

**CODE OF ETHICS**  
**For Certified Brain Injury Specialists and Trainers**  
**Adopted by the American Academy for the Certification of Brain Injury Specialists**  
**(AACBIS) Board of Governors on 10/26/07**

**Preamble**

This code is intended to serve as a guide to the everyday conduct of certified brain injury specialists. It represents standards of ethical behavior in professional relationships with people receiving brain injury rehabilitation services, with colleagues, with employers and employees, with other individuals and professionals, and with the community and society as a whole. This code is based on the fundamental values and principles of the brain injury rehabilitation field and profession: these include respecting the worth, dignity and uniqueness of all persons as well as their rights and opportunities and obligations within a safe, caring, environment. It honors the need for certified brain injury specialists to keep the person's wants and needs primary in service delivery, to advocate for individual rights and interests, and to oppose discrimination in services and in the community. It also recognizes that specialists treat people as people first. The helping relationship is foremost in providing services. The philosophy of brain injury rehabilitation fosters and promotes these values.

This code offers general principles to guide conduct in situations that have ethical implications. It provides the basis for making decisions about actions to take. Certified brain injury specialists are expected to take into consideration all the principles in this code that have a bearing upon any situation in which professional intervention and ethical judgment are required. Frequently, the particular situation determines the ethical principles that apply and the manner of their application. The specialist should consider not only the particular ethical principles, but also the entire code and its spirit. Specific applications of ethical principles must be judged within the context in which they are being applied.

**Major Ethical Principles**

The following principles should guide certified brain injury specialists in their various professional roles, relationships and levels of responsibility.

**I. The Conduct of a Certified Brain Injury Specialist**

- A. Specialists maintain high standards of personal conduct in their role as a certified brain injury specialist.
- B. Specialists strive to be proficient in brain injury rehabilitation and in the delivery of services.
- C. Specialists regard as primary the obligation to help individuals achieve their needs and self-determined goals.
- D. Specialists promote multicultural competence in all places and relationships in the practice of brain injury rehabilitation.
- E. Specialists promote and participate in full discussion of potential ethical dilemmas and decision-making.

**II. Certified Brain Injury Specialists' Ethical Responsibility to People Receiving Services**

- A. The primary responsibility of specialists is to persons receiving brain injury rehabilitation services.
- B. Specialists refrain from entering into dual relationships with persons receiving their services.

- C. Specialists act with integrity in their relationships with colleagues, families, significant others, other organizations, agencies, institutions, referral sources, and other professions in order to maximize benefits for persons receiving services.
- D. Specialists make every effort to support the maximum self-determination of each person served.
- E. Specialists respect the privacy of persons receiving services and hold in confidence all information obtained in the course of professional service.

### **III. Certified Brain Injury Specialist's Ethical Responsibility to Colleagues**

- A. Specialists treat colleagues with respect, courtesy, fairness and good faith.
- B. Specialists understand the knowledge and skills other providers bring to the rehabilitation process.

### **IV. Certified brain injury specialists' Ethical Responsibility to the Profession**

- A. Specialists uphold and advance the mission, ethics and principles of AACBIS and the field of brain injury rehabilitation.
- B. Specialists assist the profession by promoting the field of brain injury rehabilitation.
- C. Specialists take responsibility for identifying and developing experience-based brain injury rehabilitation knowledge.
- D. Use of Knowledge - Specialists actively incorporate research and experience-based brain injury rehabilitation knowledge into their practice.

### **V. Certified brain injury specialists' Ethical Responsibility to Society**

- A. Certified brain injury specialists promote the general welfare of society by opposing discrimination and increasing understanding of brain injury disability and recovery.
- B. Specialists advocate for a system of care that responds to the needs of people with brain injuries.

## **The Brain Injury Rehabilitation Code of Ethics**

### **I. Certified Brain Injury Specialists' Conduct as a Certified Brain Injury Specialist**

- A. Propriety – Specialists maintain high standards of personal conduct in their role as certified brain injury specialists.
  - 1. The private conduct of specialists is a personal matter, except when such conduct compromises the fulfillment of professional responsibilities.
  - 2. Specialists are knowledgeable of, and act in accordance with, the laws and statutes in the legal jurisdiction in which they practice regarding all issues that affect their practice.
  - 3. Specialists distinguish clearly between statements made and actions taken as private individuals and as representatives of the brain injury rehabilitation profession, organization or agency.
  - 4. When specialists experience personal problems that may impair their performance, they will seek guidance and/or refrain from professional activities that may be affected.

