



## INTRODUCTION AND MISSION

The ethical code is designed to set the standard and clarify expectations for ethical conduct in Sober Living Homes and to assist Next Step Recovery (NSR) staff to better serve all residents of our community. Ethical conduct is a cornerstone of NSR's mission to rebuild lives through structure, community, and self-worth.

Next Step Recovery was created in 2006 to address the needs of displaced recovering addicts in WNC due to the closing of a long-time facility in downtown Asheville.

## PREAMBLE

Next Step Recovery's primary obligation is to the recovery community that it serves, which is defined as individuals that come to live in one of our recovery homes.

The basic objectives of the Code are to: (1) promote public welfare by specifying ethical behavior expected of Sober Living Homes, (2) establish principles that define ethical behavior and best practices of Sober Living Homes, (3) serve as an ethical guide designed to assist staff members and counselors in constructing a professional course of action that best serves those utilizing our services, and (4) serve as a basis for the processing of alleged Code violations by certified and licensed counselors.

The primary values that serve as a foundation for this Code include a commitment to

- respecting human rights and dignity,
- ensuring the integrity of all professional relationships,
- acting to alleviate personal distress and suffering,
- enhancing and increasing the quality of professional knowledge and its application to improve personal effectiveness,
- appreciating the diversity of human experiences and cultures, and
- advocating for the fair and adequate provision of services.

These values inform principles. They represent an important way of expressing a general ethical commitment that becomes more precisely defined and action-oriented when expressed as a principle. The fundamental spirit of caring and respect with which the Code is written is focused on three principle areas of ethical behavior.



## ETHICAL STANDARDS

### I. ETHICAL STANDARDS FOR NEXT STEP RECOVERY EMPLOYEES/COUNSELORS

#### *ES1-100 Avoiding Harm and Avoiding Value Imposition*

All NSR employees acknowledge that the first rule of professional ethical conduct is: *do no harm* to those served.

##### *1-101 Avoiding Harm*

NSR employees act to avoid harming clients, trainees, and supervisees and to minimize or to remedy unavoidable or unanticipated harm. Therefore, regardless of how we respond to and challenge harmful attitudes and actions, employees/counselors will express a loving care to any client, service-inquiring person, or anyone encountered in the course of practice, without regard to race, ethnicity, gender, sexual behavior or orientation, socio-economic status, education, denomination, belief system, values, or political affiliation.

##### *1-102 No Harm or Exploitation Allowed*

Prohibitively, then, employees/counselors avoid every manner of harm, exploitation, and unjust discrimination in all client relations. Employees/counselors are also aware of their psychosocial and spiritual influence and the inherent power imbalance of helping relationships—power dynamics that can harm others even without harmful intent.

##### *1-103 Avoidance of Client Harm, Intended or Not*

Employees/counselors strictly avoid all behavior or suggestion of practice that harms or reasonably could harm clients, client families, client social systems and representatives, students, trainees, supervisees, employees, colleagues, and third-party payors and authorizers.

##### *1-104 Managing Client Conflicts*

Employees/counselors acknowledge that client conflicts are unavoidable. In fact, conflict and resistance are often a central dynamic of the helping process. We will attempt to resolve all employee/counselor conflicts in the client's best interest. Employees/counselors tempted to respond in harmful ways to clients shall seek out consultative and restorative help. If self-control is not accomplished—and client harm is not avoided—senior clinicians shall terminate counseling relations and make referral in the client's best interest.

##### *1-105 Action Regarding Clients Harmed by Other Helpers*

Employees/counselors take proper action against the harmful behavior of other counselors and employees. We will act assertively to challenge or expose those who exploit others, and protect clients against harm wherever it is found, taking care to honor and support client decision-making regarding curative action against violators.



### *1-106 Sexual Misconduct*

Due to the inherent power imbalance of helping relationships, all forms of sexual conduct in professional or lay helping relationships are unethical. Sexual misconduct includes every kind of sexual exploitation, deception, manipulation, abuse, harassment, relations where the sexual involvement is invited, and relations where informed consent presumably exists.

