

The Ethics of Practice:
When Science and Beliefs Conflict

PRESENTED BY
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 2020
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Disclosures

- Food and Nutrition Consultant
- Former President of the Academy of Nutrition and Dietetics
- Board /Advisory Panel Member
 - Monsanto LEAD Network
 - Fontbonne University College of Education and Allied Health Professions Advisory Board
 - GMO Answers Independent Expert
 - Member Advisory Board *Parent's* magazine
 - Member Academy of Nutrition and Dietetics ANDPAC Board
 - Member Les Dames d'Escoffier STL Board
 - Immediate Past Chair Weight Management DPG

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Learning Objectives

- 1** Describe the Code of Ethics (i.e. the Code) and its crucial importance to professional practice.
- 2** Outline best practices for use of the Code in dietetics practice, including how to accurately communicate science, tempered with a personal understanding of that science.
- 3** Identify potential Code violations and detail recommended and ethical response.
- 4** Renew your personal commitment to ethics and professionalism.

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The Code of Ethics

Importance to the Profession




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The Academy Code of Ethics

- § **Academy Code** empowers practitioners to think and act in a manner that upholds the fundamental ideals of the organization and is intended to protect and benefit the practitioner and the patient/client
- § **Preamble:** "Science-based decisions, derived from the best available research and evidence, are the underpinnings of ethical conduct and practice"

Code of Ethics for the Nutrition and Dietetics Professions | <https://doi.org/10.1016/j.jand.2019.10.004>
January 27, 2020



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Codes of Ethics

Goal of Codes of Ethics:

- Guide of *principles* designed to help professionals conduct business honestly and with integrity²
- Academy Code empowers practitioners to think and act in a manner that upholds the fundamental ideals of the organization and is intended to protect and benefit the practitioner and the patient/client³

² <https://www.ccsentopedia.com/terms/code-of-ethics.html>
³ <https://www.dietitians.org/ethics> (updated online September 2018)
<https://www.dietitians.org/ethics/2012-06/21/103663-ethics.html>



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Academy Code of Ethics: A History

History of Academy Code of Ethics and who it applies to:

- First code of ethics - October 1982, applied to members of the American Dietetic Association only³
- Second code - October 1987, applied to all members and CDR credentialed practitioners⁴
- Third code - October 1998, for all members and CDR credentialed practitioners⁴
- Fourth code - February 2018, for all members and CDR credentialed practitioners¹

1. Code of Ethics for the Nutrition and Dietetics Profession
 https://www.cdn.dietitians.ca/ethics/Approved-January-2018-2020
 4. Code of Ethics for the Profession of Dietetics
 https://www.dietitians.ca/ethics/2018-2020-2020-2025
 Approved November 30, 2018

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Ethics Impacts...

- Quality of care
- Cost of care
- Resource utilization
- Evolving practice
- Credibility
- Professionalism



6. <https://www.ethicsandcode.com/ethics/impact/>

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International Confederation of Dietetic Associations Code of Ethics

- Academy is a member and the Code of Ethics is jointly accepted by all member associations
- Effective November 2010, dietitians practice by:
 - Being competent, objective, and honest in our actions
 - Respecting all people and their needs
 - Collaborating with others
 - Striving for positive nutrition outcomes for people
 - Doing no harm
 - Adhering to the **Standards of Good Practice** in nutrition and dietetics⁷

7. International Code of Ethics and Code of Good Practice
 https://www.internationaldietetics.org/files/International-Confederation-Code-of-Ethics-and-Code-of-Good-Prac.pdf


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Vital Roles of the Code of Ethics

- **Protects** the profession and the credential
- **Influences** public and private policy
- **Improves** professional practice
- **Educates** practitioners about ethical decision making
- **Meets** the guidelines of the accrediting agency




Academy Ethics Education Toolkit
https://bit.ly/2dC9lms

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The Code of Ethics



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Academy Code of Ethics: Effective June 1, 2018

Code of Ethics for the Nutrition and Dietetics Profession

Preamble: When providing services the nutrition and dietetics practitioner adheres to the core values of customer focus, integrity, innovation, social responsibility, and diversity. Science-based decisions, derived from the best available research and evidence, are the underpinnings of ethical conduct and practice. This Code applies to nutrition and dietetics practitioners who act in a wide variety of capacities, provides general principles and specific ethical standards for situations frequently encountered in daily practice. The primary goal is the protection of the individuals, groups, organizations, communities, or populations with whom the practitioner works and interacts.

