New Ethical Dilemmas Facing Counselors and Clinical Supervisors

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Presentation Outline

1. Overview of technology and ethics
2. Use of social networking websites by clinical supervisors, counselors, and clients
3. Emailing clients
4. Conducting internet searches on clients and/or supervisees
5. Performing client consultations online
Ethics codes cannot do our questioning, thinking, feeling, and responding for us. Such codes can never be a substitute for the active process by which the individual therapist or counselor struggles with the sometimes bewildering, always unique constellation of questions, responsibilities, contexts, and competing demands of helping another person. Ethics must be practical. Clinicians confront an almost unimaginable diversity of situations, each with its own shifting questions, demands, and responsibilities. Every clinician is unique in important ways. Every client is unique in important ways. Ethics that are out of touch with the practical realities of clinical work, with the diversity and constantly changing nature of the therapeutic venture, are useless.

(Pope & Vasquez, 1998, xiii–xiv)
Technology and Ethics
Audio Taping Clients Began?
1942 by Carl Rogers
3 waves in the advancement of technology
McMinn, Buchanan, Ellens, and Ryan (1999)
advances in fax machines, word processors, answering machines, and voice mail machines

advances to enhance test administration, scoring, and interpretation

use of telephone, e-mail, and chat rooms
Did we have ethical codes regarding using fax machines or voice mail ten to fifteen years ago? AND NOW.....
Use of the Internet
Over time, search and email are most popular online activities

% of internet users who do each activity

In fact, approximately 58% of American adults will first consult online resources when seeking solutions to problems rather than turning to offline information sources.
Number of calls made/received per day, 2010-2011

Based on adult cell phone owners

Source: The Pew Research Center's Internet & American Life Project, April 26 – May 22, 2011 Spring Tracking Survey. n=2,277 adult internet users ages 18 and older, including 755 cell phone interviews. Interviews were conducted in English and Spanish.
To put these numbers in comparison, the average of 109.5 texts per day among 18-24 year olds is more than double the comparable figure for 25-34 year olds, and twenty-three times the figure for text messaging users who are 65 or older.

**Number of texts sent/received per day, by age group**

*Based on adults who use text messaging on their cell phones*
Something Eventful
Social Networks

Facebook® continued to lead as the No. 1 U.S. social networking site

800 million active users

More than 50% of active users log on to Facebook in any given day.
Richard Steinach
is feeling a lot better after winning at Bingo last night! Down to the bookies for me!
Updated 6 minutes ago edit

Networks: None
Birthday: December 13, 1982

Mini-Feed
displaying 10 stories.

Today
Richard discussed his second hip operation in The Post - GIP Club, 12:41pm
Richard is reading his newspaper for the dog racing results 12:36pm

Yesterday
Richard added the Colestral Application 10:04pm
Richard wrote on Matthew Worral's wall, 7:13pm
Richard wrote on Ross Cumming's wall, 11:55am

June 20
Richard wrote on Davy Maccal's wall, 12:55am
Richard wrote on Dan Atkinson's wall, 12:49am
Richard commented on Matthew Worral's note Photos of me, 12:49am

June 19
Richard and Amea Haddock are now friends, 10:17pm
Richard is growing his prize winning turkey 1:14am

Information
Contact Info edit
Email: richardsteinach@gmail.com
To fill out the rest of your profile, click here.

The Wall
displaying 10 of 15 wall posts.

Write something on your own Wall...
Facebook Warning

You are about to view your ex’s profile.

They are happy with their new life and have moved on.

Viewing their profile will only renew your misery and anguish.

Do you wish to continue?

[YES] [NO]
Counselor
Self Disclosure
Self-disclosure in psychotherapy is defined as the revelation of personal rather than professional information by a psychotherapist to a client.

Zur, et al., 2009
"All disclosures reflect decisions about the boundaries between the private self and the outer world.”

Farber, 2006
All psychologists affirm the importance of being thoughtful and intentional about how they handle issues of self disclosure.

(Schwartz, 1993).
Problems with Counselor Self Disclosure

Lost focus (e.g., disclosures that divert the interview from the experience of the client to the experience of the counselor)

Inappropriate timing (e.g., disclosures that slow the development of or abort the therapeutic relationship)

Duration (e.g., disclosures of excessive length that constitute a form of introspective disengagement on the part of the counselor)
Problems with Counselor Self-Disclosure

**Immediacy** (e.g., communicating current experiences from the counselor’s personal life about which the counselor lacks objectivity and emotional control)

**Inappropriate levels of intimacy** (e.g., excessively intimate disclosures that diminish a client’s feelings of physical and psychological safety in the service relationship or diminish the client’s confidence in the abilities of the counselor)

**Cultural violation** (e.g., disclosures that violate cultural etiquette)
Psychotherapists’ Self-Disclosure

- Intentional
- Unintentional
- Deliberate
- Accidental
- Verbal
- Nonverbal
- Avoidable
- Unavoidable

Zur, et al., 2009
Counselor Self-Disclosure

• BENIGN

• APPROPRIATE

• INAPPROPRIATE
The Internet has redefined the process of self-disclosure.
Even when a psychologist creates concrete guidelines for himself or herself around the area of self-disclosure, the Internet can potentially counteract even the best of intentions on the part of an ethical psychologist.
Interesting professional and ethical challenges as the distinctions between private and public information blurs (Behnke, 2008).
“Nothing that enters cyberspace is ever completely secure”

Collins(2007)
Clinicians must be aware that all their online postings, blogs, or chats may be viewed by their clients and will stay online, in some form, forever.
A few study participants even reported that they had been matched to current or former clients through anonymous dating Web sites.
Should a counselor have the same policy regarding their online interactions for everyone?

