

ETHICAL IMPLICATIONS OF E-COUNSELING

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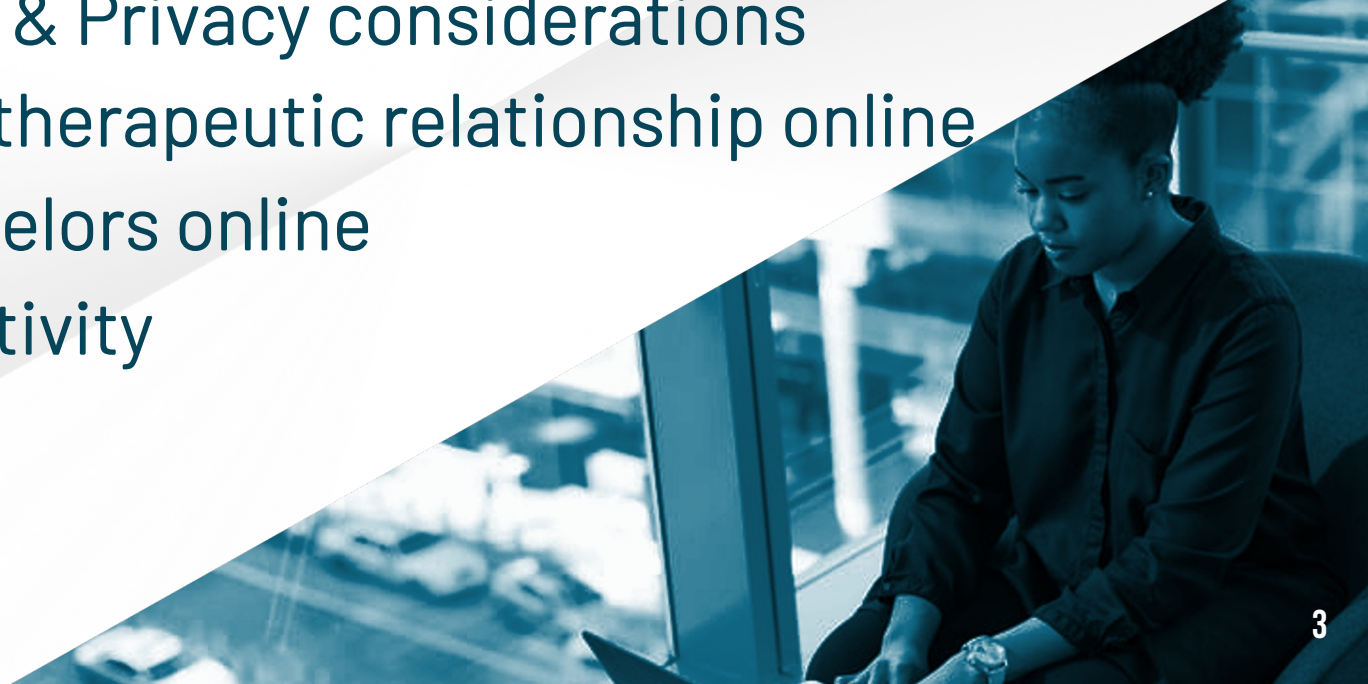


Specific CRCC Code of Ethics that will be addressed include the following sections.

1. A.1. Welfare of Those Served
2. B.1. Respecting Client Rights
3. B.2. Exceptions
4. B.3. Information Shared with Others
5. H.1. Clinical Supervisor Responsibilities
6. H.2. Clinical Supervisor Competence
7. J.1. Competence and Legal Considerations
8. J.2. Accessibility
9. J.3. Confidentiality, Informed Consent, and Security

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4. Training counselors online
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TECHNICAL SKILLS OF AN E-COUNSELING SESSION

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TECHNICAL SKILLS OF AN E-COUNSELING SESSION

- ▶ J.2. Accessibility
- ▶ b. Accessing Technology. Rehabilitation counselors guide clients in obtaining reasonable access to pertinent applications when providing technology assisted services.



