

Witts, B. N., Brodhead, M. T., Adlington, L. C., & Barron, D. K. (accepted for publication). Behavior analysts accept gifts during practice: So now what? *Behavior Analysis: Research and Practice*.

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Applied behavior analysts use behavioral principles and technologies to address socially significant concerns. Some of these concerns are addressed in individual therapeutic settings where the practitioner works closely with a client, and perhaps his/her family, for extended periods. During this time, intimate relationships can be forged, sometimes resulting in a situation where the party receiving services presents the behavior analyst with a gift (and vice versa). This situation might arise wherever intimate and prolonged therapeutic services are offered, which is why some therapeutic fields have codes of conduct that help govern how to respond when presented with gifts from clients and/or their families. Given the situational overlap, it is of interest to consider how other therapeutic fields address the gift-receiving concern.

Zur (n.d.) detailed the stances of the American Association for Marriage and Family Therapy, American Counseling Association, American Mental Health Counselors Association, National Association for Addiction Professionals, and National Board for Certified Counselors in relation to gifts and when their acceptance is permitted. While the specific situations for accepting gifts differ between these organizations, considerations include client culture, intention for giving the gift, and monetary limits, among others.

Several other professional organizations are listed as not having any explicit policy on accepting gifts (e.g., American Psychiatric Association, American Psychological Association [APA]). For these therapeutic fields in which a discussion of gifts is absent from their ethics codes, codes related to gifts are arguably hinted at elsewhere. For example, the APA offered guidelines on multicultural practice (among other multicultural activities; APA, 2002; Guideline 5, see also Brown & Trangsrud, 2008). As Brown and Trangsrud (2008) argued, in terms of the

APA, accepting gifts for cultural reasons would fall under this multicultural guideline and thus be in line with ethical practices.

We can identify only the Behavior Analyst Certification Board's (BACB) Professional and Ethical Compliance Code for Behavior Analysts (hereafter *Compliance Code*) as codifying gift giving and acceptance as an ethical violation (1.06[d], BACB, 2014)¹. This code, under *Multiple Relationships and Conflicts of Interest*, states that "Behavior analysts do not accept any gifts from or give any gifts to clients because this constitutes a multiple relationship" (p. 5). The BACB Compliance Code does not define "gifts" in its glossary nor is it explained how gift giving/receiving constitutes a multiple relationship. However, the May, 2015 *BACB Newsletter* (BACB, 2015) clarifies the BACB's position on gifts. In the newsletter, it is stated

"...that gifts may include a variety of items, including, but not limited to: store gift cards, food, clothing, tickets to events, housing, vehicles, and just about any other tangible or financial item exchanged between the behavior analyst and the client outside the scope of a contract for services." (BACB, 2015, p. 2)

While the BACB acknowledges that other professional codes permit gifts in limited capacities, the BACB's stance is to forbid gift acceptance or giving as behavior analysts, given their repeated and intimate contact with clients and/or their families, are likely to develop multiple relationships, and steps must be taken to guard against this. The warning is that giving or accepting any gift starts one down a slippery slope toward ethical violations, which one can curtail by refusing to take part in gift giving and accepting. However, the newsletter described

¹ Unlike the other organizations listed, the BACB is a global organization, and thus direct comparison might not account for all influential factors that led to the development of their respective compliance codes.

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how the intention of the gift giving (e.g., cultural tradition), the professional judgement of the behavior analyst, and the possibility of causing harm to the relationship for refusing the gift are all taken into consideration when determining whether a violation occurred (pp. 2-3).

Elsewhere, a more staunch position on receiving gifts can be found in Bailey and Burch (2016). They noted that even accepting small gifts can resemble friendships, which constitutes a dual relationship (see Bailey and Burch, 2016, p. 72). Bailey and Burch then speculate on how a small gift can develop into a returned favor from the behavior analyst. They conclude by denying the client's cultural practices surrounding gift giving by comparing the work of behavior analysts to other professions where one would not regularly provide gifts (e.g., a carpenter). This recommendation is contrary to contemporary scholarship on cultural competency that suggests that the values of the client and the service provider find common ground when differences of beliefs exist (see Bolling, 2002). Scholars contend that the slippery slope argument can be misapplied (see Gutheil & Gabbard, 1998), which negates its use in some cases of gift receiving.

As behavior analysts work with more clients from culturally diverse backgrounds (e.g., Fong, Ficklin, & Lee, 2017), it behooves us to consider how such diversity alters the contextual influence over our ethics codes. Thus, to start down the path of professional discourse on gifts in practice, we sought to first assess the extent to which the practice of accepting gifts occurred in the field. We intend for this exploration to stimulate a larger empirical discussion about how the BACB Compliance Code influences the practice of behavior analysis.

