

Conflict of Interest

Examples & Scenarios

Introduction

These examples and scenarios are provided for audiologists and speech-language pathologists (SLPs) in Manitoba who may encounter potential or perceived conflicts of interest in their practice. Conflict of interest occurs when a registrant's personal, financial, or professional interests could improperly influence, or appear to influence, their clinical judgment, recommendations, or actions. Conflict awareness is a continuous professional obligation, and registrants should seek clarification from the College if they are unsure whether a situation constitutes a conflict.

Examples of Perceived Conflict

- Agreements or arrangements that prevent or could prevent the registrant from putting the client's needs and interests first.
- Dual employment with unclear boundaries such as providing the same services to the same clients/patients in both a public and private environment.
- Close personal relationships where the relationship may influence the registrant's professional judgment or provide earlier or easier access to services. This could include family members, close friends, or individuals with whom the registrant has a personal or business relationship.
- Monetary or other benefits when a registrant receives, expects to receive, or could benefit from significant monetary gain related to clinical decisions or where the giver may expect preferential treatment or services beyond normal professional parameters.
- Private practice vs. public role such as making decisions in regulatory, advisory, or oversight capacity that directly or indirectly benefit the registrant's own private practice.
- Referral incentives such as accepting or offering payments, gifts, or other benefits in exchange for referring clients to one provider or service. The priority in such cases is client-centered care over profit or incentives.
- Undisclosed affiliations where products or services are recommended without disclosing a financial, professional, or other beneficial affiliation with a supplier or provider.
- Vendor relationships where incentives, gifts, or other benefits that could influence professional judgment are received from hearing aid manufacturers or assistive technology suppliers. The priority in such cases is client-centered care over profit or incentives.
- Observed Conflict of other registrants where efforts to alert the registrant and resolve the issue have been unsuccessful should be reported to the employer or to the College.

Note for publicly or privately employed registrants: Where employer policies differ from College Standards, the requirement with the higher standard applies.

Introduction

These scenarios illustrate a range of situations in which registrants may seek to identify, address, and mitigate potential conflicts of interest. The scenarios provided are intended to offer guidance on issues that may appear to be black and white. In cases where circumstances create a conflict of interest in “grey” areas, registrants should use their best judgement and document their decisions and reasons for same.

Scenarios

Scenario 1: Independent Service Provision While Employed in Public Healthcare/Education

A speech-language pathologist employed full-time at a public hospital or school SLP department and also operates a private practice on weekends.

A client who was assessed requests to continue treatment with the SLP privately, citing comfort and trust in their approach. However, the services the client wants (ongoing therapy) are already offered by the hospital/school, the SLP’s primary employer.

Expected Outcome: To ethically proceed with providing these services independently while ensuring transparency and maintaining professional integrity, the SLP must take steps to avoid conflict of interest:

- The SLP should provide the client with a list of other SLPs in the community and/or from the College Directory who offer similar services.
- If the client reviews the options and finds a professional that meets their needs, it is up to the client to arrange their own private services.
- If the client reviews the options and determines that none are reasonably accessible due to long waitlists and travel limitations...
 - The SLP should obtain written agreement from their employer where policy allows, confirming that they may provide the services independently.
 - The client should submit a brief written statement expressing their preference to receive services from the SLP privately.
- Once confirmed that the SLP can continue to provide service privately, the SLP must clearly outline the fees for the private services and ensure the client understands the cost.
- The SLP must inform the patient that the services will be provided independently of the hospital/school and are not affiliated with their public role.
- The SLP must discontinue providing treatment/services to the client in the public setting.
- Document all steps in writing, with signatures from both the SLP and the client.

Scenario 2: Dual Employment with Established Clear Boundaries

A speech-language pathologist works full-time in a public hospital or school, providing assessment and therapy services to clients with speech disorders. They also hold a part-time position with a private clinic

providing services in a remote area of the province that does not overlap with the public hospital/school work.

This may be permitted if:

- Their clinical decisions in both the public and private settings remain independent and client centered.
- They have disclosed their dual roles to both employers and documents the disclosure to ensure transparency.
- *Note:* CASLPM must be notified within 30 days of any new employment.