TECHNICAL SKILLS OF AN E-COUNSELING SESSION

- ▶ While working with persons with disability or clients that identify as a disabled person (or any client for that matter), the counselor needs to ensure that the client is both comfortable with and knows how to use the technology.



TECHNICAL SKILLS OF AN E-COUNSELING SESSION

- ▶ H.2. Clinical Supervisor Competence
- ▶ c. Technology-Assisted Supervision. When using technology in supervision, rehabilitation counselor supervisors are competent in the use of that technology.



TECHNICAL SKILLS OF AN E-COUNSELING SESSION

- ▶ J.1. Competence and Legal Considerations
- ▶ a. Competence. When technology is used the counseling relationship, rehabilitation counselors are held to the same level of expected behavior and competence as defined by the Code regardless of the technology used or its application.



TECHNICAL SKILLS OF AN E-COUNSELING SESSION

- ▶ What additional skills and competencies are needed for online counseling?



TECHNICAL SKILLS OF AN E-COUNSELING SESSION

- ▶ What additional skills and competencies are needed for online counseling?
- ▶ Typing skills (speed, accuracy, choosing words carefully)
- ▶ Be familiar with additional security procedures
- ▶ Understand and interpret communications via video or text

CONFIDENTIALITY & PRIVACY CONSIDERATIONS

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CONFIDENTIALITY & PRIVACY CONSIDERATIONS

- ▶ Zoom, or similar technology that meets HIPAA compliance, is becoming more prevalent in our ever-changing world.
- ▶ Privacy is tied to the core principles and is at the basis of an ethical and respectful counseling relationship.
- ▶ Fidelity needs to be taken into consideration, especially when it comes to online counseling.



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

- ▶ J.3. Confidentiality, Informed Consent, and Security
- ▶ a. Informed Consent and Disclosure. Clients have the freedom to choose whether to use technology-based distance counseling within the rehabilitation counseling process. In addition to the usual and customary protocol of informed consent between rehabilitation counselor and client for face-to-face counseling, the following issues, unique to the use of technology-based distance counseling, are addressed in the informed consent process:



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

- ▶ J.3. Confidentiality, Informed Consent, and Security (continued)
- ▶ a. Informed Consent and Disclosure.
 - ▶ 1. risks and benefits of engaging in the use of technology-based distance counseling;
 - ▶ 2. type of technology, possibility of technology failure, and alternate methods of service delivery;
 - ▶ 3. anticipated response time;
 - ▶ 4. procedures to follow when the rehabilitation counselor is not available;



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

- ▶ J.3. Confidentiality, Informed Consent, and Security (continued)
- ▶ a. Informed Consent and Disclosure.
 - ▶ 5. referral information for client emergencies;
 - ▶ 6. time zone differences;
 - ▶ 7. cultural and/or language differences that may affect the delivery of services;
 - ▶ 8. possible denial of insurance claims and/or benefits;
 - ▶ 9. any limitations due to services provided across jurisdictions;
 - ▶ 10. any policies related to use of social media.



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

- ▶ H.2. Clinical Supervisor Competence
- ▶ c. Rehabilitation counselor supervisors take necessary precautions to protect the confidentiality of all information transmitted through any electronic means.



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

- ▶ B.3. Information Shared with Others
- ▶ a. Work Environment. Rehabilitation counselors avoid casual conversation about clients in the work environment and make reasonable efforts to ensure that privacy and confidentiality of clients' information and records are maintained by employees, supervisees, students, clerical assistants, and volunteers.



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

- ▶ B.3. Information Shared with Others (continued)
- ▶ e. Confidential Settings. Rehabilitation counselors are attentive to the type of service they are providing and whether confidential information is typically discussed. If confidential information is likely to be discussed, rehabilitation counselors choose settings in which they can reasonably ensure the privacy of clients. Prior to providing services in community or other settings where confidentiality cannot be maintained, rehabilitation counselors discuss with clients the risk to maintaining confidentiality.



