



NEVADA

Certification Board

CODE OF ETHICS

CERTIFIED PREVENTION SPECIALIST (CPS)

NEVADA CERTIFICATION BOARD

Revised 02/2017

The language throughout this code has been changed to “Prevention Specialist” from “Prevention Professional” for consistency. The use of “drugs” throughout this code refers to alcohol, tobacco, illicit drugs, and misuse use of prescriptions.

Preamble

The principles of ethics are models of exemplary professional behavior. These principles of the Prevention Think Tank Code express prevention professionals’ recognition of responsibilities to the public, to service recipients, and to colleagues within and outside of the prevention field. They guide prevention professionals in the performance of their professional responsibilities and express the basic tenets of ethical and professional conduct. The principles call for honorable behavior, even at the sacrifice of personal advantage. These principles should not be regarded as limitations or restrictions, but as goals toward which prevention professionals should constantly strive. They are guided by core values and competencies that have emerged with the development of the prevention field. The Code, however, does not address all ethical issues facing Prevention Specialists and the absence of a rule does not imply that there is no ethical obligation present.

Principle 1: Non-discrimination

Rule 1.1: A prevention specialist shall not discriminate against service recipients or colleagues based on race, religion, national origin, sex, age, sexual orientation, gender identity, economic condition or physical, medical or mental disability. A prevention specialist should broaden his or her understanding and acceptance of cultural and individual differences, and in so doing render services and provide information sensitive to those differences.

Rule 1.2: Prevention specialists shall be knowledgeable about disabling conditions, demonstrate empathy and personal emotional comfort in interactions with participants with disabilities, and make available accommodations that allow individuals with disabilities to receive services to the best of their availability. Prevention specialists should comply with all local, state and Federal laws regarding the accommodation of individuals with disabilities.

Principle 2: Competency

Rule 2.1: Prevention specialists shall master their prevention specialty’s body of knowledge and skill competencies, strive continually to improve personal proficiency and quality of service delivery, and discharge professional responsibility to the best of their ability.

Rule 2.2: Competence includes a synthesis of education and experience combined with an understanding of the cultures within which prevention application occurs. The maintenance of competence requires continual learning and professional

improvement throughout one's career. Incompetence includes but is not limited to a substantial lack of knowledge or ability to discharge professional obligations within the scope of the prevention profession, or a substantial deviation from the standards of skill ordinarily possessed and applied by professional peers acting in the same or similar circumstances.

1. Professionals should be diligent in discharging responsibilities. Diligence imposes the responsibility to render services carefully and promptly, to be thorough, and to observe applicable technical and ethical standards.
2. Due care requires a professional to plan and supervise adequately and evaluate to the extent possible any professional activity for which he or she is responsible.
3. A prevention specialist should recognize limitations and boundaries of competencies and not use techniques or offer services outside of his or her competencies. Each professional is responsible for assessing the adequacy of his or her own competence for the responsibility to be assumed. When asked to perform such services, a prevention specialist shall, to the best of their ability, refer to an appropriately qualified professional. When no such professional exists, a prevention specialist shall clearly notify the requesting person/organization of the gap in services available.
4. Ideally prevention specialists should be supervised by competent senior prevention specialists. When this is not possible, prevention specialists should seek peer supervision or mentoring from other competent prevention specialists.
5. When a prevention specialist has knowledge of unethical conduct or practice on the part of an agency or prevention specialist, he or she has an ethical responsibility to report the conduct or practices to funding, regulatory or other appropriate bodies.
6. A prevention specialist should recognize the effect of impairment on professional performance and should be willing to seek appropriate professional assistance for any form of substance misuse, psychological impairment, emotional distress, or any other physical related adversity that interferes with their professional functioning.
7. Prevention specialists do not permit students, employees, or supervisees to perform or to hold themselves out as competent to perform professional services beyond their training, level of experience and competence.
8. Prevention specialists who supervise others accept the obligation to facilitate further professional development of these individuals by providing accurate and current information, timely evaluations, and constructive consultation.