Forbidden sexual activities and deceptions include, but are not limited to, direct sexual touch or contact; seductive sexual speech or non-verbal behavior; solicitation of sexual or romantic relations; erotic contact or behavior as a response to the sexual invitation or seductive behavior of clients; unnecessary questioning and/or excessive probing into the client's sexual history and practices; inappropriate counselor disclosures of client attractiveness, sexual opinions, or sexual humor; advocacy of the healing value of counselor-client sexual relations; secretive sexual communications and anonymous virtual interaction via the Internet or other electronic and informational means; sexual harassment by comments, touch, or promises/threats of special action; and sexual misconduct as defined by all applicable laws, ethics, organizational policies.

### *1-107 Sexual Relations with Former Clients Forbidden*

All sexual relations as defined above with former clients are unethical. Furthermore, we do not terminate and refer clients, even at first contact, in order to pursue sexual or romantic relations.

## ***ES1-200 Client Rights***

### *1-201 Reasonable Access to Adequate and Humane Services*

Clients have a right to reasonable access to adequate and humane services regardless of their race, religion, sexual orientation, ethnicity, age, handicap, or financial status. NSR does not discriminate against residents on the basis of color, national origin or marital status. We provide recovery services within the least restrictive environment possible that preserves personal dignity while ensuring program compliance and safety for all residents. A full article on our [Client Rights](#) can be found on our website at [www.nextsteprecovery.com](http://www.nextsteprecovery.com)

### *1-202 Communication and Information Regarding Stay*

NSR staff provide attention that is considerate and respects clients' personal values and belief systems. Staff do not censor mail or phone calls, unless these communications are therapeutically contraindicated.

### *1-203 Assurance of Health and Safety*

NSR staff will use 911 to access emergency medical care if/when necessary. NSR is not responsible for clients' medical bills if they are hurt or require medical attention while residing at Next Step Recovery. All resident homes are equipped with naloxone in case of emergency. Naloxone will be available to all residents in case of emergency and not hidden from sight (easily accessible).

### *1-204 Expression of Personal Values, Belief Systems and Cultural Practices*

Clients are welcome to express personal values, belief systems and cultural practices so long as these beliefs and practices do not harm others or interfere with a programmatically planned course of action.



### *1-205 Discharge Practices*

If, at any time, a client desires to discharge, NSR requests the client give at least a two weeks' notice to discuss the decision with staff so that appropriate procedures can be followed and alternate safe housing can be secured.

### *1-206 Complaints*

Clients have the right to file a complaint or grievance with NSR. Please see the Program Director for a copy of the form to file with the Executive Director.

## ***ESI-300 Consent and Cultural Sensitivity***

### *1-301 Securing Informed Consent*

NSR staff shall secure client consent for all counseling and related services. This includes the audiotaping of client sessions (when counselor training is taking place), the use of supervisory and consultative help, the application of special procedures and evaluations, and the secure communication of client data with other professionals and institutions.

### *1-302 Consent for the Structure and Process of Counseling*

NSR counselors respect the need for informed consent regarding the structure and process of counseling. Early in counseling, counselor and client should discuss and agree upon these issues: the nature of and course of therapy, client issues and goals, potential problems and reasonable alternatives to counseling, counselor status and credentials, confidentiality and its limits, fees and financial procedures, limitations about time and access to the counselor including directions for emergency situations, and procedures for resolution of disputes and misunderstandings. If the counselor is being supervised, that fact shall be disclosed and the supervisor's name and role indicated to the client.

### *1-303 Developmental and Cultural Sensitivity*

NSR employees/counselors communicate information in ways that are both developmentally and culturally appropriate.

### *1-304 Documentation of Consent*

NSR employees/counselors will document client consent in writing by professional service contract or consent form.



## ***ESI-400 Confidentiality, Privacy, and Privileged Communication***

### *1-401 Maintaining Client Confidentiality*

NSR employees/counselors maintain resident confidentiality to the fullest extent allowed by law, professional ethics, and organizational rules. Confidential client communications include all verbal, written, telephonic, audio or videotaped, or electronic communications arising within the helping relationship. Apart from the exceptions below, employees/counselors shall not disclose confidential

client communications without first discussing the intended disclosure and securing written consent from the client or client representative.

### *1-402 Discussing the Limits of Confidentiality and Privilege*

Clients should be informed about both the counselor's commitment to confidentiality and its limits before engaging in counseling. NSR employees/counselors avoid stating or implying that confidentiality is guaranteed or absolute. We will discuss the limits of confidentiality and privacy with clients at the outset of the admissions process.

### *1-403 Asserting Confidentiality or Privilege Following Demands for Disclosure*

Protecting confidential communications, including the assertion of privilege in the face of legal or court demands, shall be the first response of counselors to demands or requests for client communications and records.

