

Professional Ethics in Counseling MF-530
Mennonite Brethren Biblical Seminary
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Summer Term 2009 - 2 credits
7/23, 7/24, 7/25 & 8/6, 8/7, 8/8
Thursdays 6PM – 9:15PM
Fridays & Saturdays 8:30AM – 4:00PM

Course Description: This class is designed to examine the ethical principles of counseling and their application in a variety of settings. There will also be an examination of current statutory regulations and requirements that impact counseling practice.

Course Objectives:

1. Students should have an understanding of the moral and philosophical underpinnings of ethical discourse in general and its importance in professional development.
2. Students should have a working knowledge of the ethical principles in counseling and understand how these interface with their personal beliefs and values.
3. Students should be able to identify ethical and legal issues that may be imbedded in complex clinical/research/administrative situations and formulate a course of action which is consistent with the ethical guidelines.
4. Students should be able to recognize when professional consultation is necessary either from within the profession or from another discipline.

Related Degree Outcomes:

1. Demonstrate appropriate use of one's personal self in response to human need. (4.3)
2. Demonstrate practice consistent with the laws and ethics that apply to marriage, family, and child counseling. (4.4)
3. Demonstrate proactive understanding, awareness, and relational skills across cultures, religions, and special populations. (4.7)

Course Requirements

1. **Please make sure that you have read the readings assigned for each class before you come to that day's class.** Class discussions and lectures will assume that you have this background. This is a very intensive format and you will maximize your learning if you come prepared to think and discuss.
2. Thoughtful participation in class discussions on assigned readings and case materials.

3. There will be 2 tests. [**Aug 6 & Aug 8**] The first will be a technical one to make sure you know the relevant principles and statutes. In the second exam you will be presented with cases that you must critically analyze.
4. Class Presentation [**Aug 7 or Aug 8**]
This is a project that will be done with several other class members. Select a special client population or setting where you anticipate working in a counseling capacity. Research the special ethical problems that might arise. Make a presentation to class of the unique ethical challenges of that population or setting and how one might respond to those situations. Formulate a complex case example that highlights the problems likely in this special setting or special population. Be prepared to facilitate class discussion of the ethical and legal issues raised by your case.

Special settings might include: church counseling center; director of paraprofessionals; a non-denominational religious center; counseling in another culture or country; youth ministry; group home; schools; hospice; or rural community.

Special client populations might include: court referred clients, offenders, custody assessments; trauma survivors; substance abuse.

5. Classroom Ethics Review Committees. The class will be randomly divided into committees of 3 people. Each committee will be given a case to analyze on the spot. This may sound a little intimidating, but it's actually quite a good learning experience. You will be called upon to think out loud as members of such a committee would do in real life. The essential elements of a situation are not always apparent at first glance. In discussion with others we often see aspects of a case that went unnoticed before. The committee will discuss the various elements of the case, evaluate what was done or not done and make recommendations for how it should be handled.
6. Two Case Reports **Due Aug 1 [by email] & Aug 7.**
CASE REPORTS of ethical and/or legal problems in the counseling field with which you have some first hand knowledge. Include the following in your report:
 - Present a description of the relevant information about the case
 - Highlight any additional facts that were needed or assumptions made
 - Identify any relevant rights/responsibility/welfare issues of the concerned parties
 - Identify all the ethical and legal issues at stake
 - Based on your ethical assessment, evaluate the action taken and/or recommend a course of action.

These case descriptions will be the basis for some of our "Committee" discussions, so obscure identifying information. In addition to your report include an additional copy of the case itself, without the analysis or your name on it. If you do not want a case publicly discussed, indicate that in your report.

Basis for Evaluation

Exam 1	15%
Exam 2	25%
Ethics Review Committee	10%
Class Presentation	15%

Case Reports	25%
Class Participation	10%

Grading Scale

A (100-94%)
A- (93-90%)
B+ (89-87%)
B (86-83%)
B- (82-80%)
C+ (79-77%)
C (76-73%)
C- (72-70%)
F (69-0%)

Late assignments will result in a loss of a letter grade.

Seminary Academic Policies

Academic Policies. MBBS academic policies (as well as other school policies) are described at <http://www.mbseminary.edu/fresno/policies/>. These policies provide guidance on academic integrity and plagiarism, accommodation for disabilities, incomplete course work, extensions, dates for changing registration, non-discriminatory and inclusive language, appeals, etc. Students are expected to be familiar with these policies and will be held responsible for adhering to them. If you have questions about how these policies relate to you or to a situation that you face in your studies, please speak to the professor or consult the Registrar.

Course evaluations are to be completed online and are due one week after the completion of the course. Official grades will not be posted until the student's evaluation of the course is completed.

If a student wishes to have heightened confidentiality of assignment results, the student should submit the assignment in a self-addressed envelope. The assignment will be returned in the same envelope.