Principle 3: Integrity

Rule 3.1: To maintain and broaden public confidence, prevention specialists should perform all responsibilities with the highest sense of integrity. Personal gain and advantage should not subordinate service and the public trust. Integrity can accommodate

the inadvertent error and the honest difference of opinion. It cannot accommodate deceit or subordination of principle.

1. All information should be presented fairly and accurately. Each professional should document and assign credit to all contributing sources used in published material or public statements.
2. Prevention specialists should not misrepresent either directly or by implication professional qualifications or affiliations.
3. Where there is evidence of impairment in a colleague or a service recipient, a prevention specialist should be supportive of assistance or treatment.
4. Prevention specialists should not be associated directly or indirectly with any service, products, individuals, and organizations in a way that is misleading.
5. Prevention specialists should demonstrate integrity through dutiful cooperation in the ethics process of their certifying authority.

Rule 3.2: Prevention specialists must cooperate with duly constituted professional ethics committees and promptly supply necessary information unless constrained by the demands of confidentiality.

Rule 3.3: Grounds for discipline include failing to cooperate with an investigation by interfering with an investigation or disciplinary proceeding by willful misrepresentation of facts before the disciplining authority or its authorized representatives; by use of threats or harassment against any participant to prevent them from providing evidence in a disciplinary proceeding or any person to prevent or attempt to prevent a disciplinary proceeding or other legal action from being filed, prosecuted or completed; failing to cooperate with a board investigation in any material respect.

Rule 3.4: Applicants for prevention certification are required to report any previous ethical violations from other disciplines or jurisdictions during the application process. The Ethics Committee is responsible for making a recommendation concerning the application. The applicant is responsible for providing any additional information needed to make a determination on the application.

Rule 3.5: If a prevention specialist is cited for an ethical violation from another discipline or jurisdiction, they must immediately report the violation to their certifying authority.

Rule 3.6: As employees or members of organizations, prevention specialists shall refuse to participate in an employer's practices which are inconsistent with the ethical standards enumerated in this Code.

Rule 3.7: Prevention specialists shall not engage in conduct which does not meet the generally accepted standards of practice for the prevention profession including, but not limited to, incompetence, negligence or malpractice.

1. Falsifying, amending or making incorrect essential entries or failing to make essential entries of services provided.

2. Acting in such a manner as to present a danger to public health or safety, or to any participant including, but not limited to, impaired behavior, incompetence, negligence or malpractice, such as:
 - a. Failing to comply with a term, condition or limitation on a certification or license.
 - b. Suspension, revocation, probation or other restrictions on any professional certification or licensure imposed by any state or jurisdiction, unless such action has been satisfied and/or reversed.
 - c. Administering to oneself any controlled substance not prescribed by a doctor, or aiding and abetting another person in the use of any controlled substance not prescribed to that person.
 - d. Using any drug or alcoholic beverage to the extent or in such manner as to be dangerous or injurious to self or others, or to the extent that such use impairs the ability of such person to safely provide professional services.
 - e. Using drugs while providing professional services.

Rule 3.8: Prevention specialists make financial arrangements for services with service recipients and third- party payers that are reasonably understandable and conform to accepted professional practices. Prevention specialists:

1. Do not offer, give or receive commissions, rebates or other forms of remuneration for the referral of program participants.
2. Do not charge excessive fees for services.
 - a. Disclose any fees to participants at the beginning of services.
 - b. Do not enter into personal financial arrangements with direct program recipients.
 - c. Represent facts truthfully to participants and funders
 - d. Do not personally accept a private fee, or any other gift or gratuity for professional work, beyond a reasonable nominal value.

Rule 3.9: Prevention specialists uphold the law and have high morals in both professional and personal conduct. Grounds for discipline include, but are not limited to, conviction of any felony or misdemeanor during the period in which a prevention specialist holds a prevention certification, excluding minor traffic offenses, whether or not the case is pending an appeal.

Principle 4: Nature of Services

Rule 4.1: Practices shall do no harm to service recipients. Services provided by prevention specialists shall be respectful and non-exploitive.

