavior: Best practices for establishing, maintaining, and improving professional behavior by occupational therapy practitioners. *OT Practice*, 15(17), 13-16.
- Goldie, J., Schwartz, L., Mcconnachie, A., & Morrison, J. (2001). Impact of a new course on students' potential behaviour on encountering ethical dilemmas. *Medical Education*, 35(3), 295-302.
- Greenberg, N., S., & Plotnick, H., D. (2011). Professional ethics collaboration between community college and graduate occupational therapy programs. *Education Special Interest Section Quarterly*, 21(2)
- Hatkevich, B. A., & Miller, G. J. (2009). ACOTE standards for fieldwork education: The challenge for compliance. *Administration & Management Special Interest Section Quarterly*, 25(2), 1-4.
- Kasar, J. & Clark, E.N. (2000) *Developing Professional Behaviors*. Thorofare, NJ. Slack.
- Kinsella, E. A., Park, A. J., Appiagyei, J., Chang, E., & Chow, D. (2008). Through the eyes of students: Ethical tensions in occupational therapy practice. *CJOT*, 75(3), 176-183.
- Lew, N., Cara, E., & Richardson, P. (2007). When fieldwork takes a detour. *Occupational Therapy in Health Care*, 21(1-2), 105-122.
- Lopez, A., Vanner, E. A., Cowan, A. M., Samuel, A. P., & Shepherd, D. L. (2008). Intervention planning facets---four facets of occupational therapy intervention planning: Economics, ethics, professional judgment, and evidence-based practice. *American Journal of Occupational Therapy*, 62(1), 87-96.
- Penny, N., H., & You, D. (2011). Preparing occupational therapy students to make moral decisions. *Occupational Therapy in Health Care*, 25(2), 150-163.
- Scheerer, C. R. (2003). Perceptions of effective professional behavior feedback: Occupational therapy student voices. *American Journal of Occupational Therapy*, 57, 205-214.