S T A T E O F N E W Y O R K

7474

I N S E N A T E

May 23, 2012

Introduced by Sen. McDONALD -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to adopting the code of ethics for direct support professionals

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The mental hygiene law is amended by adding a new section 16.39 to read as follows

S 16.39 CODE OF ETHICS FOR DIRECT SUPPORT PROFESSIONALS.

1. NOTWITHSTANDING ANY GENERAL OR SPECIAL LAW TO THE CONTRARY, THE STATE ADOPTS THE CODE OF ETHICS DEVELOPED THROUGH THE NATIONAL ALLIANCE FOR DIRECT SUPPORT PROFESSIONALS (NADSP). THE ETHIC CODE GUIDES DIRECT SUPPORT PROFESSIONALS THROUGH THE ETHICAL DILEMMAS THEY FACE DAILY AND ENCOURAGES THE HIGHEST PROFESSIONAL IDEALS. DIRECT SUPPORT STAFF AGENCY LEADERS, POLICYMAKERS, AND PEOPLE RECEIVING SERVICES ARE ENCOURAGED TO USE THE CODE AND CONSIDER WAYS THAT THESE ETHICAL STATEMENTS CAN BE INCORPORATED INTO DAILY PRACTICE.

2. THE NADSP CODE OF ETHICS INCLUDES THE FOLLOWING PROVISIONS:

(A) PERSON-CENTERED SUPPORTS. AS A DIRECT SUPPORT PROFESSIONAL, MY FIRST ALLEGIANCE IS TO THE PERSON I SUPPORT; ALL OTHER ACTIVITIES AND FUNCTIONS I PERFORM FLOW FROM THIS ALLEGIANCE;

(B) PROMOTING PHYSICAL AND EMOTIONAL WELL-BEING. AS A DIRECT SUPPORT PROFESSIONAL, I AM RESPONSIBLE FOR SUPPORTING THE EMOTIONAL, PHYSICAL, AND PERSONAL WELL-BEING OF THE INDIVIDUALS RECEIVING SUPPORT. I WILL ENCOURAGE GROWTH AND RECOGNIZE THE AUTONOMY OF THE INDIVIDUALS RECEIVING SUPPORT WHILE BEING ATTENTIVE AND ENERGETIC IN REDUCING THEIR RISK AND HARM;

(C) INTEGRITY AND RESPONSIBILITY. AS A DIRECT SUPPORT PROFESSIONAL, I WILL SUPPORT THE MISSION AND VITALITY OF MY PROFESSION TO ASSIST PEOPLE IN LEADING SELF-DIRECTED LIVES AND TO FOSTER A SPIRIT OF PARTNERSHIP WITH THE PEOPLE I SUPPORT, OTHER PROFESSIONALS AND THE COMMUNITY;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD15978-01-2

(D) CONFIDENTIALITY. AS A DIRECT SUPPORT PROFESSIONAL, I WILL SAFEGUARD AND RESPECT THE CONFIDENTIALITY AND PRIVACY OF THE PEOPLE I SUPPORT;

(E) JUSTICE, FAIRNESS AND EQUITY. AS A DIRECT SUPPORT PROFESSIONAL, I WILL PROMOTE AND PRACTICE JUSTICE, FAIRNESS AND EQUITY FOR THE PEOPLE I SUPPORT AND THE COMMUNITY AS A WHOLE. I WILL AFFIRM THE HUMAN RIGHTS, CIVIL RIGHTS AND RESPONSIBILITIES OF THE PEOPLE I SUPPORT;

(F) RESPECT. AS A DIRECT SUPPORT PROFESSIONAL, I WILL RESPECT THE HUMAN DIGNITY AND UNIQUENESS OF THE PEOPLE I SUPPORT. I WILL RECOGNIZE EACH PERSON I SUPPORT AS VALUABLE AND HELP OTHERS UNDERSTAND THEIR VALUE;

(G) RELATIONSHIPS. AS A DIRECT SUPPORT PROFESSIONAL, I WILL ASSIST THE PEOPLE I SUPPORT TO DEVELOP AND MAINTAIN RELATIONSHIPS;

(H) SELF-DETERMINATION. AS A DIRECT SUPPORT PROFESSIONAL, I WILL ASSIST THE PEOPLE I SUPPORT TO DIRECT THE COURSE OF THEIR OWN LIVES; AND

(I) ADVOCACY. AS A DIRECT SUPPORT PROFESSIONAL, I WILL ADVOCATE WITH THE PEOPLE I SUPPORT FOR JUSTICE, INCLUSION AND FULL COMMUNITY PARTICIPATION.

S 2. This act shall take effect immediately.