B. Competence and Professional Development - Specialists strive to be proficient in professional practice and the performance of professional functions.

1. Specialists participate in training and education related to the brain injury rehabilitation field on an ongoing basis.
2. Specialists incorporate recognized brain injury rehabilitation practices and principles into their work.

C. Integrity - Specialists act in accordance with the highest standards of professional integrity and impartiality.

1. Specialists are alert to and resist the influences and pressures that interfere with their professional performance.
2. Specialists do not exploit professional relationships for personal gain [or benefit].
3. Specialists are continually cognizant of their own needs, values and of their potentially influential position, in relationship to persons receiving services. Specialists do not exploit the trust of persons receiving service.

D. Diversity - Specialists promote multicultural competence at all times and in all relationships in the practice of brain injury rehabilitation.

1. Specialists recognize cultural, individual and role differences due to differences in age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language and socioeconomic status.
2. Specialists study, understand, accept, and appreciate their own culture as a basis for relating to the cultures of others. Where differences influence the specialist's work, the specialist shall seek training, consultation and, if necessary, make an appropriate referral.

E. Promotion of Ethical Behavior -- Specialists participate in and promote training and full discussion of potential ethical dilemmas and decision-making.

1. Specialists are trained to recognize ethical issues and dilemmas.
2. Specialists promote and participate in full discussion of potential dilemmas and decision-making.
3. Specialists consult with colleagues and supervisors regarding resolution of specific ethical dilemmas.
4. Specialists recognize cultural, individual and role differences due to differences in age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language and socioeconomic status.
5. Specialists take into account the AACBIS Code of Ethics and perspectives of all stakeholders in deciding how to resolve or address dilemmas.

**II. Certified Brain Injury Specialists' Ethical Responsibility to People Receiving Services**

A. Primacy of the Interests of the Persons Receiving Services -- The certified brain injury specialist's primary responsibility is to persons receiving services.

1. Specialists provide brain injury rehabilitation services with the maximum application of professional skill, competence, knowledge and advocacy.
2. Specialists demonstrate respect towards the cultural identities and preferences of persons being served.
3. Specialists perform assessments and use interventions and modalities that are appropriate to the person and their determined needs, beliefs and behaviors.
4. Specialists do not intimidate, threaten, harass, use undue influence or make unwarranted promises of benefits to persons receiving services.
5. Specialists do not practice, condone, facilitate or collaborate with any form of discrimination on the basis of ethnicity, race, color, sex, sexual orientation, age, religion, national origin, marital status, political belief, mental or physical disability, or any other preference of personal characteristic, condition or state.
6. Specialists advocate for and assist people to advocate for themselves against discriminatory behavior.
7. Specialists provide persons receiving, or about to receive services with accurate and complete information regarding the extent and nature of the services available to them, any relevant limitations of those services, criteria for admission, discharge and information about their professional qualifications to provide the services.
8. Specialists apprise persons receiving services of their rights, risks, opportunities and obligations associated with service to them and avenues of appeal available to them.
9. Specialists discuss confidentiality with individuals at the onset of service provision. Specialists explain fully any relevant limits of confidentiality in a given situation, the purposes for which information is obtained and how it may be used. Specialists also explain to the individual about making their preferences known regarding their right to determine who can and cannot have access to their record, or knowledge of their treatment.
10. Specialists coordinate services with other providers in cooperation with the person receiving service.
11. Specialists recognize that families are an important factor in rehabilitation and strive, with the consent of the person receiving services, to enlist family understanding and involvement as a positive resource in promoting rehabilitation.
12. Specialists seek advice and counsel of colleagues and supervisors whenever such consultation is in the best interest of persons receiving services.
13. Specialists discontinue professional relationships with persons being served when it is in the best interest of persons being served, when such service and relationships are no longer required, or in the event continued service will result in a violation of the Code of Ethics.
14. When an interruption of services is anticipated, specialists promptly notify the persons receiving services.

