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Elevating Business Ethics in Employee Assistance / Managed Behavioral Healthcare: Recommendations from a National Field Survey

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The employee assistance (EA) field has gone through many transformations in its history: from the emergence of formal occupational alcoholism programs in the 1940s, their evolution into the "broadbrush" EA programs in the 1970s, and their growing integration with managed behavioral health care services, worklife benefits, organizational development, and other ancillary products. Through those transitions, the bulk of EA services have moved from internally to externally programs and from small, local EA service providers to ever-enlarging, regional and national EA service vendors. It is not uncommon to hear concerns expressed by EA professionals about the ethical and professional practice issues raised by such changes.

In an effort to measure such concerns, the authors surveyed a random sample of the combined membership of the Employee Assistance Professionals Association (EAPA) and the Employee Assistance Society of North America (EASNA) between October-December, 2000. The purpose of the survey was to determine how EA professionals currently perceived the state of ethical conduct related to business practices within the EA/managed behavioral healthcare field.

Of the ten percent (632 of 6,317) of EAPA and EASNA members who were surveyed, 272 (42%) responded--a rate well within the 25-45% return rate normally seen in ethics surveys. Respondents included a diverse mix of professional roles (administrators, EA counselors, account managers, trainers), tenures in the EA field, organizational configurations (internal and external EA providers), organizational ownership structures (for-profit and not-for-profit), and organizational sizes (national, regional, local service vendors). Survey respondents were asked to identify the most significant issues related to business practices in the EA field and to make recommendations about how the field could elevate ethical conduct in this area.

Areas of Ethical Vulnerability: A Summary

Two methods were used to ascertain the type of ethical issues that are arising in

the current EA environment. First, survey respondents were given a list of fifteen ethical issues (developed by expert informants) and were asked to rank on a five-point Likert Scale the degree of frequency with which they had observed each of the listed ethical problems in the past five years. The major ethical problems and concerns (those with highest combined reported incidence of "frequently" and "sometimes") identified included:

1) erosion of EA service quality in the shift from local to national EA vendors,
2) poor understanding and performance of EA functions by EA subcontractors,
3) erosion of quality resulting from intense competition and low-ball rates,
4) biased referral patterns created by parent organizations of EA providers,
5) compromised core EA functions resulting from service integration,
6) low dose service recommendations by cost-containment gatekeepers,
7) misrepresentation of organizational capabilities and service outcomes, and
8) EA professionals practicing beyond boundaries of their competence.

The second method used to identify ethical issues facing the EA field was the following open-ended survey question: "Of all the business related ethical issues facing the EA field, which three do you believe are most important or critical?" The responses were topically coded with the following seven categories generating the highest percentages of responses:

1) Competence of EA practitioners/contractors,
2) Shift to cost containment/managed care,
3) Loss of boundaries around EA functions and competencies,
4) Ethics of referral and ownership,
5) Bidding and fee-setting practices,
6) Shift from local to national vendors,

7) Misrepresentation of marketing/ advertising.

Field Recommendations

Each of the 272 survey respondents were asked the following open-ended question: "What steps should the EA field take to enhance business-related ethical sensitivities and ethical practices?" Each respondent could list up to three recommendations. The authors reviewed the survey responses, organized them into topical categories, coded each survey response within the categories, and then tabulated total response frequencies within the categories. Figure One displays the top ten categories of recommended actions. These recommended strategies fall into the following five broad categories.

Education and Training EA professionals called for the education of EA service consumers (both corporate and employee) about the "core technology" of EA and the ethical issues that are arising in the EA marketplace. Respondents recommended disseminating information on ethical issues in EA through the major business and human resource conferences, journals and newsletters. Several respondents suggested the development and routine dissemination of an EA client rights statement that would include a "digest" of the ethical issues that arise in the EA arena. There were also many recommendations for baseline and continuing ethics education and training for EA professionals. Most focused on the need for baseline "core technology" training for everyone working within the EA field, particularly those working as subcontractors. More specifically, there were suggestions for the development of a specialized ethics training module for delivery at local EA professional meetings. One respondent called for the better packaging and marketing of ethics workshops under such slogans as, "If you're getting rich, you're doing something wrong! Or is it right? Pick one!" There were repeated calls to "cuss, discuss, confer, debate, renegotiate" the whole topic of ethics in the EA field. There

were also calls for the regular publication of ethical case studies in the EA professional journals and trade magazines.

