



## Disability Development Resources, LLC

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### Direct Support Professional Code of Conduct

A. *Statement of Purpose:*

The purpose of the Code is to protect vulnerable Consumers from abuse, neglect, maltreatment and exploitation. The Code of Conduct clarifies the expectation of conduct for DSPs of contracted, licensed and certified programs, which includes the Director, non Direct Support Professionals, Direct Support Professionals and any others when interacting with Consumers.

B. **Nothing in the Code shall be interpreted to mean that Consumers should not be held accountable for misbehavior or inappropriate behavior on their part, or that DSPs are restricted from instituting suitable consequences for such behavior.**

C. *Abuse, Sexual Abuse and Sexual Exploitation, Neglect, Exploitation and Maltreatment Prohibited:*

1. No contracted, licensed or certified individual shall abuse, sexually abuse or sexually exploit, neglect, exploit or maltreat (as defined below) any Consumer.
  - a. No person shall cause physical injury to any Consumer. All injury to Consumers (explained or unexplained) shall be documented in writing and immediately reported to the Director.
  - b. No person by acting, failing to act, encouragement to engage in, or failure to deter from, will cause any Consumer to be subject to abuse, sexual abuse or sexual exploitation, neglect, exploitation, or maltreatment.
  - c. No person shall make unjust or improper use of a Consumer or their resources for profit or advantage.
2. **Failure to comply with this Code of Conduct will not be tolerated and will result in corrective action, probation, suspension, and/or termination of contract, licensure and/or employment certification.**

D. *Definitions of Abuse, Sexual Abuse and Sexual Exploitation, Neglect, Exploitation, and Maltreatment:*

1. **Abuse** of Consumers may include, but is not limited to:
  - a. Harm or threatened harm, meaning damage or threatened damage to the physical or emotional health and welfare of a Consumer.
  - b. Unlawful confinement.
  - c. Deprivation of life-sustaining treatment.
  - d. Physical injury including, but not limited to, any contusion of the skin, laceration, failure to thrive, malnutrition, burn, fracture of any bone, subdural hematoma, injury to any internal organ, any injury causing bleeding, or any physical condition which imperils a Consumer's health or welfare
  - e. Any type of unlawful physical hitting or corporal punishment inflicted in any manner upon the body.
2. **Sexual abuse** and sexual exploitation will include, but is not limited to:
  - a. Engaging in sexual intercourse with any Consumer.
  - b. Touching the anus or any part of the genitals or otherwise taking indecent liberties with a Consumer, or cause an individual to take indecent liberties with a Consumer, with the intent to arouse or gratify the sexual desire of any person
  - c. Employing, using, persuading, including, enticing or coercing a Consumer to pose in the nude for any purpose.
  - d. Employing, using, persuading, including, enticing or coercing a Consumer to engage in any sexual or simulated sexual conduct for any purpose. This includes displaying, distributing, possessing for the purpose of distribution or selling material depicting nudity, or engaging in sexual or simulated sexual conduct with a Consumer.
  - e. Committing or attempting to commit acts of sodomy or molestation with a Consumer.



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- f. This definition is not to include therapeutic processes used in the treatment of sexual deviancy or dysfunction which has been outlined in the Consumer's treatment plan and is in accordance with agency policy.
3. **Neglect** may include, but is not limited to:
  - a. Denial of sufficient nutrition.
  - b. Denial of sufficient sleep.
  - c. Denial of sufficient assistance in order to maintain hygiene.
  - d. Denial of sufficient clothing, or bedding.
  - e. Failure to provide adequate supervision, including impairment of an employee resulting in inadequate supervision. Impairment of an employee may include but is not limited to use of alcohol and drugs, illness, or sleeping.
  - f. Failure to arrange for medical care and/or medical treatment as prescribed or instructed by a physician when not contraindicated by agency after consultation with agency physician.
  - g. Denial of sufficient shelter, except in accordance with the written agency policy.
4. **Exploitation** will include, but is not limited to:
  - a. Utilizing the labor of a Consumer without giving just or equivalent return except as part of a written agency policy which is in accordance with reasonable therapeutic interventions and goals.
  - b. Improperly using or appropriating property belonging to Consumers.
  - c. Acceptance of gifts as a condition of receipt of program services.
5. **Maltreatment** will include, but is not limited to:
  - a. Physical exercises, such as running laps or performing push-ups, except in accordance with a Consumer's service plan and written agency policy.
  - b. Chemical, mechanical or physical restraints except when authorized by the Consumer's service plan and administered by appropriate personnel or when there is threat of injury to the Consumer or other person.
  - c. Assignment of unduly physically strenuous or harsh work.
  - d. Requiring or forcing the individual to take an uncomfortable position, such as squatting or bending, or requiring or forcing the individual to repeat physical movements when used solely as a means of punishment.
  - e. Group punishments for misbehavior of individuals except in accordance with the written agency policy.
  - f. Verbal abuse by agency personnel: engaging in language whose intent or result is demeaning to the Consumer except in accordance with written agency policy which is in accordance with reasonable therapeutic interventions and goals.
  - g. Denial of any essential program service solely for disciplinary purposes except in accordance with written agency policy.
  - h. Denial of visiting or communication privileges with family or significant others solely for disciplinary purposes except in accordance with written agency policy.
  - i. Requiring the individual to remain silent for long periods of time solely for the purpose of punishment.
  - j. Excessive withholding of emotional response or stimulation.
  - k. Exclusion of a Consumer from entry to the residence except in accordance with the written agency policy.

### E. Reporting Requirements:

1. All contracted, licensed or certified agency, or individual is designated by law as a **mandatory reporter** and is responsible to document and report abuse including but not limited to, sexual abuse or sexual exploitation, neglect, maltreatment and exploitation as outlined in this Code and cooperate fully in any resulting investigation. **Failure to report may result in legal prosecution.**



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- a. Any person will immediately report abuse, sexual abuse and sexual exploitation, neglect, maltreatment and exploitation by contacting the DDR Director.
- b. All persons will immediately report abuse using an incident report form.
- c. All reports and documentation made regarding situations of abuse, sexual abuse and sexual exploitation, neglect, and exploitation will be made available upon request, or with court order when required by federal regulations, to appropriate Division of Developmental Disabilities personnel and law enforcement.
- d. All injury to Consumers (explained or unexplained) shall be documented in writing and immediately reported to supervisory personnel.

**I have read and received a copy of this Code of Conduct.**

Direct Support Professional Name \_\_\_\_\_

Direct Support Professional Signature \_\_\_\_\_ Date \_\_\_\_\_