Method

Participants and Procedures

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We conducted an online survey of the practice of accepting gifts among behavior analysts. We used the Association for Behavior Analysis International's website dedicated to international chapters to obtain contact information for all international chapter representatives. These representatives were sent an invitational email with instructions for member participation in a survey with the survey link attached. Additionally, past students of St. Cloud State University were sent similar emails asking them to distribute to their companies and colleagues. This sampling strategy was selected because the chapter list was representative of international activity in behavior analysis, the former students were a convenience sample (St. Cloud State University's distance program serves students around the world), and because emailing certified behavior analysts via the BACB email campaign would have been a violation of their email guidelines (e.g., research conducted on their ethics codes). As the survey was in English, we requested that only English-speaking individuals participate. The study was approved by the St. Cloud State University IRB. As part of the IRB process, steps were taken to protect participant anonymity which hamper the ability to inspect the data; namely, we made the a priori decision to not link the data by respondent location or type (thus we cannot tell if individuals in some regions of the world are more or less likely to accept gifts). This was done in case one or few respondents from a region answered in such a way that they could be identified.

Sixty behavior analysts ($n_{\text{female}} = 52$) participated in the survey. Eight reported some time spent as a BCaBA and 25 as a BCBA². Three behavior analysts provided incomplete data sets, and thus some *ns* in the results are smaller than the total sample. Most participants were from

² It is possible that some BCBAs indicated their time as BCaBA prior to being certified as BCBA, so these numbers might not represent unique individuals.

North America ($n = 35$), with the rest in descending order from Asia ($n = 12$), Europe ($n = 7$), Oceania ($n = 5$), and South America ($n = 2$). These and remaining demographics are in Table 1. The majority of responders indicated having more than 5 years of experience in the field (68.33%).

Materials

Gift survey. As part of a larger survey, several questions pertaining to gift accepting (gift type and frequency; Tables 2 and 4³) and reactions to these gift offers (see Table 3). The questions asked are outlined in Tables 2-4. Questions contained both closed-ended (Yes/No) and open-ended questions. Open-ended questions were categorized and quantified by the first author and verified by the second; no disagreements were had. Questions were delivered via a Qualtrics survey and was accessible via the link from the recruitment email. Follow-up questions asking for clarification were embedded when responders endorsed particular answers.

Results

We will discuss these results in terms of “behavior analysts” and not BCaBAs or BCBAs, as our reporting does not separate those who endorsed certification from those who did not. We cannot verify if those who did not endorse certification 1) failed to do so despite being certified, 2) are not certified and are not planning to become certified, or 3) are not certified but are planning to be certified (e.g., undergoing training for this certification). For those in categories 1 and 3, the BACB Compliance Code would apply; for those in category 2 it would not. Because of this limitation in analysis, we are unable to draw conclusions about the putative influence the

³ Table 2 contains gifts as traditionally seen as present, while Table 4 contains items we deemed as “hospitality” items and events (i.e., vacation).

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Compliance Code might have on some participants (i.e., those who are not and will not seek certification).

Forty-three of 57 responders indicated they had accepted gifts of no monetary value from their clients (including client families)⁴. Most commonly, these gifts consisted of hand-drawn pictures, thank you cards, and glasses of water. Twenty-three indicated accepting gifts of small monetary value, such as chocolates and gift cards. Seven accepted gifts of moderate monetary value, like jewelry and alcohol. Finally, no responders indicated accepting gifts of high monetary value. Clarifications of the monetary anchors in the survey and *ns* can be found in Table 2.

When asked about whether refusing a gift would be offensive to the practitioner's clients, 44 of 57 (77%) indicated it would be offensive. Responders indicated that refusal could be offensive for cultural or therapeutic reasons. When asked if accepting a gift from clients would alter their relationship, 44 of 57 (77%) indicated it would. Reasons it would alter the relationship included developing dual relationships, obligations to return the favor, and the possibility of starting down a slippery slope. Reasons it would not alter the relationship centered on refusal being harmful to the relationship and respect for cultural traditions. Additional responses and endorsement frequencies are found in Table 3.

No responders indicated they had accompanied the client and his/her family on a vacation that was paid for by the client or client's family. Two of 57 (4%) indicated joining the family for a meal. Finally, 38 of 56 (68%) responders endorsed accepting beverages while at work. Frequencies of accepting these items are outlined in Table 4.

⁴ If we assume the 14 non-endorsement are from BCBAs (see note 1), that still guarantees that at least 11 BCBAs have accepted gifts of this level.

Discussion

These data show that, of those surveyed, most accepted gifts—typically of small monetary value—as part of their service. Furthermore, accepting gifts is being justified by some because they argue that refusing gifts might potentially harm the therapeutic relationship, often appealing to respect for cultural traditions; though note that 44 out of 57 (77%) responders stated that receiving a gift would alter their relationship with a client or family (see Table 3). While we see a divide in viewpoints, this study is not meant to analyze these opposing arguments, but instead to highlight that the practice of accepting gifts occurs amongst behavior analysts and that, for some, the practice is justified.

