

AMERICAN SOCIETY OF CLINICAL HYPNOSIS (ASCH)

CODE OF CONDUCT

Introduction

The ASCH Code of Conduct is comprised of two sections, Ethical Principles and Ethical Standards. The Ethical Principles serve as philosophical guidelines that help to structure a members' practice of hypnosis. The Ethical Standards serve as practical or applied guidelines for the members' practice.

Acceptance of membership in, or Certification by, ASCH commits the member or certified clinician to the Code of Conduct. For the purposes of this document, both ASCH members and those non-members certified by ASCH will be referred to as "members."

In subscribing to this Code, members are required to cooperate in its implementation and abide by any disciplinary rulings based upon this Code. Members should take adequate measures to discourage, prevent, expose, and correct unethical conduct of colleagues. Additionally, members should be equally available to defend and assist colleagues unjustly charged with unethical conduct.

The Code should not be used as an instrument to deprive any member of the opportunity or freedom to practice with complete professional integrity; nor should any disciplinary action be taken on the basis of this Code without maximum provision for safeguarding the rights of the member(s) affected.

Ethical Principles

- I. Competence: Members strive to attain the highest levels of professional competence.
 - A. members use hypnosis in the treatment of patients only within the bounds of their training and expertise; within their primary discipline; and within the context of a professional relationship;
 1. A "professional relationship" is defined by the member's primary discipline and includes consultation or supervision of colleagues.
 - B. member's expertise is determined, in part, by their professional education, training, licensure, and experience;
 - C. members recognize, and are respectful of, any limitations to their expertise;
 - D. members strive to maintain current knowledge of research, issues, and methods in hypnosis;
 1. members participate in continuing education activities.
- II. Professional Responsibility: Members serve the best interests of their clients or patients.
 - A. members accept responsibility for the care of their clients or patients consistent with their discipline and licensure;
 - B. members seek out consultation and/or supervision when in doubt regarding their

- clinical practices or when questioned by others about their clinical practice;
- C. members participate and cooperate with inquiries regarding their practices;
- D. members accept responsibility for, and when necessary the consequences of, their behavior;
- E. members accept responsibility to monitor and make appropriate changes in their practice to comply with the Ethical Principles or Ethical Standards of this Code;
- F. members seek to educate the public about the proper and scientific use of hypnosis.

Ethical Standards

- I. ASCH members uphold the professional standards, ethics, and codes of conduct of their primary discipline.
- II. ASCH members remain in good standing in the association or society that oversees the member's primary discipline.
- III. ASCH members maintain a license to practice at the independent, unrestricted, or unsupervised level.
- IV. ASCH members do not support the practice of hypnosis by laypersons.
 - A. The "practice of hypnosis" means the provision of services, or the offer to provide services, utilizing hypnosis to individuals or groups regardless if a fee or honorarium is charged, offered or paid.
 - B. A "layperson" is:
 - 1. an individual lacking professional education and clinical training in a health care discipline, including but not limited to those recognized by ASCH for membership and/or certification,
or
 - 2. an individual not pursuing a degree, from a regionally accredited institution, in a health care discipline including but limited to those recognized by ASCH for membership and/or certification.
 - C. Except as authorized by Sections V. B and C below, members do not provide hypnosis training to laypersons.
- V. Public and Media Presentation:
 - A. ASCH members do not use or endorse or assist in the use of hypnosis for entertainment purposes.