- a. Services should be provided in a way which preserves the protective factors inherent in each culture and individual.

Rule 4.2: Prevention specialists should use formal and informal structures to receive and incorporate input from service recipients in the development, implementation and evaluation of prevention services.

Rule 4.3: Where there is suspicion of abuse of children or vulnerable adults, the prevention specialist shall report the evidence to the appropriate agency and follow up to ensure that appropriate action has been taken.

Rule 4.4: Prevention specialists should adhere to the same principles of professionalism outlined in the Prevention Code of Ethics online as they would offline. With this in mind, the following are additional guidelines regarding the use of technology:

1. Prevention specialists are discouraged from interacting with current or past direct program participants on personal social networking sites. It is recommended that prevention specialists establish a professional social networking site for this purpose.
2. Prevention specialists should not affiliate with their own direct program recipients on personal social media sites.
3. Prevention specialists use professional and ethical judgment when including photos and/or comments online or in prevention materials.
4. Prevention specialists should not provide their personal contact information to direct program recipients, i.e. home/personal cell phone number, personal email, social media accounts, etc. nor engage in communication with direct program participants through these mediums except in cases of agency/professional business
5. It is the responsibility of the prevention specialist to ensure, to the best of his or her ability, that professional networks used for sharing confidential information are secure and that only verified and registered users have access to the information.
6. Prevention specialists should be aware that any information they post on a social networking site may be disseminated (whether intended or not) to a larger audience, and that what they say may be taken out of context or remain publicly available online in perpetuity. When posting content online, they should always remember that they are representing the prevention field, their organization and their community, and so should always act professionally and take caution not to post information that is ambiguous or that could be misconstrued or taken out of context. It is recommended that employees not identify themselves as connected to their agency on their personal website.
7. Employees should be aware that employers may reserve the right to edit, modify, delete, or review Internet communications and that writers assume all risks related to the security, privacy and confidentiality of their posts. When moderating any website, the prevention specialist should delete inaccurate information or other's posts that violate the privacy and confidentiality of participants or that are of an unprofessional nature.
8. Prevention specialists should refer, as appropriate, to an employer's social media or social networking policy for direction on the proper use of social media and social networking in relation to their employment.

Rule 4.3: Prevention Specialists must be aware of their influential position with respect to employees, supervisees, and direct program recipients, and they avoid exploiting the trust

and dependency of such persons. Prevention specialists, therefore, make every effort to avoid dual relationships with prevention participants that could impair professional judgment or increase the risk of exploitation. When a dual relationship cannot be avoided, Prevention Specialists take appropriate professional precautions to ensure judgment is not impaired and no exploitation occurs. Examples of such dual relationships include, but are not limited to, business or close personal relationships with direct prevention recipients, their family members, employees or supervisees.

1. Soliciting and/or engaging in sexual conduct with direct prevention participants are prohibited.
2. Prevention specialists should avoid any action or activity that would indicate a dual relationship and transgress the boundaries of a professional relationship (e.g. developing a friendship with a program participant, socializing with participants, accepting or requesting services from a participant, providing “informal counseling” to a participant.)
3. Prevention specialists should not assume dual roles in a setting that could compromise the relationship with or confidentiality of participants (e.g. providing a skills group for students engaging in risky substance use behaviors, an “indicated population,” and also teaching an academic subject where they are class members.)
4. Prevention specialists avoid bringing personal issues into the professional relationship. Through an awareness of the impact of stereotyping and discrimination, the prevention specialist guards the individual rights and personal dignity of participants.
5. Prevention specialists make reasonable arrangements for the continuation of prevention services when transitioning to a new position or no longer able to provide that service.
6. Prevention specialists should obtain written, informed consent from participants and/or parents/guardians for those under the age of 18 before photographing, videotaping, audio recording, or permitting third-party observations.