Given our findings that some behavior analysts accept gifts, we must reflect on how the practice fits with the current Compliance Code and consider if we need research into gift-giving practices to better inform our codes. We argue that there are two questions to address before proposing any changes or refinements to code 1.06(d), if any need proposing; 1) what other behaviors lead to multiple relationships and 2) in what ways do accepting and refusing gifts alter the therapeutic relationship?

For the first, Bailey and Burch (2016) argued against activities that develop friendships (or other dual relationships). As they argued, one way to protect behavior analysts is to have clients conform to the culture of behavior analysts rather than behavior analysts respecting the client's culture. Bailey and Burch recommended that clients consider behavior analysts to be tradespeople applying a craft rather than as guests in the home, the latter of which they argue cultural traditions typically apply (see Bailey & Burch, 2011, as cited in Bailey & Burch, 2016). If we agree with Bailey and Burch that accepting small gifts can germinate a friendship—a

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multiple relationship—then we must consider other activities that might produce the same outcome. For example, some of us have built rapport with tradespeople over discussions of things like family or hobbies. To follow Bailey and Burch’s lead would be to suggest extending 1.06(d) whereby we cannot converse about non-service topics, such as the weather or how one is feeling that day, unless that conversation has immediate relevance to the client’s success. However, we would rather see the field pursue common sense practices in accepting and giving gifts, but this will require us to first undertake an operational definition of gifts⁵, as it remains unclear what might constitute a gift (see Willingham & Boyle, 2011).

For our second question, we must consider how refusing gifts from clients might damage the therapeutic relationship, which would violate Guideline 2 (BACB, 2014). Suggestions to develop workplace policies (e.g., BACB, 2015) or to print cards explaining our ethics code (e.g., McCollough, 2017) might be restrictive or insulting. Even if we agree among ourselves that we behavior analysts are just “doing our jobs” and that no additional thanks is needed, we would be foolish to expect our clients and their families to feel the same way and conform to our own values as a behavior-analytic culture. Analogous to the physician or surgeon who offers life-saving treatments to individuals, we behavior analysts can be the deciding factor between a life wrought with frustration, resentment, and isolation and one where all members of a family can achieve maximal habilitation. Perhaps like many physicians, we, too, should be open to the idea that accepting gifts can foster a better, not worse, working relationship (American Medical Association, 2016; Code 1.2.8).

⁵ And perhaps an operational definition of friendship, if that is the outcome of inappropriate gift giving

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We conclude with a brief discussion of Glass (2003), who stated that scholars have “cautioned against a rigidification of technique[s] that could... obscure subtleties in cultural expectations that could be critical for optimal treatment” (p. 430). He defined two categories of ethical violation; *boundary crossing* and *boundary violations*. Boundary crossings refer to gray areas—such as accepting a small gift of gratitude from a client—that result in an improved clinical relationship. Boundary violations refer to gray areas that result in the gross negligence or disrespect for the client, such as receiving sexual favors⁶.

Answering questions about how multiple relationships develop and how and to what extent these practices might damage or improve the therapeutic relationship will call for a new way of thinking borne of empirical evidence rather than exaggeration and generalization. Consider, for example, the relation between cultural competency, gift acceptance, and boundary crossings. Instead of eliminating gift receiving from the behavior analyst’s repertoire, it might be more helpful for practicing behavior analysts to undergo concept training of culturally appropriate and inappropriate instances of gift receiving. This training might place practicing behavior analysts in a better position to respond appropriately (i.e., be culturally competent) when faced with small gift offerings during their service delivery, thereby potentially strengthening the therapeutic relationship. Further, educating practicing behavior analysts would allow for them to recognize when inappropriate gift offerings arise, and how to deny the gift in a culturally appropriate manner. Such steps are in line with the BACB’s newsletter clarification

⁶ Indeed, the BACB (2015) seems supportive of boundary crossings, as they noted that the gift giver’s intent would be considered when ethical complaints are received.

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regarding factors that influence whether accepting gifts constitutes a violation of the Compliance Code (BACB, 2015).

In summary, our research shows that behavior analysts accept gifts and we have covered some areas of exploration that might help address this topic. We have omitted pertinent discussions—like what to do when a client is served by multiple professionals (e.g., ABA and Speech and Language Pathologists) whose ethical codes might suggest different approaches to handling gifts—though perhaps at this stage those discussions might be distracting to the primary concern of organizing our codes around what we feel is best for the client. In pursuing a discussion of our ethics codes with respect to gifts, we fear we have made strawmen out of the BACB and Bailey and Burch. In this light, we anticipate and look forward to the continued conversations surrounding this important topic as all participants disseminate their opinions.

