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**Testimony of Theresa Laws  
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Secretary, Direct Support Professional Alliance of New York State**

**Before the February 14, 2012 Joint Legislative Public Hearing  
On the 2011-2012 Executive Budget Proposal**

Chairmen DeFrancisco, McDonald, Farrell and Ortiz; and distinguished members of the State Legislature; thank you for this opportunity to provide testimony on the proposed Executive Budget for New York State as it relates to mental hygiene services.

I am Theresa Laws. I am a Direct Support Professional with the ARC of Rensselaer County which supports more than 700 individuals with developmental disabilities and their families. I am also a member of the Board of Directors of the Direct Support Professional Alliance of New York State, or DSPANYS as we call it. DSPANYS is the New York State Chapter of the National Alliance for Direct Support Professionals. We are dedicated to improving the quality of services for people with disabilities by promoting the profession of direct support. I am here on DSPANYS behalf.

Over the past year much has been written about New York State's failure to provide adequate services for people with developmental disabilities. DSPANYS believes that New York State can begin to address this matter in a very simple, yet fundamental way. And that is by requiring that the men and women who provide direct support services adhere to a Code of Ethics, and that they be credentialed as having demonstrated their proficiency in the Code and the skills necessary to carry it out.

I have attached a copy of the Code of Ethics promulgated by the National Alliance for Direct Support Professions to my written testimony. But let me tell a story which illustrates it.

I had the opportunity of working with a lady (let's just say her name is Pam) to assist in making a dream of hers become a reality.

In the beginning, there were team meetings to generate ideas and get the ball rolling. One of the suggestions was for Pam to start a dog walking business. She loved animals and taking walks, so hey, why not? Pam agreed to try and we started the research. I began to notice that she wasn't really into it and I didn't see the passion in her eyes. We sat down, just the two of us, and I asked her, what is something you always wanted to do? Sadly to say, her reply was, I don't know, what do you want to do? That was usually her response.

From then on, Pam and I had fun exploring different places and things and she started to discover some of her likes and dislikes. I supported Pam in speaking up for herself. She began to make her own decisions and no longer went along with things just because she thought she had to. You could see the transformation in Pam. She was now walking with her head up- looking forward, smiling and more conscious of her appearance. She eventually became a volunteer at the local pet shelter.

Did we have roadblocks along the way? Yes, we did. But together, we were able to work through obstacles and prove to others just how much potential she has and what she has to offer.

As you listen to my story, there are three tenets of the Code of Ethics that can be picked out.

The first is Person Center Supports- As a Direct Support Professional (DSP), my first allegiance is to the person I support, all other activities and functions flow from this allegiance. This was done by focusing on Pam and understanding that my role as a DSP requires flexibility, creativity, advocacy and a strong commitment.

The second Code of Ethics that was demonstrated is Respect. As a DSP, I will respect the human dignity and uniqueness of the people I support. This was done by honoring Pam's choices and preferences. I demonstrated a committed partnership with Pam and showed respect that is crucial in maintaining a helping relationship.



Finally, the third Code of Ethics that was demonstrated was Self-Determination. As a DSP, I will assist the people I support to direct the course of their own lives. I did this by working in partnership with Pam to support her in making her own choices in life and recognizing the potential for lifelong learning and growth.

I go to work every day, committed to the DSP National Code of Ethics and bringing it to life. By doing so, it has helped me build and maintain respectful and healthy relationships with the people I support. My story had great outcomes. But there are plenty of other stories like mine all over the state made possible by DSPs who commit to the Code. Not only should they be recognized, but we should ensure that all DSPs pledge to the Code and receive the training needed to be proficient in carrying it out.

I urge you to make this a reality by requiring all DSPs to commit to the Code and by establishing a training and credentialing program which provides salary adjustments and career ladders for DSPs who show their proficiency in the Code and skills to carry it out.

On behalf of DSPANY, I thank you for this opportunity to share comments. If you have any questions or would like any additional information, my contact information is included with my written testimony. Thank you.

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# National Alliance for Direct Support Professionals

## Code of Ethics

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**1. Person-Centered Supports:** As a DSP, my first allegiance is to the person I support; all other activities and functions I perform flow from this allegiance. As a DSP, I will –

- Recognize that each person must direct his or her own life and support and that the unique social network, circumstances, personality, preferences, needs and gifts of each person I support must be the primary for guide the selection, structure, and use of supports for that individual.
- Commit to person-centered supports as best practice.
- Provide advocacy when the needs of the system override those of the individual(s) I support, or when individual preferences, needs or gifts are neglected for other reasons.
- Honor the personality, preferences, culture and gifts of people who cannot speak by seeking other ways of understanding them.
- Focus first on the person, and understand that my role in direct supports will require flexibility, creativity and commitment.

