



## REDC's Code of Ethics: The Case for Why We Must Act Now

(November 2018)

### Next logical step

- As the national professional association that represents approximately 80 percent of residential/inpatient eating disorders treatment programs in America, REDC has taken steps to make clear that REDC members uphold the highest ethical standards. In 2017, REDC created a "Center of Excellence" document to define best practices across the entire eating disorders treatment industry. That document was well-received internally and externally.
- Now the REDC Ethics Committee has taken the next logical step of codifying the principles in the Center of Excellence document into a "Code of Ethics" specifically for REDC member organizations. The Code of Ethics lists nine specific behaviors that we expect all REDC member organizations to uphold. The committee has also created a grievance process for reviewing alleged violations.

### Professionalizing our field, protecting our industry

- These efforts are part of REDC's larger goal of raising standards in our industry and further professionalizing our field. We believe that every major field with a national professional association takes steps to legitimize and professionalize their industry with measures such as bylaws, best practices, and ethics codes.
- **These steps protect our industry and the ability of all REDC member organizations to continue their important work. Our Code of Ethics demonstrates that we are governed by specific ethical principles.**
- Just as we seek objective validation of other fields' claims of high standards, our external stakeholders — members of the public, insurance companies, academics, regulators, and others — are more likely to trust us when we demonstrate a willingness to establish clear boundaries and practices.
- It also is important to remember that we are a field in transition. The players in the industry are changing, and we want to create standards that inform both veterans and newcomers alike, and that will work just as well for current treatment programs as for those 100 years into the future.

### Informative rather than punitive

- The REDC Ethics Committee recognizes that ethical dilemmas which are complex in nature may arise in the course of the important work of treating people with eating disorders. If the Ethics Committee agrees to review a matter, the committee's focus is on reaching a fair and equitable resolution.
- While REDC reserves the right to impose sanctions for violations of the Code of Ethics that a REDC member organization refuses to correct, **the committee's intent is to use the grievance process to clarify the norms of ethical conduct, to help all parties understand and adhere to best practices, and to be informative rather than punitive in nature.**
- **The grievance process allows for all parties to be heard and creates multiple opportunities for corrective action before a matter escalates. Many matters can be resolved informally without a formal complaint even needing to be filed.** Even when a formal complaint has been filed, it must pass three hurdles — a preliminary review of the complaint, a preliminary review of the response, and a determination that there are reasonable grounds to investigate, all of which are performed by a three-person subcommittee — before the matter is even eligible to move to the full Ethics Committee for a formal investigation. In addition, all Ethics Committee recommendations must be ratified by the REDC Board of Directors before they can take effect. The process also contains built-in checks and balances to safeguard the integrity of the outcome and prevent conflicts of interest.



## Questions & Answers

### **1) Why do we need a Code of Ethics when we have a Center of Excellence document? What's the difference between the two?**

The Center of Excellence document defines best practices for the entire eating disorders treatment industry. That document was well-received internally and externally. Now the REDC Ethics Committee has taken the next logical step of codifying the principles in the Center of Excellence document into a “Code of Ethics” specifically for REDC member organizations. The Code of Ethics lists nine specific behaviors that we expect all REDC member organizations to uphold. The committee has also created a grievance process for reviewing alleged violations.

These efforts are part of REDC’s larger goal of raising standards in our industry and further professionalizing our field. We believe that every major field with a national professional association takes steps to legitimize and professionalize their industry with measures such as bylaws, best practices, and ethics codes.

### **2) We’ve always operated on an honor system here. Can’t we just trust each other?**

It is a positive dynamic that REDC members believe in each other and fully expect each other to operate with good intentions and “do the right thing.” But just as we seek objective validation of other fields’ claims of high standards, our external stakeholders — members of the public, insurance companies, academics, regulators, and others — are more likely to trust us when we demonstrate a willingness to establish clear boundaries and practices. Defining best practices and industry norms is part of the “growing up” process for any industry.

These steps protect our industry and the ability of all REDC member organizations to continue their important work. Our Code of Ethics demonstrates that we are governed by specific ethical principles.

It also is important to remember that we are a field in transition. The players in the industry are changing, and we want to create standards that inform both veterans and newcomers alike, and that will work just as well for current treatment programs as for those 100 years into the future.

### **3) Does REDC now have the right to sanction or punish members accused of violating the Code of Ethics? Should we be concerned about REDC becoming a policing body?**

The REDC Ethics Committee recognizes that ethical dilemmas which are complex in nature may arise in the course of the important work of treating people with eating disorders. If the Ethics Committee agrees to review a matter, the committee’s focus is on reaching a fair and equitable resolution. While REDC reserves the right to impose sanctions for violations of the Code of Ethics that a REDC member organization refuses to correct, the committee’s intent is to use the grievance process to clarify the norms of ethical conduct, to help all parties understand and adhere to best practices, and to be informative rather than punitive in nature.