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Table 1.

Participant Characteristics

Demographic	<i>n</i>
Location	
North America	35
Asia	12
Europe	7
Oceania	5
South America	2
Africa	0
Gender	
Female	52
Male	8
Years as BCaBA	
1-3	6
4-6	2
Years as BCBA	
1-3	9
4-6	7
7-10	7
11/+	2
Years Active	
0-5	19
6-10	22
11-15	14
16/+	5
Client Ages	
Children	56
Adolescents/Teens	22
Adults	12
Client Diagnoses	
ASD	54
ADHD	19
DD/IDD	15
ODD	7
Other	46

*note: Demographics total *n* is larger than the sample as one participant conducted telehealth in a second location. Culture and ethnicity data were collected, but with low *n*'s in some categories, the possibility of revealing an identity was possible (e.g., a country with few

practitioners had one participate in the survey), and so these data are omitted, in accordance with IRB regulations. Client diagnoses addressed by fewer than 5 respondents were grouped under “other.”

Table 2.

Gift Acceptance Frequency and Type

I have accepted gifts of no monetary value from clients

*(No monetary value means the gifts were free to the client, such as drawings made by my client, thank you notes from the client or the client's family, glasses of water, or coupons)**

Endorsements	<i>n</i>	Types Endorsed	<i>n</i>
Yes	43	Pictures drawn by client	18
No	14	Thank you cards, letters, notes	15
		Glass of water	12
		Food (e.g., candy, cookies)	9
		Handmade crafts (e.g., macaroni necklace)	6
		Handmade cards	5
		Other	14

I have accepted gifts of small monetary value from clients

*(Small monetary value means the gifts were not expensive, such as gift cards for coffee, small trinkets or mementos)**

Endorsements	<i>n</i>	Types Endorsed	<i>n</i>
Yes	23	Chocolates	8
No	34	Gift cards	6
		Mementos	5
		Other	19

I have accepted gifts of moderate monetary value from clients

(Moderate monetary value means the gifts were somewhat expensive to the client, equivalent in value to a gift basket, bottle of wine/champagne, or jewelry)

Endorsements	<i>n</i>	Types Endorsed	<i>n</i>
Yes	7	Jewelry	3
No	50	Alcohol	2
		Duffle bag	1
		Gift card	1
		Gift basket	1
		Clothes	1

I have accepted gifts of high monetary value from clients

(High monetary value means the gifts were expensive to the client, equivalent in value to at least the cost of a nice suit, a computer, or a television)

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Endorsements	<i>n</i>
Yes	0
No	56

*Note: Examples with fewer than 5 respondents were group together under “other.”

Table 3.

Reactions to Accepting Gifts

For the clients I work with, it is offensive to refuse a gift offer.			
Endorsement	<i>n</i>	Response Category	<i>n</i>
Yes	44	Yes, it is offensive	
No	13	Offensive to refuse gift given for cultural reasons	22
		Offensive to refuse gifts	20
		Doing so would compromise the therapeutic relationship	13
		Parents persist in presenting gifts	1
		No, it is not offensive	
		(no responses given)	
Accepting a gift from a client or the client's family will change my relationship with the client. If "Yes," why?			
Endorsement	<i>n</i>	Response Category	<i>n</i>
Yes	44	Yes, it will change my relationship	
No	13	It establishes dual relationships	14
		It obliges me to return the favor	13
		It is inappropriate/awkward to turn down gifts	11
		You will like the family more that provides gifts	6
		It starts a slippery slope	5
		Small gifts are acceptable	4
		Gifts related to cultural customs are acceptable	4
		Probably won't happen, but better safe than sorry	1
		No, it will not change my relationship	
		Refusing is harmful to the relationship	8
		Accepting gifts respects cultural traditions	5
		There are some gifts that would be inappropriate	5
		It is a social practice with no ill effects	3

*Note: Response categories for frequencies were derived from text responses from participants. Complete text responses are available by contacting the first author. Some answers fulfilled multiple response categories.

Table 4.

Vacations, Meals, and Beverages

I have accompanied at least one client on a vacation/holiday, paid for by the client or the client's family, in which I was not working the entire time

Endorsement	<i>n</i>
Yes	0
No	56

I have joined my client or my client's family for meals as a "thank you" for my service

Endorsement	<i>n</i>	Frequency	<i>n</i>
Yes	2	Daily	0
No	55	Multiple times per week	0
		Weekly	0
		Few times each month	0
		Rarely	2

I have accepted water, coffee, or other beverages from my client or client's family while at work

Endorsement	<i>n</i>	Frequency	<i>n</i>
Yes	38	Daily	1
No	18	Multiple times per week	4
		Weekly	1
		Few times each month	7
		Rarely	26