Principles and Standards:

1. Competence and professional development in practice (Non-maleficence) Nutrition and dietetics practitioners shall:
 - a. Practice using an evidence-based approach within areas of competence, continuously develop and enhance expertise, and recognize limitations.
 - b. Demonstrate in depth scientific knowledge of food, human...

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Code of Ethics Principles

Preamble provides an overview of **why** we have a Code of Ethics:

- Core values defined
- Customer Focus
- Integrity
- Innovation
- Social Responsibility
- Diversity

Science-based decisions – from the best available research – underlie conduct and practice⁸

8. Academy Ethics Education Tool
at <http://bit.ly/2ZC9W6d>

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Four Main Principles in the Code of Ethics⁸

Fundamental **Principles**:

- § Non-Maleficence - *Competence and professional development*
- § Autonomy - *Integrity in personal and organizational behaviors and practices*
- § Beneficence - *Professionalism*
- § Justice - *Social responsibility for local, regional, national, global nutrition and well-being*



8. Academy Ethics Education Tool
at <http://bit.ly/2ZC9W6d>

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Ethics Principles

- **Each ethics principle** has standards under them
- **Standards identify** behaviors to be executed
- **Standards provide** guidance for practice and help eliminate questions
- **Code of Ethics Principles and Standards** provide foundation for Standards of Practice
- **Code of Ethics** is a voluntary, enforceable code

8. Academy Ethics Education Tool
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Dietetics: *ABSOLUTELY Based on Ethics!*

- Science is **evolving**, remaining current and science-based are key to our Code of Ethics
- Competition for information/education is **everywhere** and given by **everyone**
- Consumers have greater, instantaneous access to information
- Consumers want **control**
- Professionals feel the pull to **be relevant**

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Is It An Ethical Issue or...

...a Legal Issue?

- Laws codify **social norms**
- Enforced through criminal or civil justice system
- Laws set a **minimally acceptable** standard of conduct
- State and Federal laws impact the profession. Violation of a law could lead to an **Ethics charge** but not all violations are ethics issues
- Laws may not universally be considered ethical



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Is It An Ethical Issue or...

...an Employment Issue?

- Is the issue addressed (or should it be addressed) in the employer's policy?
- Can the issue be resolved by the appropriate structure/body providing business oversight?
- Examples: HR policies, job description

Employment issues that **are not** ethical:

- Disagreeing with employer
- Misleading others on work accomplished
- Misuse of employer's materials or supplies

Employment issues that **could be** ethical:

- Providing inaccurate guidance to patients or the employer
- Failing to obtain a state license

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Is It An Ethical Issue or...

...a Business Issue?

- **A billing** or contract dispute
- **Failure** to deliver expected quality of services
- **Providing** misleading promises
- **Failure** to work with colleagues to deliver planned services

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It Is An Ethical Issue...

- If it relates to -
 - One of the **four principles**
 - Practice that **does not support** the body of scientific evidence
- Depending on -
 - How the practitioners **experience** plays into the information
 - What is the client hoping to **receive**
- Does the action/statement **cause harm**

These components = a potential ethics violation!


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The Code in Dietetics Practice

Communicating the Science and Personal Beliefs



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Some Issues that *May* Challenge the Code

- Professional competence
- Social media
- Weight management
- Genetically modified food technology
- Evolving challenges



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Professional Competency

- An RDN in an outpatient clinic **counsels clients** with chronic diseases
- In sessions she **explains the rationale** for the prescribed MNT and provides lists of foods and tips for menu planning, grocery shopping, and food preparation
- After several sessions, a client expresses **dissatisfaction** with his progress; the RDN continues to provide the same types of information and advice
- After the next appointment, the client **contacts the manager** expressing dissatisfaction with the counseling sessions and frustration with his lack of progress

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Code of Ethics: *Applicable Principles*


- § 1a – Practice using an evidence-based approach within areas of competence, continuously develop and enhance expertise...
- § 1e – Make evidence-based practice decisions, taking into account the unique values and circumstances of the patient/client and community...
- § 1f – Recognize and exercise professional judgment within the limits of individuals qualifications and collaborate with others, seek counsel and make referrals as appropriate
- § 1g – Act in a caring and respectful manner, mindful of individual differences, cultures and ethnic diversity