The grievance process allows for all parties to be heard and creates multiple opportunities for corrective action before a matter escalates. Many matters can be resolved informally without a formal complaint even needing to be filed. Even when a formal complaint has been filed, it must pass three hurdles — a preliminary review of the complaint, a preliminary review of the response, and a determination that there are reasonable grounds to investigate, all of which are performed by a three-person subcommittee — before the matter is even eligible to move to the full Ethics Committee for a formal investigation. In addition, all Ethics Committee recommendations must be ratified by the REDC Board of Directors before they can take effect. The process also contains built-in checks and balances to safeguard the integrity of the outcome and prevent conflicts of interest.



**4) You mentioned a process for informal inquiries. What is that?**

The grievance process specifically states: “Whenever possible, complainants should attempt to address matters informally before filing a formal complaint. That said, if an amicable resolution cannot be reached, or if the complainant does not wish to approach the other party, a complaint may be filed. In addition, if any person wishes to ask the Ethics Committee for a clarification about an ethical issue, this can be done without filing a formal complaint — by simply contacting the chair of the Ethics Committee or his/her appointee in the case of a conflict of interest.”

**5) What kinds of sanctions could the Ethics Committee impose?**

The Ethics Committee has the right to impose sanctions if it finds that a violation of the Code of Ethics has occurred. These could include: a warning, a corrective action plan, a letter of assurance, admonishment, censure, probation, removal of a program’s name from a “Members in Good Standing” list on the REDC website, suspension, expulsion, etc. But again, the Ethics Committee hopes to resolve matters long before they get to this stage.

**6) Who may file a complaint?**

The REDC Grievance Process is an open process. Anyone is eligible to submit a complaint, including the public, patients, families, payers, other health care professionals, accrediting bodies, REDC member organizations, the Ethics Committee itself, and any other appropriate parties.

**7) How will you prevent conflicts of interest and ensure a fair process?**

If a matter comes before the Ethics Committee that presents a conflict of interest for one or more members of the committee, such members will recuse themselves from the matter and a suitable stand-in will be chosen for the duration of the committee’s work on that matter. In addition, many steps are taken throughout the grievance process to mitigate conflicts of interest and to ensure that no single person or committee has undue decision-making power.

These steps include:

- Delegating initial review of any complaint and response to a three-person subcommittee that is appointed by the full Ethics Committee chair but does not include the chair,
- Delegating the initial review of whether there are reasonable grounds to launch a formal investigation to the three-person subcommittee, and
- Requiring that all Ethics Committee recommendations must be ratified by the REDC Board of Directors before they can take effect.

In short, the grievance process allows for all parties to be heard and creates multiple opportunities for corrective action before a matter escalates. Many matters can be resolved informally. The process also contains built-in checks and balances to safeguard the integrity of the outcome and prevent conflicts of interest.

**8) If a REDC-member treatment program reports a matter to an external body — for instance a HIPAA breach — is the program now also required to report the matter to the REDC Ethics Committee?**

No. The REDC Ethics Committee does not need to be informed when members are being investigated by third parties.

**9) Are there certain matters that the REDC Ethics Committee will not review?**

Rather than trying to anticipate every scenario that might come before the Ethics Committee and list what types of things we might and might not consider, we have created a fair process — with many checks and balances and safeguards — that we believe will help us consider matters fairly and equitably on a case-by-case basis.

**10) How will REDC ensure confidentiality?**

The Ethics Committee will adhere to strict norms of confidentiality in the conduct of its work except to the extent that it is required to report the conduct at the issue of the complaint to regulatory bodies. No member of the Ethics Committee shall release negative or potentially damaging information about respondents for competitive purposes not related to



official notifications made by the Ethics Committee in its role as an investigating body. When committee business is conducted by phone, Ethics Committee members are expected to refrain from taking committee conference calls in public places or when anyone else but the Ethics Committee member is in the room. Any Ethics Committee member who violates these confidentiality requirements will be subject to immediate sanctions — potentially to include expulsion from the committee, an investigation, etc.

**11) What if you get the Code of Ethics and Grievance Process in the field and it becomes obvious that certain changes need to be made?**

We want this process to work, and we are happy to update and revise the documents as warranted. In fact, we have set a goal for the REDC Ethics Committee to review both documents after the first year to incorporate key learnings and revise as needed.