**2. Promoting Physical and Emotional Well-Being:** As a DSP, 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 of harm. As a DSP, I will –

- Develop a relationship with the people I support that is respectful, based on mutual trust, and that maintains professional boundaries.
- Assist the individuals I support to understand their options and the possible consequences of these options as they relate to their physical health and emotional well-being.
- Promote and protect the health, safety, and emotional well-being of an individual by assisting the person in preventing illness and avoiding unsafe activity. I will work with the individual and his or her support network to identify areas of risk and to create safeguards specific to these concerns.
- Know and respect the values of the people I support and facilitate their expression of choices related to those values.
- Challenge others, including support team members (e.g. doctors, nurses, therapists, co-workers, family members) to recognize and support the rights of individuals to make informed decisions even when these decisions involve personal risk.
- Be vigilant in identifying, discussing with others, and reporting any situation in which the individuals I support are at risk of abuse, neglect, exploitation or harm.
- Consistently address challenging behaviors proactively, respectfully, and by avoiding the use of aversive or deprivation intervention techniques. If these techniques are included in an approved support plan I will work diligently to find alternatives and will advocate for the eventual elimination of these techniques from the person's plan.

**3. Integrity and Responsibility:** As a DSP, 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. As a DSP, I will –

- Be conscious of my own values and how they influence my professional decisions.
- Maintain competency in my profession through learning and ongoing communication with others.
- Assume responsibility and accountability for my decisions and actions.
- Actively seek advice and guidance on ethical issues from others as needed when making decisions.
- Recognize the importance of modeling valued behaviors to co-workers, persons receiving support, and the community at-large.
- Practice responsible work habits.

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**4. Confidentiality:** As a DSP, I will safeguard and respect the confidentiality and privacy of the people I support. As a DSP, I will –

- Seek information directly from those I support regarding their wishes in how, when and with whom privileged information should be shared.
- Seek out a qualified individual who can help me clarify situations where the correct course of action is not clear.
- Recognize that confidentiality agreements with individuals are subject to state and agency regulations.
- Recognize that confidentiality agreements with individuals should be broken if there is imminent harm to others or to the person I support.

**5. Justice, Fairness and Equity:** As a DSP, 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. As a DSP, I will –

- Help the people I support use the opportunities and the resources of the community available to everyone.
- Help the individuals I support understand and express their rights and responsibilities.
- Understand the guardianship or other legal representation of individuals I support, and work in partnership with legal representatives to assure that the individual's preferences and interests are honored.

**6. Respect:** As a DSP, 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. As a DSP, I will –

- Seek to understand the individuals I support today in the context of their personal history, their social and family networks, and their hopes and dreams for the future.
- Honor the choices and preferences of the people I support.
- Protect the privacy of the people I support.
- Uphold the human rights of the people I support.
- Interact with the people I support in a respectful manner.
- Recognize and respect the cultural context (e.g. religion, sexual orientation, ethnicity, socio-economic class) of the person supported and his/her social network.
- Provide opportunities and supports that help the individuals I support be viewed with respect and as integral members of their communities.

**7. Relationships:** As a DSP, I will assist the people I support to develop and maintain relationships. As a DSP, I will –

- Advocate for the people I support when they do not have access to opportunities and education to facilitate building and maintaining relationships.
- Assure that people have the opportunity to make informed choices in safely expressing their sexuality.
- Recognize the importance of relationships and proactively facilitate relationships between the people I support, their family and friends.
- Separate my own personal beliefs and expectations regarding relationships (including sexual relationships) from those desired by the people I support based on their personal preferences. If I am unable to separate my own beliefs/preferences in a given situation, I will actively remove myself from the situation.

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- Refrain from expressing negative views, harsh judgments, and stereotyping of people close to the individuals I support.

**8. Self-Determination:** As a DSP, I will assist the people I support to direct the course of their own lives.

As a DSP, I will –

- Work in partnership with others to support individuals leading self-directed lives.
- Honor the individual's right to assume risk in an informed manner.
- Recognize that each individual has potential for lifelong learning and growth.

**9. Advocacy:** As a DSP, I will advocate with the people I support for justice, inclusion, and full community participation. As a DSP, I will -

- Support individuals to speak for themselves in all matters where my assistance is needed.
- Represent the best interests of people who cannot speak for themselves by finding alternative ways of understanding their needs, including gathering information from others who represent their best interests.
- Advocate for laws, policies, and supports that promote justice and inclusion for people with disabilities and other groups who have been disempowered.
- Promote human, legal, and civil rights of all people and assist others to understand these rights.
- Recognize that those who victimize people with disabilities either criminally or civilly must be held accountable for their actions.
- Find additional advocacy services when those that I provide are not sufficient.
- Consult with people I trust when I am unsure of the appropriate course of action in my advocacy efforts.