### *1-404 Disclosure of Confidential Client Communications*

NSR employees/counselors disclose only that client information they have written permission from the client to disclose or that which is required by legal or ethical mandates. The employee/counselor shall maintain confidentiality of client information outside the bounds of that narrowly required to fulfill the disclosure and shall limit disclosures only to those people having a direct professional interest in the case. In response to a subpoena, counselors shall neither deny nor immediately comply with disclosure demands, but will assert privilege in order to give the client time to consult with a lawyer to direct disclosures.

### *1-405 Protecting Persons from Deadly Harm: The Rule of Mandatory Disclosure*

NSR employees/counselors accept the limits of confidentiality when human life is imperiled or abused. We will take appropriate action, including necessary disclosures of confidential information, to protect life in the face of client threats of suicide, homicide, and/or the abuse of children, elders, and dependent persons.



#### *1-406 The Duty To Protect Others*

The duty to take protective action is triggered when the NSR employee/counselor (1) has reasonable suspicion, as stated in N.C. Gen. Stat. § 7B-3012 and N.C. Gen. Stat. § 108A-2, that a minor child (under 18 years), elder person (65 years and older), or dependent adult (regardless of age) has been harmed by the client; (2) has direct client admissions of serious and imminent suicidal threats; or (3) has direct client admissions of harmful acts or threatened action that is serious, imminent, and attainable against a clearly identified third person or group of persons.

#### *1-407 Guidelines To Ethical Disclosure and Protective Action*

Action taken to protect life shall be that which is reasonably necessary to stop or forestall deadly or harmful action in the present situation. This could involve hospitalizing the client, intensifying clinical intervention to the degree necessary to reasonably protect against harmful action, consultation and referral with other professionals, or disclosure of harm or threats to law enforcement, protective services, identifiable third persons, and/or family members able to help with protective action.

#### *1-408 Special Guidelines When Violence Is Threatened Against Others*

Action to protect third persons from client violence may involve or, in states that have a third-person protection (*Tarasoff*) duty, require disclosure of imminent harm to the intended victim, to their family or close friends, and to law enforcement. When child abuse, elder abuse or abuse of dependent adults exists, as defined by state law, NSR employees/counselors shall report to child or elder protective services, or to any designated agency established for protective services. NSR shall also attempt to defuse the situation and/or take preventive action by whatever means are available and appropriate.

If clients threaten serious and imminent homicide or violence against an identifiable third person, NSR employees/counselors shall inform appropriate law enforcement and/or medical-crisis personnel, and the at-risk person or close family member of the threat, except when precluded by compelling circumstances or by state law.

#### *1-409 Disclosures in Cases of Third-Party Payment and Managed Care*

NSR does not accept third-party payment for Sober Living but does for Intensive Outpatient Services (IOP). We are cautious about demands for confidential client information that exceed the need for validation of services rendered or continued care. We do not disclose or submit session notes and details of client admissions solely on demand of third-party payors. We will narrowly disclose information that the client has given written authorization only after we have discussed and are assured that the client understands the full implications of authorizations signed or contemplated to sign.

#### *1-410 Disclosures for Supervision, Consultation, Teaching, and Publication*

NSR counselors under supervision will disclose who their supervisors are and explain their role in the helping profession. We will adequately disguise client identifiers by various means when presenting cases in group or in public forums. We will not presume that disguise alone is sufficient client protection, but will consider seeking client authorization when client identity is hard to conceal.



### *1-411 Maintaining Privacy and Preserving Written Records*

NSR preserves, stores, and transfers written records of client communications in a way that protects client confidentiality and privacy rights. This requires, at minimum, keeping files in locked storage with access given only to those persons with a direct professional interest in the materials.

### *1-412 Maintaining Privacy in Electronic Databases*

NSR employees/counselors take special precautions to protect client privacy rights with records stored and transferred by electronic means. This requires, at minimum, use of password entry into all electronic client files and/or coded files that do not use client names or easy identifiers. Client information transferred electronically—FAX, E-mail, or other computerized network transfer—shall be done only after the counselor determines that the process of transmission and reception of data is reasonably protected from interception and unauthorized disclosures.