Principle 5: Confidentiality

Rule 5.1: Confidential information acquired during service delivery shall be safe guarded from disclosure, including – but not limited to – verbal disclosure, unsecured maintenance of records, or recording of an activity or presentation without appropriate releases. Prevention specialists are responsible for knowing the confidentiality regulations relevant to their prevention specialty.

Rule 5.2: Prevention specialists make appropriate provisions for the maintenance of confidentiality and the ultimate disposition of confidential records. Prevention specialists ensure that data obtained including program evaluation data and any form of electronic communication, are secured by the available security methodology. Data shall be limited to information that is necessary to and appropriate to the services being provided and be accessible only to appropriate personnel. Data presented publicly shall be distributed only in ways that protects the confidentiality of individual participants.

Principle 6: Ethical Obligations for Community and Society.

Rule 6.1: According to their consciences, prevention specialists should be proactive on public policy and legislative issues. The public welfare and the individual's right to services and personal wellness should guide the efforts of prevention specialists to educate the general public and policy makers. Prevention specialists should adopt a personal and professional stance that promotes health.

Rule 6.2: Prevention Specialists should be aware of their local and national regulations regarding lobbying and advocacy, and act within the laws and funding guidelines.

DISCIPLINARY PROCEDURES

CONFIDENTIALITY OF PROCEEDINGS

Except as is otherwise provided herein, all information received and all reports, decisions files, transcripts, or any other documents of any kind generated or received during the course of a disciplinary proceeding, shall be kept confidential by the NCB and the respondent.

POSSIBLE SANCTIONS FOR VIOLATION OF THE CODE OF ETHICS

Possible sanctions for violation of the Code of Ethics include but are not limited to: denial of an application for certification; written caution; public reprimand; suspension of a credential; revocation of a credential.

Revocation of certification shall be construed as lasting a lifetime without the possibility of reinstatement.

The NCB may impose educational, supervisory, training, and treatment requirements in conjunction with any of the above disciplinary actions.

Past disciplinary actions taken against a certified professional may be considered in setting sanctions. Two or more written cautions or reprimands issued against a certified professional in a two-year period shall result in a suspension or a revocation of the credential.

Except as may be provided for in a consent order, in all cases where a public reprimand, suspension, or revocation is issued, NCB reserves the right to disclose information relative to disciplinary actions (the name of the respondent, the sanction imposed, and the violated Rule(s)) to other pertinent organizations such as but not limited to the Nevada State Division of Public and Behavioral Health, the State of Nevada Division of Welfare and Supportive Services, the Nevada Secretary of State, and other appropriate state

agencies or certifying bodies.

Sealed records will only be opened with a court order.

COMPLAINTS

Persons wishing to file a complaint against a certified professional or against a person under NCB jurisdiction seeking certification may do so by detailing their complaint, in writing, to the NCB. Verbal complaints and anonymous action complaints will not be considered for investigation with the exception of publicly available information, such as but not limited to, newspaper articles, court records, or information on web sites that is made available to or secured by NCB.

All complaints must contain the complainant's full name, address, and a phone number where the complainant can be contacted. The complainant must sign and date the complaint document.

For ethical complaints to be considered by NCB, all complaints must be filed within four (4) years from the date the offense occurs.

Complaints shall be sent in an envelope marked "Confidential" to:

Nevada Certification Board Ethics Committee
Attn. NCB Administrator
P.O. Box 13122
Reno, NV 89507

Or submitted via the NCB website's [potential ethics violation](#).

INVESTIGATION PROCESS

The Administrator shall conduct an initial review of all complaints filed with the NCB and shall initiate and direct an investigation, to the extent the Administrator deems sufficient, of all instances of possible professional misconduct by a certified professional. In supervising investigations, the Administrator may use investigators were deemed appropriate. Except

as otherwise provided herein, all NCB investigatory information remains confidential. If during the investigation it appears that criminal behavior may have occurred, the NCB's Administrator may report the alleged criminal behavior to the appropriate authority.

If a complaint has been filed, the Administrator may, at his or her discretion, proceed with an investigation even if the complainant subsequently requests that the complaint be withdrawn.