15. Specialists, in all cases, engage in discharge planning with the persons receiving services, including an appropriate transfer to another professional if necessary.

16. Specialists do not engage in any false, misleading or deceptive actions in setting fees or seeking reimbursement or funding for the services they provide.

B. Specialists refrain from entering into dual relationships with persons receiving their services.

1. Specialists avoid relationships or commitments that conflict with the interests of persons receiving services, impair professional judgment or create risk of harm to persons receiving services, including, but not limited to financial, business and familial, social or close personal friendships. When dual relationships are unavoidable, it is the responsibility of the specialist to conduct himself/herself in a way that does not jeopardize the integrity of the helping relationship.

2. Specialists under no circumstances engage in sexual activities with individuals to whom they are providing services.

3. Specialists do not provide direct services to individuals with whom they have previously had an intimate relationship.

4. Upon the conclusion of the helping relationship, it is the specialist's responsibility not to enter any relationship with the person formerly receiving services that could be detrimental to that person.

C. Specialists act with integrity in their relationships with colleagues, families, significant others, other organizations, agencies, institutions, referral sources, and other professions in order to maximize benefits for persons receiving services.

D. Rights and Prerogatives of People Receiving Services – Certified brain injury specialists make every effort to support self-determination on the part of the person served.

1. When specialists must act on behalf of a person receiving services who has been adjudged legally incapacitated, they safeguard the person's interests, rights and his/her previously expressed choices.

2. When another individual has been legally authorized to act on behalf of a person receiving services, specialists deal with that person always taking into consideration the previously expressed desires of the person receiving services.

E. Confidentiality and Privacy -- Specialists respect the privacy of persons receiving services and hold in confidence information obtained in the course of professional services. Specialists release such information only as prescribed by law.

1. Specialists give persons receiving services timely access to any official certified brain injury specialist records concerning them.

2. When providing access to records to persons receiving services, specialists take due care to protect the confidences of others contained in those records. Specialists do not identify persons receiving services in the records of others.

3. Specialists obtain written permission of the persons receiving services before taping, recording of their activities.
4. Specialists manage the Protected Health Information (PHI) of the persons they serve in compliance with The Health Insurance Portability and Accountability Act of 1996 (HIPAA).
5. Specialists safeguard the maintenance, storage, and disposal of the records of persons served so that unauthorized persons shall not have access to these records.

### **III. Certified Brain Injury Specialists' Ethical Responsibility to Colleagues**

- A. Respect, Fairness and Courtesy - Specialists treat colleagues with respect, courtesy, fairness and good faith. Specialists support the Code of Ethics in dealing with colleagues.
  1. Specialists cooperate with colleagues to promote professional interests and concerns.
  2. Specialists respect confidences shared by colleagues in the course of their professional relationships and transactions.
  3. Specialists create and maintain conditions of practice that facilitate ethical and competent professional performance by colleagues.
  4. Specialists treat with respect and represent accurately and fairly, the qualifications, views, and findings of colleagues.
  5. Specialists are explicit in defining their ongoing professional relationship with those colleagues whom they employ, supervise or mentor, especially when those relationships change.
  6. Specialists do not assume professional responsibility for persons receiving services from another agency or a colleague without appropriate notice to that agency or colleague.
  7. To the extent desired by the person receiving services, specialists collaborate with others serving the same individual, such as community support system providers, peer supports, traditional healers and spiritual specialists, to assure the most effective services.
  8. Specialists assume responsibility to assist colleagues to deal with ethical issues.

### **IV. Certified Brain Injury Specialists' Ethical Responsibility to the Profession**

- A. Maintaining the integrity of the profession of brain injury rehabilitation - Specialists uphold and advance the mission, principles and ethics of the profession.
- B. Professional Service - Specialists assist the profession by promoting the field of brain injury rehabilitation.
  1. Specialists participate in the professional activities that develop the competence of the profession.
  2. Specialists support the formulation, development, enactment and implementation of public policies of concern to the profession.

3. Specialists give credit to the original source of ideas and material, whenever possible.

C. Development of Knowledge - Specialists take responsibility for identifying and developing knowledge for professional practice.