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

- ▶ B.2. Exceptions
 - ▶ a. Serious or Foreseeable Harm and Legal Requirements. The general requirement that rehabilitation counselors keep information confidential does not apply when disclosure is required to protect clients or identified others from serious and foreseeable harm, or when legal requirements demand that confidential information must be revealed.



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

- ▶ B.2. Exceptions (continued)
- ▶ a. Serious or Foreseeable Harm and Legal Requirements.
Rehabilitation counselors must be aware of and adhere to standards and laws that govern confidentiality. Rehabilitation counselors consult with other professionals when in doubt as to the validity of an exception.



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

TECHNICAL TIPS AND PRIVACY PROTECTIONS FOR VIDEO COUNSELING SETTINGS

- ▶ Visibility of Remote Work Locations
- ▶ 1. Be cognizant of the background when in a professional setting. Keeping in mind your client's autonomy. As well as your own privacy.
- ▶ 2. Use only appropriate virtual backgrounds or an office setting in which you might use in a live session.



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

TECHNICAL TIPS AND PRIVACY PROTECTIONS FOR VIDEO COUNSELING SETTINGS

- ▶ Visibility of Remote Work Locations (continued)
- ▶ 3. Make sure the room is clear of all persons not involved in the session.
- ▶ 4. Ensure sensitive conversations cannot be overheard or work observed by unauthorized persons. Protecting your client's autonomy, fidelity, justice and veracity need to be taken into consideration and protected. (Office of Ethics, University of California, Berkely. n.d.)



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

TECHNICAL TIPS AND PRIVACY PROTECTIONS FOR VIDEO COUNSELING SETTINGS

- ▶ Screen Sharing Privacy
- ▶ 1. Protecting confidential data on your device from being viewed
- ▶ 2. Avoid sharing confidential information visible on your other screens.
- ▶ 3. Before screen sharing, close all applications, emails and documents that you will not use in that session.



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

TECHNICAL TIPS AND PRIVACY PROTECTIONS FOR VIDEO COUNSELING SETTINGS

- ▶ Managing Participants
 - ▶ 1. Don't post meeting IDs in public forums
 - ▶ 2. Don't reuse meeting access codes. You can generate a new access code for each meeting
 - ▶ 3. Monitor participant list for unwanted attendee



CONFIDENTIALITY & PRIVACY CONSIDERATIONS RECORDING OF ZOOM MEETINGS AND CHATS

Notice/Consent: Do I need to obtain meeting attendee permission to capture their video and save sessions?



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

RECORDING OF ZOOM MEETINGS AND CHATS

Notice/Consent: Do I need to obtain meeting attendee permission to capture their video and save sessions?

Yes, and this should be discussed in the confidentiality disclosure beforehand and again needs to be revisited before every recording, as the client has the right to change their mind.

This both protects you and the client.



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

RECORDING OF ZOOM MEETINGS AND CHATS

PRIVACY DATA PROTECTIONS WITH ZOOM

- ▶ If a Zoom session has been recorded, it is the counselor's responsibility to protect that information.
- ▶ The counselor would then need to take all reasonable steps to protect the client.
- ▶ Can you name a few of the steps you might take?

ESTABLISHING A THERAPEUTIC RELATIONSHIP ONLINE

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ESTABLISHING A THERAPEUTIC RELATIONSHIP ONLINE

- ▶ Does lacking the capacity to see or understand client's nonverbal cues adversely affect the counselor's ability to understand the client and vice versa?



ESTABLISHING A THERAPEUTIC RELATIONSHIP ONLINE

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It absolutely has that possibility



ESTABLISHING A THERAPEUTIC RELATIONSHIP ONLINE

- ▶ B.1. Respecting Client Rights
- ▶ Rehabilitation counselors recognize that trust is the cornerstone of the counseling relationship. Rehabilitation counselors aspire to earn the trust of current and prospective clients by creating an ongoing partnership, establishing and upholding appropriate boundaries, and maintaining confidentiality.