If cases where, upon initial review, the Administrator deems that no violation has occurred and that no further investigation is warranted, this conclusion shall be reported to the Ethics Committee for their review within ten working days of the completion of the investigation. The Ethics Committee shall either return the matter to the Administrator for investigation or affirm the Administrator's decision. If there is no further investigation, the Administrator shall send a notice to the complainant, informing them that the complaint is dismissed.

The Administrator shall, at the outset of the investigation, send the respondent a copy of the complaint through both certified and regular first-class mail, thereby notifying said respondent of the name of the complainant(s) and the alleged violation(s) pertaining to this NCB Code of Ethics. The Administrator shall call upon the respondent to submit a typed response within 30 days from the date of the notice. The Administrator may allow a respondent additional time if such is requested, within reason.

During the investigation, the respondent shall disclose all facts and circumstances pertaining to the alleged misconduct, as well as the respondent's interpretation of the situation or conduct which is the subject of the

investigation. Misrepresentation by a respondent, failure to provide information, or failure to cooperate with the investigation shall be independent grounds for disciplinary action.

In cases in which an investigation has been conducted, the Administrator shall, no sooner than 30 days after mailing of the request for response to the respondent, submit an investigation summary report to the Ethics Committee inclusive of the following: any and all written materials associated with the investigation; a summary of any further communications with either the complainant or the respondent; an outline of alleged code violation(s), if any; and a recommendation for dismissal, sanction or sanctions to be imposed, or a recommendation for an ethics hearing. At the conclusion of the review of the evidence provided in the case, the Ethics Committee will make their final decision by majority vote for dismissal, imposition of a sanction, or to convene a hearing.

In those cases, wherein the findings support a decision by the Ethics Committee to

impose a sanction or sanctions upon the respondent, NCB will forward to the respondent a written document summarizing the rule(s) violated, the findings of fact, and the disciplinary action being taken. The respondent will sign the document indicating a voluntary acceptance of the sanction and return the document to the NCB within 10 business days of receipt.

HEARING PROCESS

A hearing may be held at any point in the investigatory or decision-making process at the discretion of the Ethics Committee. The hearing is typically undertaken in those cases wherein there is sufficient evidence for the allegation of an ethics code violation but there remain undetermined details of the case that the committee believes might be resolved through the hearing process. A hearing may also be requested by a respondent after exhausting the appeal process (see appeal process). Should a respondent request a hearing in response to the decision of the Appeal Committee, a one-time hearing fee of \$250.00 will be charged to the respondent. This fee must be received by the NCB before the hearing process will be initiated. In either event, a notice of hearing shall advise the respondent and the complainant of the following:

1. The date, time, and the location of the hearing.
2. Both the respondent and the complainant may be represented by counsel at the hearing at their own expense.
3. Both parties to the complaint may present and rebut evidence and present and cross-examine witnesses.
4. The Hearing Panel shall not be bound by common law or statutory rules of evidence, and the Hearing Panel may consider all evidence having reasonable probative value, but a decision to impose discipline may not be based solely on a declarant's oral hearsay statement unless it would be admissible under common law or statutory rules of evidence.
5. The Hearing Panel will base its decision as to whether a violation of the Code of Ethics has occurred solely upon the evidence presented at the hearing and gathered during the investigatory process.
6. At the respondent's own expense, the respondent may have a registered court reporter present to transcribe the proceedings, provided that the NCB is notified of such election at least 5 days prior to the hearing and is supplied with a copy of the transcript at no cost.

7. No discovery shall be permitted, and no access to NCB files shall be allowed to the respondent, the complainant, or their representatives.
8. Except in the most emergent of circumstances, no postponement requested less than 48hours prior to a scheduled hearing will be considered.
9. There shall be no contact prior to the hearing between the complainant and the respondent, nor shall the complainant or the respondent be in contact with any NCB member for the purpose of discussing in any way the complaint or influencing the decision of the Hearing Panel
10. The hearing shall be presided over by a Hearing Officer, and the Officer shall resolve objections concerning evidence.
11. The hearing shall be closed to the public.

