

## Ethics Committee — Policies and Procedures

### I. Ethics Committee

- A. **Purpose:** To teach the SPSI ethics class, be available for consultation by other SPSI committees if requested, and to address situations in which the Washington State Department of Health has sanctioned a SPSI faculty member for professional misconduct. (All SPSI members are expected to abide by the Revised Code of Washington State's standards regarding professional conduct RCW 18.130.180.)
- B. **Overall Complaint Process:** All complaints and grievances must be submitted to the Ombuds.
- 1) The Ombuds Committee: If a member or non-member of SPSI files a complaint, the Ombuds will evaluate the complaint. They will decide how to proceed. This could include referral to the Colleague Assistance Committee, resolution of the complaint by the Ombuds, or referral of the matter to the Washington Department of Health. This contact information to the Department of Health (DOH) will be available to the complainant and the respondent.
  - 2) If the DOH sanctions a SPSI member, the Ethics Committee obtains and reviews the DOH sanctions. It then formulates a response on behalf of SPSI regarding membership and makes a recommendation to the Faculty.
  - 3) The faculty then votes to determine the membership status of the person sanctioned.
- C. **Faculty Role**
- 1) When necessary, the Ethics Committee Chair presents a summary of any state findings and sanctions to the SPSI faculty and any rehabilitative or educative plan recommended by the state.
  - 2) The DOH sanctioned member has a chance to respond to what the Ethics Committee Chair presents to the faculty. The member can ask the Ethics Committee chair to read their response to the faculty instead, if they wish.
  - 3) The Ethics Committee Chair gives the faculty a recommendation on how to proceed if the DOH found professional misconduct.
    - a) The possible recommendations to the faculty are: suspension for a time period, dismissal from SPSI, or no action.
    - b) The decision of the faculty should be proportionate to the sanction.
  - 4) After discussion the SPSI faculty votes on acceptance of the recommendation. If the majority votes in favor of the recommendation it will be enacted. If the majority of the faculty members does not support acceptance of the recommendation, the matter will be sent back to the Ethics Committee with instructions from the Faculty. The committee will follow the faculty instructions and will then return to the faculty with a recommendation. Review by the Education Committee is also possible.

#### D. Committee Membership and Terms

- 1) The Committee will have five members elected by the SPSI Faculty. The Committee must have five members to function. Each member of the Ethics Committee must be a graduate psychoanalyst.
- 2) The Faculty will elect one of the Ethics Committee members as Ethics Committee Chair for a renewable term of three years. Nominations for Chair and Chair term renewal must be made to the Nominating Committee and voted on by the Faculty. The Chair must have a minimum of five years post-graduate psychoanalytic clinical experience and significant psychoanalytic teaching experience, along with administrative experience at SPSI.
- 3) Member Term: Each member will serve a renewable term of three years. Nominations for term renewal must be made by the Nominating Committee and voted on by the Faculty. In the event that the Committee is involved in an issue which extends beyond the term of the Committee member, at the option of the Chair, the member's term will be extended until the Committee's duties and responsibilities with respect to those matters are completed.
- 4) Recusal: A Committee member shall recuse when a conflict or the appearance of a conflict exists involving the Committee member and a particular matter or individual under consideration by the Committee. Members may recuse themselves on their own initiative or be excused by a majority of the Committee. Recusal is required, it is not optional. If a recusal issue cannot be resolved by the Committee the recusal issue will be referred to the Education Committee for resolution.
- 5) Filling a Committee Vacancy: An alternate list of three members will be maintained in case a member recuses or leaves the committee. If a member leaves the Committee prior to the end of their term, an alternate serves for the remainder of that committee member's term. If a member recuses, an alternate serves. If the issue the committee is considering extends beyond the term of the regular member who the alternate replaced, the chair has the option of extending the alternate's service until the committee's duties and responsibilities regarding that matter is completed. The Nominating Committee, in conjunction with the Ethics Committee, will compose a list of three nominees, to be ratified by faculty.
- 6) All information and records involving a response to a state sanction regarding professional misconduct shall be held in confidence, except when disclosure is required by law. The minutes from the committee's process are privileged and confidential and will be held separately from the general records. The parties to the matter shall not reveal the deliberations except as is necessary to comply with these policies and procedures.
- 7) Resignation: An offer of resignation from the Institute will not interfere with or alter a SPSI response to a state sanction regarding professional misconduct.