ESTABLISHING A THERAPEUTIC RELATIONSHIP ONLINE

- ▶ How do counselors establish a working therapeutic relationship online?



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Autonomy



ESTABLISHING A THERAPEUTIC RELATIONSHIP ONLINE

- ▶ A.1. Welfare of Those Served
- ▶ e. Autonomy. Rehabilitation counselors respect the rights of clients to make decisions on their own behalf in accordance with their cultural identity and beliefs.



ESTABLISHING A THERAPEUTIC RELATIONSHIP ONLINE

- ▶ The counselor should continue communicate in manner that practices warmth, and empathy when using Zoom or other similar software/apps just as they would more traditional face to face setting.
- ▶ By focusing and being more acutely aware for the counselor's micro skills.



ESTABLISHING A THERAPEUTIC RELATIONSHIP ONLINE

- ▶ Attending and Empathy Skills
- ▶ Observation Skills
- ▶ Questions (both closed and open ended)
- ▶ Encouraging, Paraphrasing and Summarizing
- ▶ Reflecting feelings
- ▶ Reflection of meaning, interpretation and reframing (Ivey, Ivey, and Zalaquett, 2018).
- ▶



ESTABLISHING A THERAPEUTIC RELATIONSHIP ONLINE

- ▶ The client must be clear in their messages what they are feeling, and the counselor must check with the client to ensure that they (the counselor) is interpreting them (the client) correctly.



ESTABLISHING A THERAPEUTIC RELATIONSHIP ONLINE

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- ▶ “So wat do u want to wrk on 2day?”: The Ethical Implications of Online Counseling. Rummell C. & Nicholas J (2010)

VIDEO

<https://www.youtube.com/watch?v=K4unpA1Se5I>

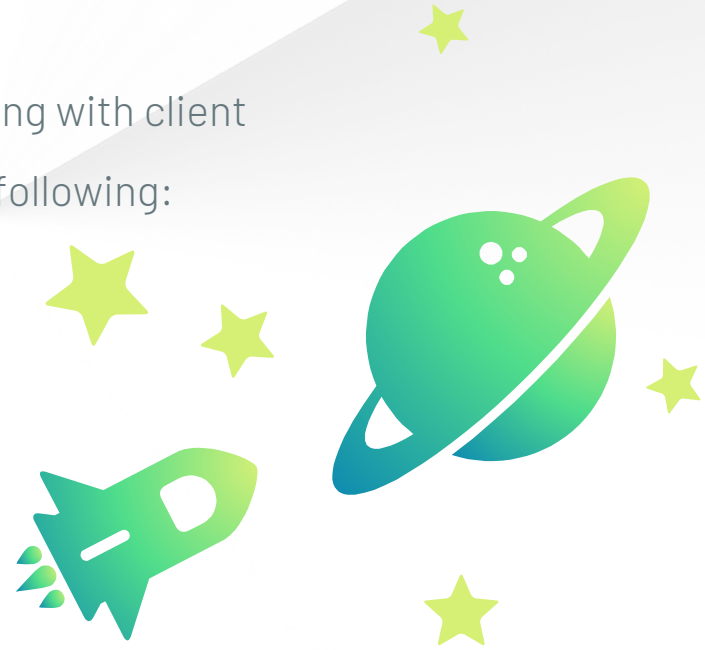
Discusses what to do/not do when video conferencing with client

This video addresses ethical implications involving following:

- Confidentiality

- Technological competence

- Professionalism



TRAINING COUNSELORS ONLINE

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TRAINING COUNSELORS ONLINE

- ▶ What are the ethical implications of training counselors online?
- ▶ Why is clinical supervision important in training counselors?
- ▶ Is clinical supervision the same when being conducted online vs. in person?



