

COUNSELING 618

Mental Health Ethics, Law and Professional Practice

Course Syllabus

Instructor:

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Required Texts:

Remley, T. Jr., & Herlihy, B. (2009). *Ethical, Legal, and Professional Issues in Counseling*; 3rd ed., Publisher: Prentice Hall. ISBN: 0137016719 □ □ ISBN-13: 9780137016716 □ □ eISBN:9780132634243

Anderson, B. (1996). *The Counselor and the Law, 4th ed.*; ISBN: 1556200765; 1-55620-076-5

The following required statutory/regulatory materials are available on the internet:

[Regulations Governing the Licensure of Mental Health Practitioners and the Certification of Marriage and Family Therapists, Professional Counselors, and Social Workers - 172 NAC 94](#)

http://www.sos.state.ne.us/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-172/Chapter-94.pdf

[Statutes Relating to the Uniform Licensing Law](#)

<http://www.hhs.state.ne.us/crl/statutes/ull.pdf>

[Statutes Relating to Mental Health Practice](#)

<http://www.hhs.state.ne.us/crl/statutes/mentalstat.pdf>

[Statutes Related to Medical Records](#)

<http://www.hhs.state.ne.us/crl/statutes/medrestat.pdf>

[Regulations Relating to Mandatory Reporting](#)

<http://www.hhs.state.ne.us/crl/reportregs.pdf>

Purpose:

Professional counselors and therapists are obliged to practice ethically. This course has been developed to assure that counseling students become aware of their responsibility in the therapeutic relationship. The ability to ask oneself critical questions and to reason ethically is of prime importance. Therapists must “do no harm to the client” and in addition must assist their clients in their journey to have an increased quality of life. The general focus of the course revolves around developing a personal ethical decision model that incorporates

the five moral principles, the American Counseling Association Code of Ethics, and the statutes and regulations that apply to the practice of mental health counseling and psychotherapy. Students must have the knowledge to think critically as an ethically conscientious practitioner. We will discuss legal issues, client welfare as a primary concern, responsibility for professional competence and development, responsibility for personal wellness, and develop competencies in distinguishing between values and value conflicts.

Course Description:

This course examines the mission, goals and objectives of professional practice. Students will learn and apply codes of ethics, laws, and regulations applicable to counseling, and professional standards of performance; client welfare; professional competence, professional development, personal wellness, and establishing limits and boundaries with clients and colleagues. Ensuring client confidentiality, responding to subpoenas, ensuring cultural sensitivity and credentialing, using model agreements that can be adapted to practice in a variety of service settings, and establishing professional relationships will be explored.

Course Objectives:

- Heighten self-awareness by giving attention to personal assumptions, values, biases, strengths and limitations.
- Examine the pervasive nature of ethical issues in therapeutic relationships.
- Explore ethical decision models that lead to professional practice.
- Examine the ACA ethical standards and five moral principles as applied to selected case studies.
- Explore legal point of view and history of selected legal concepts from therapeutic practice.
- Apply laws, regulations, ACA ethical code, moral principles, and client rights to a professional standard of care. (*“Do no harm to the client”*).
- Discuss the difference between mandatory ethics and aspirational ethics.
- Learn to make applications regarding confidentiality and privilege.
- Develop a personal model of ethical behavior including personal values, choices, assumptions, and moral conviction.
- Explore personal theoretical orientation and how it relates to ethics.

Course Format:

This will be an interactive, three graduate hour course, which includes **an elevated level of classroom participation** utilizing lecture and instruction, guest speakers, videos, quizzes, case studies, student presentations and article reviews.

Course Requirements and Grading:

This is a graduate level course that uses collaborative activities as one of its learning methods. Anything other than your best effort will negatively impact not only you, but your classmates as well. Since this is a graduate level course you will be required to read all of the assigned material and know it well enough to apply it to situations that you can be sure will arise in your professional life. To aid students in becoming familiar with such applica-

tion, the following will be required for a final grade in this course:

1. Each student will attend all classes and participate in all discussions. The success of this course for each student depends on appropriate engagement with the materials presented either by the **instructor or other students**. After each class session the instructor will award up to 4 points for that particular session. An absence, no matter what the reason, will result in no points awarded for that session. Total possible points to be awarded in this area: 40.
2. Students will work in partnership with others to develop a presentation for the class on a relevant topic. It is expected that the presentation include a learning activity for the class that focuses on an ethical dilemma. *Possible topics for these presentations are: The suicidal client; Managed care and confidentiality in counseling; Sexual feelings in the counseling relationship; The aftermath of the Tarasoff case; Feminist perspectives of ethical decision making in therapy; HIV/AIDS -- Confidentiality vs. public right to know; Dual relationships; Multicultural counseling and ethical issues; Special laws/problems in minor aged clients; Rural issues and ethical issues; Religion/Psychology of religion and counseling; Issues in assisted suicide; Marriage & family counseling; Counseling adolescent clients; Counseling with undocumented citizens; Internet and phone counseling; Counseling with elderly clients; and other ideas generated by the course participants.* This presentation should be roughly between 45 and 50 minutes duration. Total possible points to be awarded in this area: 60.
3. There will be two quizzes during the term, each of which will focus on a finite set of readings from the required texts above. Date for and content of each quiz will be announced during the first class session. Points for each quiz: 20. Total possible points to be awarded in this area: 40.
4. Each student will produce a *Mission Statement and Informed Consent Form* and present these to the class. The idea here is to create your own *Mission Statement* as if you were setting up a private practice as Licensed Mental Health Practitioner. Refer to the *ACA Code of Ethics* for help with this assignment. If you have previously created a personal philosophy of counseling statement, integrate this with your *Mission Statement*. For our purposes, a *Mission Statement* is no longer than two sentences and is a succinct embodiment of your beliefs and assumptions about what you will do as a practitioner. In creating an *Informed Consent* document you will use with clients, refer to *The Counselor and the Law*, pp. 147 -149. It is my hope that the development of these documents will serve you in the future as a significant step toward thinking ethically about the application of your self to what you “do” and how you behave in professional contexts. Total possible points to be awarded in this area: 30.
5. Each student will produce a review on a selected research article. The article should be related in some way to ethics, morality, and ethical decision-making and can come from any of a number of sources, including journals, books, or appropriate internet sites. If you are not sure if an article you are interested in is suitable, ask the instructor. The review you write should be from 3 to 5 pages in length, and will include a comprehensive statement of the rationale used by the author(s), your analysis of the content of the article, and a summary of its impact on your thinking about ethics and ethical decision-making. Total possible points to be awarded in this area: 40.

There are a total of 200 points possible in this course. The following table represents the equivalency between points earned and grades awarded:

Grade earned:	Percentage Breakdown:	Points Earned:
A+	98 - 100%	196 - 200
A	95 - 97%	190 - 195
A-	92 - 94%	184 - 189
B+	89 - 91%	178 - 183
B	86 - 88%	172 - 177
B-	83 - 85%	166 - 171
C+	80 - 82%	160 - 165
C	77 - 79%	154 - 159
C-	74 - 76%	148 - 153