## ***ES1-500 Agency Rules and Procedures***

### *1-501 Fees and Financial Relationship*

NSR sets fees for services that are fair and reasonable, according to the services contracted at the time of move-in. We avoid all deception, confusion, and misrepresentation about fees and in our financial relationships with clients and client systems. NSR does not accept any monetary compensation (e.g., “kickbacks”) from any of its referrals. **This practice is both unethical and illegal and is in direct violation of client rights.**

### *1-502 Disclosure of Fees and Payment History*

Fee schedules and rules for payment shall be outlined clearly for client review at the outset of move-in. We will provide clients or their representatives with a full and accurate account of previous and current charges upon request.

### *1-503 Scholarships*

Whenever possible, NSR will offer scholarships to those in need of services.

### *1-504 Avoiding Self-Serving Financial Relations*

NSR avoids financial practices that result or appear to result in self-serving outcomes rather than clients’ best interests. We do not select clients or prolong therapy based on their ability to pay high fees, nor do we quickly terminate counseling with low-fee clients. When making referrals, we do not divide fees with other professionals nor accept or give anything of value for making the referral. We do not exaggerate problems nor refer exclusively for specialized services to get clients into special programs or institutions in which we have a proprietary interest.



#### *1-505 Records Maintenance and Ownership*

NSR employees/counselors will create, maintain, store, and dispose of records of professional activities in accordance with the law and ethical duties and in a manner that maintains client confidentiality. Ordinarily, client records belong to the employing organization or to the therapist in a private or group practice. However, in view of the expanding right of client record access and the ethic of continuity of care, clients' records should follow the client as requested or implicated by providers.

#### *1-506 Continuity of Care and Service Interruption*

NSR maintains continuity of care for all residents. Care is taken to refer clients to specialists when appropriate and to secure emergency services when faced with relapse.

#### *1-507 Ethical Termination of Residency*

Discussion and action toward termination and/or referral is indicated when (1) resident goals have been achieved, (2) when the resident no longer wants or does not return to NSR, or (3) when the resident is no longer benefiting from NSR's program. NSR helps clients transition through discharge planning that identifies any further care that is recommended.

### ***ES1-600 Ethical Relations in the Professional Workplace***

#### *1-601 Honorable Relations Between Professional and Community Colleagues*

NSR respects professional colleagues, both within and outside our recovery community. We strive to understand and, whenever able, respect differing approaches to counseling and services. To support our clients' best interests, and to ensure continuity of care, we strive to maintain collaborative and constructive relationships with other professionals serving our clients.

#### *1-602 Solicitation of Clients Under Another's Care*

NSR does not solicit clients/residents nor do we knowingly offer professional services to those under the care of another mental health professional or treatment center, except with that provider's knowledge, or when someone is in crisis.

#### *1-603 Maintaining Honor Toward Others When in Conflict*

NSR employees/counselors exercise caution if/when they feel it necessary to raise concerns about another service provider and will do so with accuracy, humility, and in a manner that strives to preserve the dignity and reputation of others. NSR employees/counselors will avoid any behavior or speech that slanders, libels, or gossips about colleagues or uncritically accepts these behaviors from others with regard to other service providers.





### *1-604 Maintaining Honorable Professional and Employment Relations*

NSR employees/counselors create and preserve honorable relations in the professional workplace. We maintain the utmost honesty, respect, and integrity in all employment and collegial relations. We shall contract relations that balance the best interests of clients, colleagues, and our organization, and we will honor all contractual obligations, even if it is costly for us to do so. We will avoid all actions and appearances of greed, fraud, manipulation, and self-serving action in all collegial and employment relations, and we will disclose and discuss all reasonably foreseen problems to our colleagues before they enter into a relationship with us.

### *1-605 Toward Clear Role Boundaries and Work Definitions*

All professional/employment relations should be mutually understood and described in sufficient detail by work agreement. Administrators and staff should reasonably understand (1) required work behavior, expectations, and limits; (2) lines of authority and responsibility; (3) bases for and boundaries of accountability; and (4) procedures for voicing and addressing disagreements and substandard work performance.

### *1-606 Employers Avoid Discrimination and Promote Meritoriously*

NSR hires, evaluates, and promotes staff meritoriously—based on staff training, experience, credentials, competence, responsibility, integrity, and ethical excellence. We do not discriminate in hiring or promotion practices on the basis of age, race, ethnicity, gender, disability, medical status, socioeconomic status, or special relationship with employer or other staff.