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Key Points to Consider


<p>RDN</p> <ul style="list-style-type: none"> • Differentiate between nutrition education and nutrition counseling • Unique needs of each client • Need for self-reflection • Need to learn counseling skills • When to refer to another RDN 	<p>Manager</p> <ul style="list-style-type: none"> • Address poor use of limited resources • Policies and procedures setting standards and expectations for service provision • Adequate supervision • Encouragement of interdisciplinary practice 	
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Social Media





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Social Media and Ethics

- WWW **isn't just** Worldwide Web!
- **Everything and anything** goes on social since First Amendment rights allow it: implication?
- **Science** on social media is what the poster wants
- **Facts** on social media are few and far between
- Social media allows for a **slippery slope** on ethical practice





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Social Media and Ethics

- A dietitian attends a sponsored event where a food company presented **promotional information** on a product
- A dietitian **received product** to sample
- The RDN's plan to **share the information** in a tweet, on Facebook, Instagram, and to write about it in a blog



9. Item 1. Ethical and Legal Issues
Revised to include Social Media
 2015, LANCET 388:668-669

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Code of Ethics: Applicable Principles


- § 2a - Disclose any **conflicts of interest**, including any financial interests in products or services that are recommended. Refrain from accepting gifts or services which **potentially influence** or may give the appearance of influencing professional judgment
- § 3d - **Refrain** from communicating false, fraudulent, deceptive, misleading, disparaging, or unfair statements or claims



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FTC Guidance: Federal Regulations

- The disclosure should be placed **with** the endorsement message
- Disclosures are **often missed** if they appear only on the profile page, at the end of posts or videos, or anywhere that requires a person to click MORE
- Don't mix** your disclosure into a group of hashtags or links; **it must be clear – if you support something be okay saying that**
- If your endorsement is in a *picture*, **superimpose the disclosure** over the picture and make sure viewers have enough time to notice and read it



10. Disclosures 101 for Social Media Influencers
Revised from Consumer Update
<https://www.ftc.gov/updates/disclosures-social-media-influencers>
 Washington, November 2019. Accessed March 27, 2020


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FTC Guidance: Federal Regulations

- For endorsements in a *video*, disclosure **should be in the video** not just in the description
- For endorsements in a *live stream*, repeat the disclosure periodically
- Simple explanations - "Thanks to brand X for the free product" are okay if placed in a way **that is not hard to miss**
- Use terms like "advertisement," "ad." "sponsored"
- **Avoid abstract short terms or abbreviations**
- When space limited- brand names are optional but you must use #ad or #sponsored



10. <https://www.ftc.gov/ftc/media/press-releases/2019/04/20190410-ftc-endorsements>

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Weight Management

- Body of evidence on weight management
- **WHO statement:**
"Overweight and obesity are major risk factors for a number of chronic diseases, including diabetes, cardiovascular diseases and cancer."¹¹
- **The Obesity Medical Association:**
"Obesity is "a chronic, relapsing, multifactorial, neurobehavioral disease, wherein an increase in body fat promotes adipose tissue dysfunction and abnormal fat mass physical forces, resulting in adverse metabolic, biomechanical, and psychosocial health consequences."¹²

11. World Health Organization. <https://www.who.int/news-room/fact-sheets/detail/obesity-and-overweight>

12. The Obesity Medical Association. <https://obesitymedical.org/definition-of-obesity/>

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CDC: Health Complications of Overweight and Obesity

- All-causes of death (mortality)
- High blood pressure (hypertension)
- High LDL cholesterol, low HDL cholesterol, or high levels of triglycerides (dyslipidemia)
- Type 2 diabetes
- Coronary heart disease
- Stroke
- Gallbladder disease
- Osteoarthritis (a breakdown of cartilage and bone within a joint)
- Sleep apnea and breathing problems
- Many types of cancer
- Low quality of life
- Mental illness such as clinical depression, anxiety, and other mental disorders
- Body pain and difficulty with physical functioning

13. The Health Effects of Overweight and Obesity <https://www.cdc.gov/healthysmoking/afreelife/index.html>

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Where Beliefs and Science Intersect

- On World Obesity Day an online twitter chat discussed obesity and weight bias/stigma

An RD posted the following:

- "Apparently today is World [O-word] Day, aka World #WeightStigma Day. Just a reminder that there's no evidence higher weight "causes" health problems, and weight stigma & weight cycling likely explain all the excess health risks we see in higher-weight people."