- B. Electronic recordings may be prepared by members for private patient treatment. Electronic recordings may also be prepared for purchase by health care professionals and/or the general public, but only for the purpose of educating individuals about the proper and scientific use of hypnosis, or to teach individuals who are not the member's patient/client the use of self-hypnosis for his or her own private use. When providing electronic recordings for the general public, members must follow the guidelines attached in Appendix A to this Code of Conduct, and they must supply the suggested disclaimers with each recording, displayed in a prominent manner and/or presented in the body of the electronic recording.
 - C. When members appear in public forums, such as on television or some other electronic format, they take care to ensure that any demonstration of hypnosis is done in such a way as to prevent or minimize risk to unknown audience participants.
 - 1. For example, when a videotape demonstration is shown on television, the member takes steps to ensure that the complete audio portion of the induction and deepening phases are muted.
 - D. ASCH members ensure when they present hypnosis, in any format, to the public the member does so within the spirit of this Code and within the guidelines of their primary discipline.
 - E. Members honestly and fairly represent their professional competency, qualifications and capabilities to the public and media, and refrain from making false, misleading, deceptive or unsubstantiated statements in resumes, advertising and other means of soliciting clients or patients.
- VI. Nothing in this Code shall prohibit members from:
- A. teaching hypnosis to individuals or groups who, upon completion of such training, would be eligible for ASCH membership,
 - B. teaching students of health care disciplines, including but not limited to those recognized by ASCH for membership and/or certification,
 - C. teaching patients or clients the use of self-hypnosis for that individual's own therapeutic use, or
 - D. teaching about hypnosis in any forum that serves to properly educate and inform the consumer or professional public about hypnosis.
- VII. When ASCH members engage in human subjects research, they do so within the accepted standards of their primary discipline, taking precautions not to cause emotional or physical harm to their subjects.
- VIII. When this Code is unclear on an issue, question, or complaint and when deemed appropriate by the ASCH Executive Committee, guidance is sought from the ethical standards of the member's primary discipline professional association and/or the member's licensing board.

Enforcement

- I. Any person, whether or not a member of ASCH, may initiate a charge of ethical violation against a member of ASCH.
- II. Any charge must be submitted in writing to the Ethics Committee, must specify the time and place of the violation, and must be signed by the complainant.
- III. The Ethics Committee shall inform the member in writing of the charges against the member and solicit the member's response to the charges.
- IV. If, upon receiving the response of the member, the Ethics Committee determines that cause for further inquiry exists, the Ethics Committee shall set a time and place for a hearing and shall notify the member and the complainant, by certified mail, of the time and place.
- V. The purpose of the Ethics Committee hearing is to gather all the facts related to the alleged violation. The charged member shall have the privilege of appearing in person, or may submit a written defense to the Ethics Committee at least twenty-four hours prior to the time of the hearing. At the hearing, the charged member shall have the right to cross examine the complainant and any witnesses who may appear against the member. The charged member shall also have the right to present witnesses. The complainant shall be able to direct questions to the charged member only through a committee member. The hearing may be recorded and a transcript of the proceedings, if any, shall be available at cost.
- VI. No later than thirty days following the hearing, the Ethics Committee shall submit a report of its findings to the Executive Committee and recommend either:
 - A. dismissal of the charges,
 - B. censure or warning,
 - C. suspension, or
 - D. expulsion.

The Ethics Committee shall send by certified mail a copy of its report and recommendation to the charged member.

- VII. If the Ethics Committee finds for a recommendation of guilt of any of the charges or recommends censure, warning, suspension or expulsion, the member shall have thirty days from the receipt of the Ethics Committee report to submit to the Executive Committee written objections to the findings or recommendations of the Ethics Committee.
- VIII. The Executive Committee shall review the findings and recommendation of the Ethics Committee and any written objections submitted by the member and shall reach a final decision. In accordance with the By-Laws, the Executive Committee shall not expel a member without holding a hearing at which the accused may appear and be represented by counsel. The

Executive Committee shall also have the right to be represented by counsel at such a hearing.
The Executive Committee shall notify the member in writing, by certified mail, of its decision.

- IX. In accordance with the By-Laws, a decision of censure or warning will be a matter of Executive Committee record only. A decision of suspension or expulsion will be reported to the Board of Governors and to the membership of ASCH through the "Corrections to the Directory" section of the Newsletter.

