

GENERAL OFFICE POLICY & PROCEDURE

Ethics & Practice

Counseling Center staff and trainees adhere to the ethical principles of the American Psychological Association (APA) and the American Counselors Association (ACA). Additionally, all clinicians must adhere to the rules of practice outlined by the Psychologists' Licensing Act of the State of Texas and the Texas State Board of Examiners of Psychologists (TSBEP). Additional information can be found at:

American Psychological Association – www.apa.org/ethics/code/index.aspx

American Counselors Association – www.counseling.org/resources/codeofethics/TP/home/ct2.aspx

Psychologists' Licensing Act – www.tsbep.state.tx.us/act-and-rules-of-the-board

Texas State Board of Examiners of Psychologists – www.tsbep.state.tx.us

Dual/Multiple Relationships

Although not all dual/multiple relationships are inherently harmful or exploitative, such relationships should be avoided when possible in order to maintain appropriate boundaries. Given the size of SHSU and the surrounding community, however, the potential to encounter current clients in a variety of contexts is quite high. Clinicians should consult with peers when a possible dual/multiple relationship presents itself in order to process through relevant clinical and ethical considerations and determine an appropriate course of action. The outcome of such consultation should be documented in the appropriate location (e.g. a client's file, or the counselor's private notes).

Trainee/Student Clients

Due to the lack of clinical resources in the surrounding community, the Counseling Center represents the best option for services for many students; including students from academic departments that feed our training programs. Students who have completed a practicum at the Counseling Center are eligible to receive services, but these services cannot be provided by a previous clinical supervisor. Students who have previously received Counseling Center services are not eligible to complete a practicum at this center. Trainees do not provide services to students from their home program. Additionally, clinicians do not provide services to students who are enrolled in a class they are teaching.

Confidentiality

Confidential information may not be discussed with anyone outside of the Counseling Center, unless a signed release of information form has been obtained (Appendix B). The form must be signed and dated by the client, as well as by a witness other than the counselor named in the release. A signed release must be obtained before sharing information with a person or agency outside of the Center. This includes areas that are frequent sources of collaboration or referral, such as the Dean of Students Office, Department of Athletics, Services for Students with Disabilities, and Student Health Center (a separate form exists for these last two offices).

Please keep in mind that other departments on campus, and many off campus agencies, have their own standards for the sharing of information related to critical incidents. Typically, this means that information can be shared with minimal restriction and they may expect the same of us. In such instances it may be necessary to provide a friendly reminder that as licensed clinicians, psychologists are legally and ethically bound to a higher standard regarding privacy and that as a result we likely can't participate in the quid-pro-quo sharing of information.

When a parent or concerned other calls with information about a current client, they often expect an update or specific guidance about said client. Such individuals should be informed that without a signed release a client's attendance can't be confirmed and clinical information can't be shared. They, however, are free to share relevant information with us and the consulting psychologist can provide them with general guidance.

Given the Counseling Center's open floor-plan and limited sound-proofing, please be mindful of your surroundings when discussing confidential information. Ideally, any conversation involving clinical or identifiable information should take place behind closed doors.

Mandated Reporting

In the state of Texas, a client's confidential information can be shared in the following instances, due to mandatory reporting requirements:

- a) If a client is determined to be in imminent danger of harming him/herself.
- b) If a client discloses current abuse or neglect of children (ages 17 and under), the elderly (ages 65 and above), or disabled persons.
- c) If a client discloses sexual misconduct by a therapist.
- d) If a court issues a subpoena for records as part of a judicial proceeding.

For additional information, please refer to the following statutes:

Duty to Report Child Abuse and Neglect – Texas Family Code, Chapter 261, Subsection B

Duty to Report Abuse of Elderly or Disabled Person – Texas Human Resource Code, Chapter 48, Subsection B

Duty to Report Sexual Exploitation of a Patient by a Mental Health Services Provider – Texas Civil Practice and Remedy Code, Chapter 81, Section 81.006.

When it comes to mandated reporting please keep in mind that the state of Texas does not legally recognize a duty to warn identifiable third parties when threats of violence have been made against them by a therapy client. This may be at odds with training that clinicians at the Counseling Center have received in other jurisdictions, in addition to an individual's personal ethics, but it is an important element of practice here. In the rare instance that a clinician must decide whether to break confidentiality in order to protect an identifiable victim, consultation with the Director or Assistant Director must be obtained before any action is taken. All legal requests for client records from attorneys or the courts should be brought to the attention of the Director or Assistant Director immediately, and before any information is released.