

The background features a vibrant yellow and white color palette. A large, irregular white shape, resembling a torn piece of paper or a handprint, is positioned in the lower right. This white shape contains the text. The background is also decorated with several sets of parallel black lines that create a sense of depth and movement, appearing to converge and diverge across the frame.

***Client Rights and
Counselor
Responsibilities***

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What is informed consent?

A clients right to be informed about their therapy and make autonomous decisions pertaining to it. (p.152)

As clinicians this is a **must** for both ethical and legal reasons.

Often clinicians will use an **informed consent document** which is used to define boundaries and clarify the nature of the basic counseling relationship between the counselor and the client.



***How is this
done?***



Example of consent form:

The Counseling Clinic

- We are a licensed counseling clinic with several years of experience specializing in various counseling. We value our relationship with our clients and believe that such relationship is the beacon in the healing process.
- We believe that each individual is unique and has his own way of addressing resolutions. Thus, we believe in a wellness model that helps our clients empower themselves by focusing on what works for them and not in a systematic approach that provides a generic procedure on working on a treatment. One's journey is not the same as the other.

Client's Rights

- The client may ask questions on what to expect during and end result of the therapy.
- The client may decline to proceed the therapy as to the techniques which may be conducted by the therapist.
- The client may cease to continue therapy anytime, without any impediment and may return to therapy anytime.
- The therapist has the right to dismiss the client from the course of therapy.
- The client has the right to review his or her records from the therapist.
- Right to confidentiality: Within limits provided for by law, all records and information acquired by the therapist shall be kept strictly confidential in accordance to the principles of a doctor-patient relationship. All information will not be shared or revealed to any person, agency, or organization without the prior written consent of the client.
- The client can raise any concerns and to speak with the therapist immediately of any concerns provided that the therapist is likewise available to discuss matters with the client.

Acknowledgement

I have reviewed this Professional Counseling Informed Consent Agreement. I likewise understand my Client's Rights set in this form.

I accept this agreement and consent to counseling.



***Example of
consent form
continued:***

Keep language simple!

- It's important to note that disclosures should be given in simple language.
- Educating the clients helps build an alliance between you and them.
- Understand that it's a **process**.

“Most of the codes of ethics make it clear that educating clients about the therapeutic process is an ongoing endeavor. Informed consent is not a single event; rather it is best viewed as a process that continues for the duration of the professional relationship as issues and questions arise. (p.154)



*Don't
overwhelm...*

It can be a challenge for us to give accurate and sufficient information, yet not overwhelm clients.

First time with a client can bring about feeling of anxiousness. This is one of the reasons why consent is spread out through the course of the therapy, so details aren't missed. (p. 157 & 202)



*Stay out of
trouble &
Keep records!*

Risk management is important as a clinician and while all liabilities can't be 100% erased, keeping good records of sessions helps practitioners prepare for any concerns that come up while you work.

Could be ethical or legal violations; malpractice and ethics complaints to a licensing board can happen. By keeping records you can reduce this risk.

- You can do this as long as the client knows and consents. This **must** be documented.
- It's crucial that the clients know why it's being recorded or observed; either for training, supervision, college feedback, among other reasons. (p.163)



Video & Audio record



What about during Covid?

- E-therapy is a thing! Same ethical standards apply.
- Clients should be informed about differences in therapy and cost between in person and online. It's also important to establish the same and clear boundaries as in person.



***A.A.MFT
(2015) ethic
code***

- Prior to commencing therapy or supervision services through electronic means (including but not limited to phone and Internet), marriage and family therapists ensure that they are compliant with all relevant laws for the delivery of such services. Additionally, marriage and family therapists must: (a) determine that technologically-assisted services or supervision are appropriate for clients or supervisees, considering professional, intellectual, emotional, and physical needs; (b) inform clients or supervisees of the potential risks and benefits associated with technologically-assisted services; (c) ensure the security of their communication medium; and (d) only commence electronic therapy or supervision after appropriate education, training, or supervised experience using the relevant technology. (6.1)



***Pros & Cons
of online
therapy***

What do you think?

An orange brushstroke graphic with a rough, hand-painted edge, containing the text 'Minors without parental consent' in white italicized font.

*Minors
without
parental
consent*

- Have an ethical responsibility to provide information that will help them become active participants in their treatment.
- If they don't understand the risks and benefits and can't give a complete informed consent, therapist should still attempt to explain the therapy process and general procedures of therapy to them. (p.184)



Minors with parental consent

- Can be beneficial in parents involved, will give clinician a chance to see how the child behaves when parents are their and how parents react to child.
- APA 2013b guidance:
“Careful judgement must be exercised by the psychiatrist in order to include, when appropriate, the parents or guardian in the treatment of a minor. At the same time, the psychiatrist must assure the minors proper confidentiality”
(4.7)

Rights to files

- Records are for the **benefit** of the clients; therefore they should have the rights to their records which are kept on behalf of the professional. (p.163)
- We have a responsibility to take records that are complete, respectful, descriptive, and nonjudgmental since there is a possibility your client could see that.
- Could be beneficial for you to be there to help interpret notes so that no misunderstandings occur.



Bad apples ☹️



How do you deal with unethical behavior of colleagues?



We have an obligation to recommend informal peer monitoring. Should try to deal with them directly unless it would compromise client's confidentiality.



In serious cases reporting a colleague to a professional board is another option.

- Informed consent lets the client make informed decisions. Important to find a balance in how you present them the information.
- **You** have a responsibility to the client, their agency, family, and themselves. We must operate within our ethical code to ensure we are doing the best we can for our clients.
- Ethical and legal malpractice can happen, documentation is important!
- *“Being committed to doing what is best for the client is a very powerful risk management strategy” (p.202)*
- *Matt 7:12*



Summary

Thank you!