Lehavot, 2009
Or should the decision of whether, for example, to “friend” a client on a social networking site be made individually, depending on the function for that particular client.

Lehavot, 2009
Certainly, we need to be thoughtful about what we post online and careful about whom we grant access to our personal information.
Questions to Ask Yourself Before Posting

What are the costs and benefits of posting the information?

Is there a high probability that clients will be significantly and negatively affected?

How will the disclosure affect my relationship with my clients?

Does the disclosure threaten my credibility or undermine the public’s trust in the field of counseling?
How do you manage your online disclosures?
Emailing Clients
E-mail offers a fast, economical method of communication that may serve as a positive adjunct to the counseling relationship.

Bradley & Hendricks, 2009
Urge e-mail users to:

- maintain virus protection
- encrypt all e-mails
- insist on periodic backups
- use antivirus protection
- use strong passwords

Zambroski, 2006
Emailing Clients

• counseling relationship
• confidentiality and privacy
• Counseling vs. administrative emails
• checking e-mail
• Email signature
General Rule

Email communication must support the working alliance between the counselor and client and promote trust.
Confidentiality and Privacy

Counselors Must:

1. acknowledge that email correspondence is not confidential
2. ensure that the email platform used is encrypted and password protected
3. Determine what information will be okay to disclose in an email
4. acknowledge that they will never forward a client’s email
5. determine the policy for recording the email in the client record or printing the email off
6. Ask the client about the privacy of their email account and who has access
Counseling vs. Administrative Email

• Administrative emails would include date, and time of next appointment, cancellation of appointments, rescheduling appointments, etc.

• Counseling emails include therapeutic material regarding clients’ problems and issues.
Frequency of Checking Email

- The important issue is what policy has the counselor communicated to the client regarding how frequently they check email.

The counselor must then abide by this policy.
Email Signature

- every e-mail sent to a client must contain a signature
- signature must include information about such issues as confidentiality, security, privacy, unauthorized access, and intended user
- For example: “this e-mail and any attachments are intended only for use by the addressee and may also contain privileged or confidential information”
Email Counseling

• Many online counseling centers utilize email counseling.... BUT most have specially designed email platforms and programs that allow counselor and client to exchange emails in a secure and private manner.

• Asynchronous versus Synchronous email Counseling
Emailing Clients ..... Is it For You?
Clinical Supervisors....

Have you asked your supervisee if they email or text clients?
Intertwining of the Internet and clinical practice
“Googling” has become synonymous with “Internet searching.”
The accessibility, anonymity, and universality of the Internet have made it easier and more tempting to “Google” clients.
Patient Targeted Googling

Is it infringing on a patient’s privacy?
Would it be okay for a counselor to drive by a clients’ house?
Three Things to Consider Before Conducting Patient Targeted Googling

1. consider the intention of the search
2. evaluate the potential risk to the patient
3. anticipate the effect of gaining previously unknown information
More In Depth Questions

1. Why Do I Want to Conduct This Search?

2. Would My Search Advance or Compromise the Treatment?

3. Should I Obtain Informed Consent from the Patient Prior to Searching?
More In Depth Questions

4. Should I Share the Results of the Search with the Patient?

5. Should I Document the Findings of the Search in the Medical Record?

6. How Do I Monitor My Motivations and the Ongoing Risk-Benefit Profile of Searching?
On the Other Hand
With the click of a mouse, clients can find a wealth of information on their counselors.
Some personal information about the clinician may be available to the client without the psychotherapist’s knowledge or approval.
How do you respond if a client tells you that he has “Googled” you or visited your website?
Online Consultations
Participating in Online Consultations on forums and listservs

Kaslow, Patterson, & Gottlieb, 2011
ONLINE Consultations

increase the possibility of inadequate and simplistic solutions being offered
ONLINE Consultations

risk of violating client confidentiality unless identifying information is well camouflaged
Unless the person seeking consultation knows the counselor who is responding, he or she has no assurance about the efficacy, accuracy, validity, and soundness of the information provided.

Kaslow, Patterson, & Gottlieb, 2011
Clinical Supervisors and Technology: A Balancing Act
Counselors may avoid seeking guidance on Social Network or internet or technology issues because of a perceived lack of knowledge regarding these issues on the part of supervisors.
Importance of Supervisors Conducting Self Assessments
Accessible

easy to approach and speak freely with
Technology could create a threat to usual patterns of supervision.
Supervisors should consider all the same issues relevant to counselors and their clients when considering sharing personal information online with:

1. supervisees
2. accessing supervisees’ information online
3. communicating through social networking sites with supervisees
Questions
The End