Expected Outcome: The registrant may continue to provide non-competing services to clients, provided the roles remain clearly separated, clinical judgement remains independent and client-centered, and all relevant disclosures are maintained and documented. If circumstances change, the registrant must re-assess, disclose any new conflict, and document the steps taken.

Scenario 3: Conflict of Interest on a Complaints Investigation Committee

A speech-language pathologist serves on the college's Complaints Investigation Committee, which is responsible for reviewing allegations of professional misconduct. At the same time, the SLP is employed part-time by a private clinic that is owned by the registrant under investigation.

Even if the SLP believes they can remain impartial, this dual role creates a perceived conflict of interest because:

- The SLP has a financial relationship with the clinic owner.
- Their judgment may be compromised or appear compromised when reviewing the complaint.
- The public and other committee members may reasonably question the fairness of the process.

Expected Outcome: The SLP must disclose this conflict and recuse themselves from participating in the review of that specific case. Failure to do so could undermine the integrity of the regulatory process and erode public trust.

Scenario 5: Inappropriate Sole Referral Promotion Between Registrants

An audiologist who owns a private clinic approaches a second audiologist with a proposal to provide a referral bonus and priority scheduling for clients in need of advanced tinnitus therapy to their clinic.

This offer violates the college's codes of ethics because:

- The private clinic audiologist is promoting their clinic as the *exclusive* referral destination, which undermines patient/client autonomy and professional impartiality.
- Offering bonuses or incentives for referrals is considered unethical.
- The arrangement could compromise the referring audiologist's clinical judgment and erode public trust in the profession.
- Referrals must be made in the client's best interest, with transparency and without financial or promotional influence.

Expected Outcome:

The audiologist declines the offer and reminds the clinic owner that registrants must provide patients/clients with unbiased options, including listings of other qualified professionals. Referrals should be based on client needs, not business arrangements.

Scenario 6: Referral Incentives in Private Practice

A speech-language pathologist operates a private pediatric clinic specializing in speech and language delays. To boost client volume, they enter into an informal agreement with a local daycare owner: for every child referred to the clinic, the daycare receives a gift card.

In return, the daycare begins actively promoting the SLP's clinic to parents, often without mentioning other available providers in the area.

Why this is a conflict of interest:

- The SLP is conferring a benefit (gift cards and discounted services) to the daycare in exchange for referrals.
- The arrangement compromises the impartiality of the referral process and may mislead families into believing the clinic is the only or best option.
- It violates ethical standards set by the college, which prohibit referral arrangements involving personal or financial gain.

Expected outcome:

The SLP should immediately dissolve the informal agreement with the daycare owner and ensure impartiality and professional boundaries are maintained. Registrants must ensure that referrals are made solely in the client's best interest, without any form of incentive or coercion.

Scenario 7: Providing Informal Services

An audiologist is asked to perform a hearing assessment for a child as a favour to a friend in a non-emergency situation.

Why this is a conflict of interest:

- Objectivity in interpretation of test results and decisions about treatment or diagnosis may be compromised.
- The audiologist may feel pressure to minimize results to avoid worrying the parent or to push for intervention.
- There is a risk to credibility if there were later questions from employers, insurance providers, or other healthcare workers.
- If the child is assessed in a clinic that sells hearing aids, the clinician could be seen as having a financial or relationship-based conflict of interest.

Expected outcome:

The audiologist should either recommend a formal assessment or provide a referral to another audiologist or clinic. Registrants must ensure they avoid situations where personal relationships could impair professional judgment.

Scenario 8: Registrant Referrals

A registrant may be called upon to transfer services when the client's needs fall outside of the registrant's scope of practice, when additional expertise is required, or when continuity of care is best supported through another provider.

Expected outcome:

- To ensure the referral process is ethical, transparent, and free from conflict, the registrant should follow the principles below:
 - Prioritize the client's best interests and ensure the referral is made solely to support the client's clinical needs.
 - Provide options and/or refer the client to the CASLPM directory for additional names of audiologists/speech-language pathologists.
 - Avoid sole referrals where possible to providers with whom they have a close financial relationship.
 - Disclose potential conflicts that cannot be avoided before proceeding to the referral (e.g. in rural or remote settings with limited providers).
 - Document the referral and rationale.