1. Specialists contribute to the knowledge base of the field and share research knowledge and practice wisdom with colleagues.

D. Use of Knowledge – Specialists actively incorporate knowledge into their practice.

1. Specialists base practice upon recognized knowledge relevant to brain injury rehabilitation.

2. Specialists evaluate their practice and services using professional practice guidelines.

3. Specialists critically examine and keep current with emerging knowledge relevant to brain injury rehabilitation, through ongoing education and training and review of the literature.

4. Specialists monitor the use of brain injury rehabilitation principles, practices, multicultural standards, guidelines for involvement of persons being service and the Code of Ethics in their practice and service delivery.

#### **V. Certified Brain Injury Specialists Ethical Responsibility to Society**

A. Promoting the General Welfare – Certified brain injury specialists promote social justice and the general welfare of society by promoting the acceptance of persons who experience.

1. Specialists act to expand choice and opportunity for all persons experiencing a brain injury.

2. Specialists strive to eliminate attitudinal barriers, including stereotyping and discrimination toward people with brain injury.

#### **VI. Implementation of the Certified Brain Injury Specialists Code of Ethics**

A. All specialists practice within the scope of the guidelines herein.

B. In the event that certified brain injury specialists do not conduct themselves in accordance with the Code of Ethics, persons receiving services, advocates, or other professionals can initiate a complaint to the Chair of the board of the American Academy for the Certification of Brain Injury Specialists. See Appendix B below.

### **APPENDIX A**

#### **Core Principles of Brain injury Rehabilitation**

1. Recovery is the ultimate goal of Brain injury rehabilitation. Interventions must facilitate the process of recovery.
2. Brain injury rehabilitation practices help people re-establish normal roles in the community and their reintegration into community life.
3. Brain injury rehabilitation practices facilitate the development of personal support networks.
4. Brain injury rehabilitation practices facilitate an enhanced quality of life for each person receiving services.

5. All people have the capacity to learn and grow.
6. People receiving services have the right to direct their own affairs, including those that are related to their brain injury.
7. All people are to be treated with respect and dignity.
8. Certified brain injury specialists make conscious and consistent efforts to eliminate labeling and discrimination, particularly discrimination based upon a disabling condition.
9. Culture and/or ethnicity play an important role in recovery. They are sources of strength and enrichment for the person and the services.
10. Brain injury rehabilitation interventions build on the strengths of each person.
11. All services are to be designed to address the unique needs of each individual, consistent with the individual's cultural values and norms.
12. Brain injury rehabilitation practices actively encourage and support the involvement of persons in normal community activities, such as school and work, throughout the rehabilitation process.
13. The involvement and partnership of persons receiving services and family members is an essential ingredient of the process of rehabilitation and recovery.
14. Certified brain injury specialists should constantly strive to improve the services they provide.

**APPENDIX B:**  
**Code of Ethics Violation Reporting and Appeal Process**

Complaints may be made by people receiving services from the certified brain injury specialist or by colleagues of the specialist. Complaints shall be made in writing and submitted to the Chair of the AACBIS board. The complaint must specify exactly which principle in the code is being violated and how. When a complaint is made, certified brain injury specialist will be immediately notified and asked to respond to the complaint in writing. The specialist will have 30 days to prepare a response and submit it to a review panel of three board members selected by the chair. The members of the review panel will have 30 days to review the complaint and to request additional information from either party. The complainant may request a hearing in person. The review panel will then meet and discuss their findings. The review panel will vote to any of the following findings:

1. The complaint is not valid and is dismissed.
2. The complaint is judged valid. The accused Specialist will be told to cease unethical activity. The accused Specialist will be suspended from the Certification Program for a specified amount of time (1 to 3 years).
3. The complaint is judged valid. The accused Specialists registration will be revoked. The revocation will be published in AACBIS communications to members and on the AACBIS website.

The Chair of the AACBIS board will forward the findings to the accused and the complainant. The findings of the AACBIS review panel may be appealed to the Ethics Committee of the Brain Injury Association of America. The specialist must request an appeal within 60 days of the finding of the AACBIS review panel. The BIA-USA Ethics Committee will meet in person to consider the appeal at the next scheduled meeting, not to exceed 90 days from the date of appeal.