Failure of either the complainant or the respondent to attend the hearing shall be deemed a waiver of their right to a hearing. In such cases, the hearing may proceed with disciplinary action being taken or be dismissed as determined by NCB. The Hearing Panel shall decide based on the evidence presented through the investigatory process.

Within 30 days after the completion of the hearing, the Hearing Panel shall prepare a written decision containing Findings of Fact and a Conclusion as to whether any of the ethical principles or rules of the Code of Ethics have been breached. If the Hearing Panel determines that the respondent did breach the Code of Ethics, the panel shall impose a disciplinary sanction, which shall be specified in the panel's decision. The Hearing Panel shall mail a copy of the decision to the respondent and the complainant by certified mail and regular first-class mail. The decision of the Hearing Panel shall be deemed that of the NCB, shall be effective upon issuance or at such date as the Hearing Panel shall specify, and shall be final, without further action by the NCB.

ACTION BY THE ETHICS COMMITTEE

Within 30 days of a hearing or a recommendation for dismissal from the Administrator, the Ethics Committee shall issue a decision concerning the complaint, based on the materials provided by the Administrator or gleaned from the hearing.

The decision shall include Findings of Fact, a Conclusion as to which Rules of Conduct, if any, have been violated, and any sanction to be imposed. The decision shall recite the nature of the complaint, the investigation conducted, and the respondent's rebuttal to the complaint. Within 7 days after the issuance of the Hearing Panel's decision, the Administrator shall mail a copy to the respondent, by certified mail and regular first-class mail, together with a notice of the right to appeal any Hearing Panel's decision which calls for disciplinary action.

If a request for an appeal is timely filed, any disciplinary action imposed by the Hearing Panel shall be stayed pending the decision of the Appeal Committee. However, in the event that a request for appeal is not filed within the time prescribed hereafter, the decision of the Hearing Panel shall be final, and any disciplinary action imposed shall take effect upon passage of the prescribed time period. When any disciplinary action takes effect, the Administrator shall notify the complainant of the results of the disciplinary process.

APPEAL PROCESS

If disciplinary action is taken, the respondent may appeal the decision by submitting a request for an appeal to the NCB. Request for an appeal must state the reason for the appeal. Such requests shall be mailed to the NCB by certified mail and postmarked no later than 30 days after receipt of the decision. Appeal requests should be addressed to:

Nevada Certification Board Ethics Committee
P.O. Box 13122
Reno, NV 89507

If a timely request for an appeal is submitted to the NCB, the Board shall appoint from the NCB a three- person Appeal Committee. No member of the Appeal Committee shall be a member of the Ethics Committee, nor shall anyone be appointed to the Appeal Committee who has a potential conflict of interest with either the complainant or the respondent. All potential conflicts of interest will be discussed prior to the appointment. Within 30 days after the NCB receives a request for an appeal, a review into the facts contained in the decision of the Hearing Panel shall be scheduled. The review shall be scheduled no less than 31 days or more than 45 days from the date of receipt of the request.

Such review shall be limited to the issues and charges contained in the decision of the Hearing Panel previously served on the respondent and procedural issues relevant to the case. Within 30 days of the decision by the Appeal Committee, respondent will be notified

in writing of said decision. The decision of the Appeal Committee will be considered final.

PROCEDURES AND REINSTATEMENT FOLLOWING DISCIPLINARY ACTION

NCB credential reinstatement following a suspension: Upon expiration of the suspension period, the Ethics Committee shall authorize reinstatement of the professional for the balance of his/her certification period, unless:

1. another suspension or revocation of the respondent's certification has occurred;
or
2. the respondent has committed another violation of the Code of Ethics; or
3. the respondent has failed to remit the recertification fees or make an application for recertification in a timely manner, according to the respondent's recertification date; or the respondent has failed to comply fully with the terms of his or her suspension.

Revocation shall be construed as lasting a lifetime without the possibility for reinstatement.

Signature: _____

Date: _____