Questions Asked During Live Webinar Broadcast on 1/29/2021

Part One: NAADAC/NCC AP Code of Ethics, Principles I & VIII - The Counseling Relationship and Resolving Ethical Concerns
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I understand that we are subject to following the highest ethics/law that applies; however, my question is-- If I am a member of NAADAC, and often provide SUD/MH services, but am working with a client that is ONLY MH with no SUD in history or present, do NAADAC ethics apply to this client relationship? Or would another code such as ACA code apply to this relationship?
A: That is a great question. The application of ethics has to do with three things: (a) the broad scope of work that you provide; (b) the specific work your agency provides; and (c) the credentials that you hold because -- you are griefed both for your practices and under your credentials. And, depending on your state -- your credential authorities would send your complaint to all boards you fall under the authority of. So, for your safety and ethical scope of practice -- you fall under both ACA or AMHCA and NAADAC.

Can you address receiving third hand information which would fall under mandated reporting laws?
A: Thanks for such a relevant question because we all find ourselves in this situation. Mandatory reporting laws apply to direct knowledge that you have of a situation. When you are getting third hand knowledge, this can get very tricky. You would need to check with your state licensing authority and state statutes to see how that is handled in your state. One thing you could do is make a “hypothetical” call to ask if you would report the actual scenario you are dealing with -- without firsthand knowledge.

Do you have thoughts on former clients becoming students/interns and hiring former clients once they present as a licensed practitioner?
A: Dual relationship can be very tricky. Many agencies hire former clients. It is important to look at dual relationships and the potential for exploitation or relapse. Also looking at the clinical supervision duality -- is the person who was doing the counseling now doing the supervision or vice versa. You would need to make sure you are looking at your dual relationship’s statutes and board rules. It would not hurt to talk to your governing board. You want written policies and procedures in place to manage the hiring of former clients -- how they will be supervised, etc.

You may have said, but what is NAADAC’s stance on relationships with former clients?
A: Once a client -- always a client. Service providers (counselors, peers and other allied service members) cannot have a personal or intimate relationship with a former client -- ever. The reason being -- if the client ever recycles due to a reoccurrence, you want to be there for them as a provider.

This may be outside today’s scope but what are the ethical considerations with respect to informing patients and staff when a treatment center has a counselor who self-isolated immediately due to symptoms pending a COVID test and then tested positive? What are our ethical considerations around getting or not getting the vaccine?
A: With an infectious disease that hit pandemic levels like COVID-19, if a clinician tested positive for COVID-19, the ethical thing to do would be to contact all clients, employees and others who came into contact with that counselor in the last two weeks to let them know that a person in the office tested positive for COVID-19 so they might want to get tested if they are concerns. I would want to treat others and inform others in the same way I would want to be treated and/or informed.

How do you know your state guideline on whether you may tape a session without permission from the client?
A: It is important to remember that as professionals we cannot do many things without client’s permission. Ethically (and legally in most states) you need a Consent to Record from all clients prior to recording them. That is true of LPCs, LMFTs, students, interns, addiction counselors, etc. One sure place to check is with your liability insurance -- ask for someone who is familiar with the laws in your state and ask them if you can record without a written consent.