Texts

Required

Bernstein, B.E. & Hartsell, T. L. (2004) *The portable lawyer for mental health professionals*. New York: Wiley. ISBN: 0471465518

Corey, G. Corey, M. S., & Callanan, P. (2006) *Issues and ethics in the helping professions*. Pacific Grove, CA: Brooks/Cole Publishing. ISBN: 0534614434

Companion Website: http://www.wadsworth.com/cgi-wadsworth/course_products_wp.pl?fid=M20b&flag=student&product_isbn_issn=9780534614430&disciplinenumber=7

Readings

Most of the following readings are available through online services of the library.

The library cannot, however, access articles from *The Therapist*. [articles are boldfaced]. This is the bimonthly publication of the *California Association of Marriage and Family Therapy*. Most of the articles are updates or review of legal/ethical issues in California. If you join the organization as a student member, you will have access to these articles. If you decide not to join, I will make my copies of the articles available in a notebook in the bookcase outside Delores Friesen's office. They can be checked out on the card in the notebook pocket.

Frame, M. W. (2000) Spiritual and religious issues in counseling: Ethical considerations. *Family Journal*, 8 (1). Pp 72-74.

Frazier, R.E. & Hansen, N. D. (2009) Religious/spiritual psychotherapy behaviors: Do we do what we believe to be important? *Professional Psychology: Research and Practice*, 40, (1) 81-87.

Griffin, M. (2008) Confidentiality issues in agency and private practice settings. *The Therapist*, 20 (5): 31-39.

Griffin, M. (2006) Revisiting informed consent. *The Therapist*, 18 (5): 35 – 48.

Jensen, D. G. (2008a) Unlawful and unethical dual relationships: A word to the wise. *The Therapist*, 20 (1) 15-23.

Jensen, D. G. (2008b) MFT's, members of the clergy, and their reporting obligations under CANRA *The Therapist*, 20 (3) 25-28.

Jensen, D. G. (2006) The fundamentals of reporting elder & dependent adult abuse. *The Therapist*, 18 (2) 11-17.

Jobs, D.A., Rudd, M.D., Overholser, J.C. & Joiner, T.E. (2008) Ethical and competent care of suicidal patients: contemporary challenges, new developments and considerations for clinical practice. *Professional Psychology: Research and Practice*, 39, 405-413.

- Jordon, A. E. & Meara, N.M. (1990) Ethics and the professional practice of psychologists: the role of virtues and principles. *Professional Psychology: Research and Practice*, 21, 107-114.
- Knapp, S. & VandeCreek, L. (2007) When values of different cultures conflict: ethical decision making in a multicultural context. *Professional Psychology: Research and Practice*, 38, 660-666.
- Leslie, R.S. (2008) The dangerous patient and confidentiality revisited. *The Therapist*, 20 (5) 24-30.
- Leslie, R.S. (2007) Use of a “no secrets” policy in couple and family therapy. *The Therapist*, 19 (5) 32-35.
- Riemersma, M. (2008) Critical reminders for interns and trainees and supervisors too. *The Therapist*, 20 (6) 33-43.
- Schank, J. & Skovholt, T.M. (2006) Ethical practice in small communities. Washington, D.C.: American Psychological Association. pp. 75-115.
- Tan, S.Y. (2003) Integrating spiritual direction into psychotherapy: Ethical issues and guidelines. *Journal of Psychology and Theology*, 31, 14-23.
- Younggren, J.N. & Gottlieb, M.C. (2008) Termination and abandonment: History, risk, and risk management. *Professional Psychology: Research and Practice*, 3, 48-504.
- Younggren, J.N. & Gottlieb, M.C. (2004) Managing risk when contemplating multiple relationships. *Professional Psychology: Research and Practice*, 35, 255-260.

Additional Materials

AAMFT [American Association for Marriage & Family Therapy] Code of Ethics.
Available at the following web site.
http://www.aamft.org/resources/LRM_Plan/Ethics/ethicscode2001.asp

CAMFT [California Association of Marriage & Family Therapists]
<http://www.camft.org/>

CAMFT Ethics Code
<http://www.camft.org/scriptcontent/index.cfm?displaypage=../CamftBenefits/EthicalStandards1.html>

Case Notes for Kip Kinkel:
<http://www.pbs.org/wgbh/pages/frontline/shows/kinkel/trial/hnotes.html>

Licensing Law
Laws and Regulations Relating to the Practice of Marriage, Family, and Child Counseling, Licensed Clinical Social Work, and Licensed Educational Psychology
Available from the Board of Behavioral Sciences, State of California
at their web site: <http://www.bbs.ca.gov>

- Click on the link for “Statutes & Regulations”
 - We will use the regulations for 2009 [regulations are updated yearly]

- The regulations usually don't change much from year to year & the first page for that year's revision, lists the changes from the previous year.
- This document is divided into 2 parts, the first is the law itself, the second part is the regulations that have been developed to implement the law. You need to read the sections listed below.
 - Business and Professional Code of California – Chapter 13 Articles 1-4 & 6
 - California Code of Regulations Articles 1, 4, 8-10