CONFIDENTIALITY & PRIVACY CONSIDERATIONS

- ▶ H.2. Clinical Supervisor Competence
- ▶ c. Technology-Assisted Supervision. When using technology in supervision, rehabilitation counselor supervisors are competent in the use of that technology. Rehabilitation counselor supervisors take necessary precautions to protect the confidentiality of all information transmitted through any electronic means.



TRAINING COUNSELORS ONLINE

- ▶ H.1. Clinical Supervisor Responsibilities
- ▶ a. Client Welfare. A primary obligation of rehabilitation counselor supervisors is to monitor client welfare by overseeing supervisee performance and professional development. To fulfill these obligations, rehabilitation counselor supervisors meet or communicate regularly with supervisees to review the supervisees' work and help them become prepared to serve a diverse client population.



TRAINING COUNSELORS ONLINE

- ▶ Supervision is critical in the training of future counselors
- ▶ Benefits of supervision are:
 - ▶ 1. Enhanced counselor skills
 - ▶ 2. Greater effectiveness and accountability
 - ▶ 3. Increased feelings of support, confidence in job abilities, professional identity development, etc.
 - ▶ 4. Decreased feelings of burnout, and self-isolation



TRAINING COUNSELORS ONLINE

- ▶ “Computer based clinical supervisions requires:
 - ▶ 1. training on new supervision technology, both ongoing and frequent,
 - ▶ 2. extra time to plan for supervision,
 - ▶ 3. increased consistency and structured protocol for supervision,
 - ▶ 4. more efficient communication procedures among all parties” (Vaccaro & Lambie 2007).



TRAINING COUNSELORS ONLINE

- ▶ “Perhaps the greatest clinical and ethical challenge of supervision is that supervisors must attend to the best interests of the client and the supervisee simultaneously. To do so successfully, supervisors must take into account issues of confidentiality, liability, and technological competence” (Vaccaro & Lambie 2007).



TRAINING COUNSELORS ONLINE

- ▶ E-mail
- ▶ Video conferencing (Zoom, Microsoft teams, Skype, etc.)
- ▶ Instant messaging (IM)



TRAINING COUNSELORS ONLINE

- ▶ Ensure that all emails sent from supervisor to supervisee to client are encrypted and properly secured.
- ▶ Supervisors ensure that all video conferencing is done in a private setting and done through a secure network.



TRAINING COUNSELORS ONLINE

▶ Liability

- ▶ “Counselor education programs need to be sure that they have adequate liability coverage to support a computer-based supervision program. Because counseling trainees may be supervised over considerable distances, there needs to be a focus on making sure the appropriate liability insurance is in place” (Vaccaro & Lambie 2007).
- ▶ The client must be aware of the confidentiality concerns during online supervision services, and it must be acknowledged by the supervisor, supervisee, and the client.

“

“Use of the Internet may also allow a client seeking treatment for a particular concern to have access to professionals who specialize in that field but are not in the geographic area.”

Rummell, C., & Joyce, N. (2010).

CASE STUDY DISCUSSION

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CASE STUDY DISCUSSION



- ▶ A client with a history of depression and suicidal ideation has been engaging successfully with therapy via Zoom for the last year. However, recently they have experienced extremely challenging life events that are now causing instability in their living arrangement.
- ▶ As a new counselor in training, you noticed problematic behaviors and thought patterns emerging, and are seriously concerned about the client's mental health given the history.
- ▶ Despite there being no actual sign of suicidal ideation and your client previously expressing the desire to avoid hospitalization, you as a new counselor feel it is necessary to contact your supervisor in order to discuss whether to have the client recommitted for their own safety.



CASE STUDY DISCUSSION

- ▶ 1. From a supervisor's perspective or as the counselor, how would you proceed in this scenario?
- ▶ 2. How would you ensure the client's confidentiality, beneficence, and autonomy are taken into consideration when discussing possible solutions to this situation?
- ▶ 3. What would you do as the counselor in training in the meantime?
- ▶ 4. What would you do as the supervisor when your subordinate comes to you?

QUESTIONS?



THANK YOU!!





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