### *1-607 Employees Serve with Integrity and Dedication*

Employees serve with dedication, diligence, and honesty, maintaining high professional and ethical standards. We do not abuse our employment positions nor presume excessive demands or rights against an employer.

## **II. ADVOCACY AND ACCESSIBILITY**

### ***ES2 –100 Advocacy and Accessibility***

#### *2-101 Attitudinal Barriers*

In direct service with clients, NSR employees/counselors address attitudinal barriers, including stereotyping and discrimination toward individuals with disabilities.

#### *2-102 Advocacy*

NSR provides clients with appropriate information to facilitate their self-advocacy actions whenever possible. We work with clients to help them understand their rights and responsibilities, speak for themselves, make decisions, and contribute to society. When appropriate and with the consent of clients, we act as advocates on behalf of clients at the local, regional, and/or national levels.

#### *2-103 Advocacy in Own Agency and with Cooperating Agencies*

NSR advocates for clients that can't advocate for themselves to ensure effective service delivery.



#### *2-104 Advocacy and Confidentiality*

NSR obtains the consent of clients prior to engaging in advocacy efforts on behalf of specific, identifiable clients to improve the provision of services and to work toward removal of systemic barriers or obstacles that inhibit access, growth, and development of clients.

#### *2-105 Areas of Knowledge and Competency*

NSR employees are knowledgeable about presenting substance abuse and mental health issues. Counselors obtain sufficient training in these systems in order to advocate effectively for clients and/or to facilitate clients' self-advocacy in these areas.

#### *2.106 Accessibility*

NSR provides necessary accommodations, including physically and programmatically accessible facilities and services, to all clients.

#### *2.107 Referral Accessibility*

Prior to acceptance to our program, we make sure the referrant is appropriate for our program. NSR does not accept applicants who are out of our professional scope or competency, and we do not discriminate based on age, color, age, color, race, national origin, ethnicity, gender, gender identity, religion/spirituality, sexual orientation, marital status/partnership, culture, disability, language preference, socioeconomic status, or any basis proscribed by law.

### ***ES2 –200 Professional Responsibility***

#### *2-201 Professional Competence*

NSR's employees/counselors practice only within the boundaries of their competence, based on their education, training, supervised experience, professional credentials, and appropriate professional experience. NSR staff do not misrepresent their role or competence to clients.

#### *2-202 Monitor Effectiveness*

NSR employees/counselors continually monitor their effectiveness as professionals and take steps to improve when necessary. We take reasonable steps to seek peer supervision, as needed, to evaluate efficacy as supporters of all of our clients.

#### *2-203 Continuing Education*

NSR employees/counselors recognize the need for continuing education to acquire and maintain a reasonable level of awareness of current scientific and professional information in their fields of activity.

We take steps to maintain competence in the skills we use, are open to new procedures, and keep current with the diverse and specific populations with whom we work.



### **III. STANDARDS & EXEMPTIONS FOR LAY HELPERS AND OTHER EMPLOYEES**

#### ***ES3-100 Definitions and Roles of Lay Helpers***

Lay helpers or non-credentialed staff have a significant role in Next Step Recovery's community. They are not professional clinicians, but may work as salaried staff or as volunteers in designated helping roles. These helpers often function in one-to-one "peer" helping roles and are increasingly involved in developing and leading our recovery community.

#### ***ES3-200 Rules of Ethics Code Application and Exemption***

##### ***3-201 General Rule of Ethical Code Application and Exemption***

Lay helpers shall honor the Code in its entirety, except for those code sections not applicable due to their manifestly professional nature. Anyone claiming exemption to the Code has the burden of proving it, and the duty to draw that exemption as narrowly as possible, honoring all other Code requirements.

##### ***3-202 Lay Helping Under Supervision of a Licensed Professional***

Lay helpers only counsel under the supervision of the Executive Director or Supervisor. Lay helpers seek out and secure supervision with professional clinicians. Independent, unsupervised, and solo practice by lay and unlicensed helpers shall be avoided due to its excessive risk for legal, ethical, spiritual, interpersonal, and ecclesiastical trouble.

##### ***3- 203 Aiding and Abetting Unauthorized Practice***

Professional counselors do not aid and abet the practice of unlicensed, untrained, unqualified, or unethical counseling or lay helping by anyone. In counseling situations requiring help clearly beyond the scope, training, experience, or license required of the helper, supervising clinicians will require and assist in securing appropriate consultation and/or referral.