

Code of Ethics for Regulators



***National Association for
Regulatory Administration***

Adopted by National Council - 4/24/95

1. PURPOSE

The National Association for Regulatory Administration recognizes that regulation, by definition, involves the use of governmental authority. Inherent in the use of authority is the potential for the abuse of authority. Public trust and consumer confidence and respect require that regulators use their authority with integrity.

To that end, the Association has adopted this Code of Ethics to guide its individual and agency members. Member agencies are encouraged to adopt this code or an equivalent one for their employees.

2. WHO IS COVERED

Persons who as part or all of their employment are engaged in regulating individuals or organizations that provide human care services to children and adults are covered by this code. This includes but is not limited to: child day care and development programs, foster homes for children or adults, day and residential care and treatment programs and facilities for children or adults, and adoption and placement agencies for children.

3. COMPETENCY

Persons engaged in regulation should:

- Receive current training in regulatory administration theory and principles and in the laws and regulations they are expected to apply.
- Possess education and program experience related to the needs of the population in care in the facilities being regulated, e.g., developmental disabilities, child development, gerontology, social services, behavioral sciences, health sciences, etc., sufficient to apply the regulations and to evaluate and assist a facility's program of care and services;
- Have a working knowledge of appropriate referral or assistance resources;
- Have a working knowledge of current theories and techniques of effective communication and in the dynamics of the balanced use of authority;
- Meet local employer or job certification or credentialing requirements; and,
- Exhibit a willingness to seek out and participate in professional growth and training experiences.

4. ACTIONS EXPECTED

Regulators should:

- Vigorously uphold applicable provisions of law related to public disclosure, avoidance of conflict of interest, observance of due process requirements, management of public records and information, and management of confidential information;
- Enforce regulations in accordance with agency compliance management policies and principles;
- Be able to explain the reason for each regulatory provision they apply;
- Encourage those whom they regulate to achieve the highest possible performance in their service areas;
- Provide those whom they regulate with information and assistance to improve their understanding and abilities to serve individuals in care;



- Actively participate in the development and improvement of the regulations they apply;
- Actively assist service consumers, their families and the general public to understand the purpose and function of the human care regulatory process; and,
- Carry out their duties in a professional, competent, even-handed and courteous way.

5. ACTIONS PROHIBITED

Regulators should not:

- Use their positions for personal gain from those they regulate;
- Accept gifts, services, benefits, advantage, or favors from those they regulate;
- Apply regulations inconsistently because of arbitrariness, caprice, favoritism, nepotism, or personal bias;
- Engage in regulation of someone with whom they have or have recently had a significant financial or personal relationship;
- Exceed the authority delegated to them by laws, regulations or their employers; or,
- Depart from processes established by the regulatory agency to assure fair and objective decision-making.

6. MAINTENANCE OF PROFESSIONAL APPEARANCES

Regulators must:

- Avoid the appearance as well as the fact of improper, unfair, unethical, or self-serving conduct;
- Behave in a manner that earns respect, trust and confidence, and in a manner that reflects positively on their profession and their employers;
- Promptly disclose any personal or financial interest they have or have had that might appear to influence their actions;
- Avoid the fact or appearance of using their positions to endorse a particular product, licensee or service provider, or a group of such licensees or providers;
- Not engage in partisan political activity or endorse organizations or religious affiliations while in the role of a regulator; and,
- Report promptly to the appropriate supervisory agency for proper inquiry any reasonable suspicion or evidence that they or any other regulator may have abused the authority of a regulatory position.

7. ADOPTION

Membership in the National Association for Regulatory Administration (NARA) is voluntary, as is adherence to this Code of Ethics.

Each NARA member and other individuals and agencies engaged in human care regulation are encouraged to review and study this Code of Ethics and to formalize its adoption. To receive a Notice of Adoption form, please contact the NARA Office, Tel. 302-234-4152 or Fax 302-234-4153.