

Counseling Ethics: From Contracts to Confidentiality

Friday, December 8, 2017, 9 a.m. to 4 p.m.

UNC Charlotte Cone University Center Lucas Room



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Contracts, Employment Issues, and Independent Contractor Arrangements: What Counselors* Need to Know

9:00 a.m. to 12:00 p.m.

This session moderated by Dr. Valerie Balog will provide mental health professionals with basic information about professional contracts, with an emphasis on employment vs. independent contractor arrangements and how to avoid contract terms that conflict with ethical obligations. Elizabeth “Liz” Venum, J.D., an attorney with Seifer Flatow, PLLC in Charlotte, NC will lead this discussion, introducing important concepts in professional contracts, as well as common pitfalls. Liz will also explore various contract provisions that could compromise the helping professionals’ ethical obligations, and provide some tools and training to empower individuals negotiating contracts. Anne Marie “Nancy” Wheeler, J.D., an attorney licensed to practice in the District of Columbia and Maryland, who has served as risk management consultant to the American Counseling Association for over thirty years, will add to this discussion and address concerns with managed care contracting.

Practical Steps to Avoid Malpractice Suits, Licensure Board Investigations, and Ethics Complaints

1:00 p.m. to 4:00 p.m.

In this session moderated by Dr. Valerie Balog, Ms. Wheeler will provide mental health professionals with real-life examples of malpractice and licensure board complaints and tips for avoiding them. She will discuss use of a legal/ethical decision-making model; confidentiality, privilege and privacy (including HIPAA, HITECH breach notification and subpoenas), ransomware and other emerging technology concerns. Ms. Wheeler will address professional duties which may require or permit breach of confidentiality in certain situations and will provide information on common child custody pitfalls. She will also discuss needed preparation for anticipated or emergency practice closure and other areas of concern to practicing counselors, including boundary issues and fraud. Ms. Venum will add details relevant to practice in North Carolina, especially regarding subpoenas and responding to board complaints. The audience will be invited to use the proposed decision-making model to work through a complicated dilemma based on real-life events that pose liability risks to counselors.