Standards Development and Revision The two most frequent standards-related recommendations involved the call to establish educational and certification/licensure standards for all EA professionals and the formal accreditation by all EA programs. There was some divergence of opinion among respondents regarding where the field should place its energy and resources: on the quality of the EA program itself, or on the competence of individual practitioners. Some respondents expressed dismay that EAPA and EASNA, in their opinion, are "fractured on this issue" and lack a unified approach. There was agreement among respondents that defining minimum standards for both individual practitioners and programs are ethical matters of extreme importance.

Other recommendations included the expansion of ethical standards involving business practices, particularly related to marketing practices, the use of a uniform methodology for calculating and reporting service utilization rates, the practice of "self-referral," and the integration of EA and managed behavioral health care into a single program. One respondent called for a commission of EA professionals, business and human resource representatives, and benefits consultants to formulate ethical standards related to EA business practices.

Standards Enforcement Enforcement recommendations included a centralized hotline to lodge ethical complaints, an auditing/monitoring process through which a comparison could be made of marketing claims and quality and accessibility of service products, and a more assertive process in publicizing, encouraging, and utilizing the ethical complaint processes of EACC. Several respondents recommended the use of a peer-review consultation mechanism for resolving areas of great ethical ambiguity.

Research Survey respondents called for research that could help establish an empirical baseline for standards of professional practice. One element of such

research should be service satisfaction surveys of EA clients (purchasers and consumers of EA services). Another recommendation was to improve the rigor of research in the field prior to making claims about the cost and outcome effectiveness of nearly every EA model. Most studies of EA effectiveness employ a case study, single group pre- and post-test or quasi-experimental design, lacking in long-term follow-up or legitimate comparison groups.

Leadership and Advocacy Respondents recommended that the field's professional associations take a stronger leadership role in ethics education and in generating discussions and standards of practice related to the number of ethical issues that are arising in the field=s business practices. There were calls for EASNA and EAPA to take a courageous lead in protecting the future of the field by stirring ethics dialogue (particularly on new ethical issues that are arising in the integration of EA and managed care functions) and enhancing the field's ethical sensitivities and capacity for ethical decision-making. A few respondents remarked that EAPA and EASNA, on their own, do not carry the influence or member base to substantively raise the level of awareness regarding ethics and quality standards among employer purchasers. These respondents suggested the field's leaders initiate dialogue and collaboration with the Society for Human Resource Management (SHRM) to ascertain how our professional associations can work together to collectively improve EA programs.

Closing Observations

Caution should be taken in over-interpreting the findings of the survey summarized in this article. It is a survey of perceptions of ethical problems and vulnerabilities rather than a survey of the actual prevalence of ethical breaches. We did not embark on this survey so that we could proclaim like a modern-day "Chicken Little" that the EA sky is falling, but we did want to validate or invalidate our own perceptions of growing ethical vulnerabilities

within the business practices of the EA field. The survey responses provide an important source of information regarding potential areas of ethical vulnerability and potential strategies to elevate the level of ethical conduct in the EA field.

The recommendations generated within this survey call for the use of three basic strategies to elevate the level of ethical conduct within the business practices of the EA field: 1) the design and delivery of ethics education and training for EA purchasers, providers and consumers, 2) the development, refinement, and enforcement of ethical standards, and 3) ethics-related advocacy by the leadership of the EA field.

We need to enter into dialogue with each other and with our EA service consumers on these issues. We need to find ways to curtail marginal and egregious areas of ethical conduct BEFORE a backlash dramatically alters the reputation and future of the EA field. This national survey of EA professionals offers a window of opportunity and some suggested directions on how we may proceed in our quest of this goal.