Approved by Board of Governors - 3/8/09
Changes adopted at 11/08 Executive Committee Meeting

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APPENDIX A *(adopted at 9/06 Executive Committee Meeting)*

STATEMENT ON MAKING AND SELLING HYPNOSIS ELECTRONIC RECORDINGS FOR GENERAL CONSUMPTION

Hypnosis Electronic Recordings: Guidelines for Disclaimers

The following points are to be addressed in a printed statement or as part of the recording itself that accompanies any recording of hypnosis audio tapes or CDs to be made for the general public by ASCH members.

(1) Introduction of health care professional and qualifications

Provide some information about the following, as appropriate:

- Your licensure; Academic credentials; Honors
- Membership in professional associations
- (Optional) Brief statement on experience with hypnosis
- (Mandatory) The recording is NOT to be considered a substitute for medical or psychological consultations with a health care professional.
- Any other introductory comments

(2) Purpose of the recording and limits of usefulness

Answer the following questions for the listener:

- Under what conditions or with what kinds of problems should this recording be used?
- What can you expect from it?
- What should you not expect to achieve with it? etc.

(3) Is there any research about how hypnosis addresses your needs?

Advise the listener if research supports the use of a recording such as this. Supply the actual citations—books, articles, if warranted.

(4) What will happen when you listen to this recording?

Advise the listener that, among other things, the recording can:

- Help access their potential to achieve, manage symptoms, increase relaxation, etc.
- Help develop skills or coping strategies
- Help with developing self-hypnosis skills in the future.

But, remind the listener to avoid unreasonable expectations about the utility of this recording.

(e.g.- this could be spelled out, depending upon the situation - for example, the recording will not allow the listener to cure cancer, facilitate astroprojection or psychic phenomena, enter “past lives”, etc.)

(5) How is the recording to be used?

- State the frequency of use, time of day (if preferred), location, etc.
- Discuss caveats - such as avoiding using the recording while driving, or other situations where alertness to one's surroundings is important (e.g., avoiding using in a parked car in an unsafe neighborhood, etc.)
- Discuss how to deal with distractions, interruptions, etc.
- Provide any other guidance as warranted.

(6) What is hypnosis?

- Provide some description about the phenomenon of hypnosis that reflects your theoretical orientation. This might include such topics as (a) what it consists of, (b) how it is a frequently occurring state for some (like watching a movie, or a football game, etc.), (c) how it could be a natural coping mechanism for some, such as in dealing with emergency situations, or (d) that it can also happen spontaneously for some (highway hypnosis).
- Hypnosis could also be described as facilitating the development of new skills, behaviors, and thought patterns to be used in place of maladaptive ones, and that further practice strengthens the new learning.

(7) What hypnosis is NOT

Discuss the common fears - losing control, losing consciousness, risking being "trapped" in hypnosis, etc. Also, it could be emphasized that that the individual can leave hypnosis at any point (like turning off a television set).

(8) What if the recording is not helping, or in some way causing difficulties?

Advise the listener to stop using the recording if he or she encounters problems or it is not working after a reasonable period of time.

(9) What to do if you need more help with your symptom or problem?

Advise the listener to seek out a licensed health care professional or to contact you, the maker of the recording, with questions, if warranted.

(10) Should a person currently in treatment advise their therapist that they plan to use a hypnosis recording do?

For those patients who are currently in treatment, it is advised that they inform their therapist that they plan to use a hypnosis recording.

Draft Disclaimers *(adopted at 11/08 Executive Committee meeting)*

1. This electronic recording is intended only to (insert either “educate the public about the proper and scientific use of hypnosis” or “teach non-patients the use of self-hypnosis for the individual’s own therapeutic use”). The use of this recording for any other purpose is strictly prohibited. X disclaims any liability for the use of this recording for any other purpose, and/or for the use of this recording without following the accompanying instructions, and/or for any damages resulting from hypnosis or caused by an individual attempting to practice hypnosis based upon this recording.

2. The American Society of Clinical Hypnosis Code of Conduct permits the sale by ASCH members of electronic recordings relating to hypnosis under certain limited circumstances, but does not specifically review, approve, endorse or monitor the contents of such recordings. Responsibility for the contents and use of such recordings rests solely with the author.