Additional documents related to California laws

- Professional Therapy Never Includes Sex – pamphlet given to clients, if previous therapy has had inappropriate relationship with them
<http://www.bbs.ca.gov/pdf/publications/proftherapy.pdf>
- Frequently asked Questions about MFT Interns & Trainees
 - http://www.bbs.ca.gov/pdf/publications/mft_faq.pdf

References that may be of interest

- American Psychological Association (2006) Strategies for private practitioners coping with subpoenas or compelled testimony for client records or test data. *Professional Psychology: Research and Practice*, 37, 215-222.
- Anfang, S.A., & Appelbaum, P.S. (1996) Twenty years after Tarasoff: Reviewing the duty to protect. *Harvard Review of Psychiatry*. 4 (2) 67-76.
- Blackburn, B. (1997) Pastors who counsel. In R.K. Sanders (Ed) *Christian Counseling Ethics*. Downers Grove, IL: InterVarsity Press. 75-85.
- Chappelle, W. (2000) A series of progressive legal and ethical decision-making steps for using Christian spiritual interventions in psychotherapy. *Journal of Psychology and Theology*. 28, 45-53.
- Johnson, W. B., Ridley, C. R. and Nielsen, S.L. (2000) Religiously sensitive rational emotive behavior therapy: Elegant solutions and ethical risks. *Professional Psychology: Research and Practice*, 31, 14-20.
- McRay, B.W.; McMinn, M.R.; Meek, K.R. (1998) Questioning the “slippery slope”: Ethical beliefs and behaviors of private office-based and church-based therapists. *Counseling and Values*. 42 (2): 142-152.
- Pettifor, J.L. (2004) Professional ethics across national boundaries. *European Psychologist*, 9, 264-272.
- Sanders, R.K. (1998) Integrity in the age of managed care. *Journal of Psychology and Christianity*. 17 (2): 101-109.
- Strom-Gottfried, K. (1998) Is “ethical managed care” an oxymoron? *Families in Society*. 79 (3): 297 – 307.
- Truscott, D., Evans, J. & Mansell, S. (1995) Outpatient psychotherapy with dangerous clients: A model for clinical decision-making. *Professional Psychology: Research and Practice*, 26, 484-490.

Date		Topic <i>This is the order in which topics will be covered; class date for the topics may vary slightly based on needs & size of the class.</i>	Assignment Due Relevant Readings [by 1st author] [Reference list attached]
7/23	1.	Introduction Values, Principles, Virtues & Ethics	Jordon
↓	2.	Ethical Decision Making	Corey et al [Ch. 1]
	3.	Ethical Codes	AAMFT Ethical Code CAMFT Ethical Code
	4.	The Therapist as a Person; Beliefs, Attitudes, Needs; Impaired Clinician	Corey et al [Ch 2 & 3]
7/24	5.	Counseling, Client Rights Counselor Responsibilities	Corey et al [Ch 5] Younggren [2008]
↓	6.	Competence & Integrity	Corey et al [Ch 8]
	7.	California Licensing	Licensing Law Riemersma
	8.	Confidentiality & Privilege	Bernstein & Hartsell [Ch 9-11] Corey et al [Ch 6]
↓	9.	Record Keeping Releasing Records or Information HIPAA	Corey et al [Ch 4] Bernstein & Hartsell [Ch 1-8, 37-46] Griffin How to deal with a subpoena [see class web page]
7/25	10.	Boundaries & Multiple Relationships Sexual Misconduct	Corey et al [Ch 7] Younggren [2004] Schank Jensen [2008a]
	11.	Spiritual Issues & Ethics	Frame Tan Frazier
	12.	Multicultural Issues	Corey et al [Ch 4] Knapp
	13.	Child, Marital, Family Issues	Corey et al [Ch 12] Bernstein & Hartsell [Ch 17] Leslie [2007]
↓	14.	Abuse: Child, Elder, Dependent Adult & Spousal	Bernstein & Hartsell [Ch 16] Jensen [2008b & 2006] See also,
		Dangerousness Tarasoff Suicide	Bernstein & Hartsell [Ch 21 & 22] Leslie [2008] Jobs Case Notes for Kip Kinkel
8/1			Case Report #1 is due
8/6	15.	Supervision	Corey et al [Ch. 9] Bernstein & Hartsell [Ch 32, 33]
	16.	Advertising & Financial Arrangements	Bernstein & Hartsell [Ch 14,15,16]
	17.	Exam	
8/7	18.		Case Report #2 is due
↓	19.	Malpractice Malpractice for Church Groups	Bernstein & Hartsell [Ch 27, 28, 29]
	20.	Managed Care	Bernstein & Hartsell [Ch 12,13,30,31]
↓	21.	Group Therapy Work in Schools Community Work	Corey [Ch 12 &13]
	22.	Ethics “Committees”	
	23.	Class Presentations	
8/8	24.	Ethics “Committees”	
↓	25.	Class Presentations	
↓	26.	Exam	7

