

Virginia PBS Advisory Board Ethics Review Process

An appointed member of the Virginia PBS Advisory Board chairs the ethics committee and it is composed of endorsed PBS Facilitators who meet at least 4 times per year (more if necessary) to update and review the Virginia PBS Network Code of Ethics and to respond to complaints of unethical practice. Regular calls are made to endorsed PBS Facilitators to volunteer for the ethics committee.

Step 1

- Ethics committee members receive written complaint on form via fax or email submission
- Within 5 business days of receipt, ethics committee members confirm receipt of complaint.
- Members of the ethics committee make every effort to complete the process as efficiently as possible. A log sheet is created to document all communications.

Step 2

- At least three ethics committee members review the complaint submission to determine if the complaint is within the framework of an ethical infraction and which ethical guidelines are in violation.
- For infractions that are practice related, the ethics committee may collaborate with the standards of practice committee to make recommendations for correcting with issues presented. The standards of practice committee will define the areas of concern and determine if further education or other steps are needed.
- If the complaint is determined to be an ethical infraction, the ethics committee notifies the PBS Board of a verified complaint and that the Ethics Complaint Review Process has been implemented.
- The ethics committee members contact the complainant to conduct an interview, this may be completed in person or virtually, and to request additional documentation if necessary.
- Complainant's information may be shared if requested. Once the information has been shared regarding the individual who filed the complaint, the PBS Facilitator in question will be asked to **cease all communication regarding the complaint with the complainant and his/her supervisors or administration under penalty of immediate suspension.**
- Ethics committee members review the material and issue a letter via email and US mail to the PBSF in question. The letter regarding the complaint will contain:

-Notification that an ethics complaint has been filed and verification that the complaint constitutes an infraction of the ethics guidelines.

-A list of the ethics guidelines which were alleged to be violated by the PBSF in question.

-A summary explanation of evidence gathered.

-A copy of the Ethics Complaint Review Procedures.

-A request for contact to set a time, a place, and a method, if not face to face, for an interview of the PBSF in question.

-A request for submission of supporting documentation from the PBSF in question will be sent, and the PBSF has 15 business days to submit documents. If the supporting documentation is not received within the timeline, the case will be examined based solely upon the information provided by the complainant. Extension requests will be considered, but will be time limited.

- An interview with the PBSF in question will be scheduled within 10 business days of responding to the letter of notification. Notes are taken throughout the interview. The interview consists of the following:

-Review of the complaint

-Opportunity for PBSF in question to give a formal response to the complaint

-Opportunity for the PBSF to offer additional documentation (not already submitted) for consideration

-Discussion of the situation and the ethical violation

-Review of the following step for determination

- The PBSF in question has 10 business days from the date of the notification to respond. If he or she has not responded, a committee member will reach out by phone.
- Non-response to notification or failure of a PBSF to participate in the review will result in the ethics committee making a determination based solely on the complainant information.

Step 3

- Following the interview with the PBSF in question, the ethics committee has 15 business days to consider the documentation and information offered in the complainant interview and the PBSF interview.
- Determination is standardized based on level of infraction and dependent upon the risk of harm to the focus person, other participants, and Positive Behavior Support in Virginia.
- Determination can be as follows:
 - There was no infraction committed and no further action is recommended.
 - Level 1: The risk of harm was not serious and this was not a repeat violation of a similar ethical code; therefore, recommendations will include administrative interventions and/or brief supervision.
 - Level 2: The risk of harm was serious therefore recommendation will include supervision, administrative interventions, retraining, or suspension of endorsement.
 - Level 3: The risk of harm is critical or this violation or similar violations have been continual without correction of behavior; therefore recommendation will include extended suspension or revocation of endorsement.
 - When the infraction poses a risk of harm to the individual that involves abuse, neglect, or exploitation, additional steps by the committee may include referral to Adult Protective Services, Child Protective Services, Police, and/or Human Rights.

- The ethics committee will notify the PBSF in question in writing of the determination and will send notification and Guidelines for Appeals by email and US mail.
- It will be the responsibility of the PBSF in question to follow up on all recommendations made by the ethics committee.
- A copy of the recommendations will be sent to the Virginia PBS Advisory Board.
- The PBSF in question has 10 business days from notification to request an appeal in writing, which is sent to the ethics subcommittee. The ethics subcommittee will forward any appeal to the appropriate parties to form the Appeals Committee.
- All appeals are handled by the Appeals Committee. The Appeals Committee must address all infractions identified by the ethics subcommittee (NOTE: Per PBS Advisory Board Bylaws, PBS Board Members or committee members who are directly related to the complaint are not permitted to sit on the interviews or make determination.)