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Code of Ethics: *Applicable Principles*

- § 1a – "Practice using an evidence-based approach within areas of competence, continuously develop and enhance expertise and recognize limitations."
- § 1e – "Make evidence-based practice decisions, taking into account the unique values and circumstances of the patient/client and community..."
- § 1d – "Refrain from communicating false, fraudulent, deceptive, misleading, disparaging or unfair statements or claims."



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Key Points to Consider

Appropriate practice would be:

- Acknowledge **inappropriateness** of bias
- Acknowledge excess body fat **may impact health**
- Acknowledge **everyone is unique** and health risks may not impact all
- Share evidence**
- Help individuals choose **their right path** to health



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Ethics in Food and Agriculture

- **Food and Agriculture Organization (FAO) paper on Ethics in Food and Agriculture**

3 Goals:

- Improved well-being
- Protection of the environment
- Improved public health
- **9 steps were identified, one is:**
 - Fostering the use of science and technology in support of a more just and equitable food and agriculture system.

14.FAO. Ethical Issues in Food and Agriculture. Rome, 2003

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Genetic Engineering (GE)

National Academies of Science reported in 2016, after a review of **over 900** studies and publications that spanned **more than 20 years** of data

After review of:

- Effects on human health
- Effects on the environment
- Effects on agriculture
- **No substantiated evidence** of a difference in risks to human health between current commercially available genetically engineered (GMO) crops and crops bred conventionally

15. Genetically Engineered Crops: Experiences and Prospects. New Report. May 27, 2016
<https://www.nationalacademies.org/2016/05/27/genetically-engineered-crops-experiences-and-prospects-new-report>. Accessed March 27, 2020

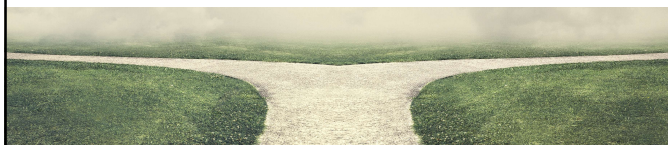
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Where Beliefs and Science Intersect

- RD has a client who is concerned about reports of **negative impacts** of GE foods. RD has similar concerns
 1. Listen with **an open ear**
 2. Provide science information **to help educate**
 3. You may share, "The science of safety is strong, but **I understand** and respect your concerns."
 4. You may disclose **your own beliefs**
- Evidenced-based practices says **no need** to be concerned about use, since GE technology is safe
- Tell the client, "The key is **meeting nutrient needs.**"



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Code of Ethics: *Applicable Principles*

- § 1c – Assess the validity and applicability of scientific evidence without personal bias
- § 2e – Provide accurate and truthful information in all communications
- § 3d – Refrain from communicating false, fraudulent, deceptive, misleading, disparaging, or unfair statements or claims
- § 2a – Disclose any conflicts of interest, including any financial interests in products or services that are recommended



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Key Points to Consider

The Code of Ethics dictates:

- Know the **evidence**
- Present **reliable** scientific information w/o personal bias
- Provide information to enable clients to make their own **informed decisions**
- **Share** any relevant or potential conflicts that might impact your comments
- Communicating beliefs is acceptable if it's within these boundaries



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What Challenges Your Practice?

- Other issues that cause you to question or wonder about – is that ethical?
- What challenges your practice?
- If you are listening live, please comment in the chat box
- If you are viewing the recorded session, please comment in the free response box in the evaluation section


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Conclusion

Putting It Into Practice




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Always Remember:

- Emerging science challenges, and can confound, our thinking about ethical practice
- Evolving evidence *enhances* practice but **remember** the body of evidence
- Must disclose emerging science
- Note any financial benefit
- Ethics causes us to have a greater accountability for examining evidence
- Academy's EAL, Position Papers, Research Committee documents, etc.

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Conclusion

- The Code of Ethics **protects the profession** and the public
- All Academy members, along with CDR credentialed nutrition and dietetics practitioners, are **held accountable** to the Code of Ethics
- Post the Code** as a reminder for you and to create awareness among your clients
- Understand** when and how to submit an ethics complaint
- Respect the integrity** of our profession and our members

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Questions?

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