

Bravely Blooming Consulting, LLC

Confidentiality Agreement & Notes on Ethics

CONFIDENTIALITY INFORMATION

I will treat what you tell me with great care. My professional ethics (that is, my profession's rules about moral matters) and the laws of this state prevent me from telling anyone else what you tell me unless you give me written permission. These rules and laws are the ways our society recognizes and supports the privacy of what we talk about—in other words, the “confidentiality” of therapy. I cannot promise that everything you tell me will *never* be revealed to someone else. There are some times when the law requires me to tell things to others. There are also some other limits on our confidentiality. Because I want you to understand clearly what I can and cannot keep confidential I have prepared this handout. These are very important issues, so please read these pages carefully and keep a copy. We can discuss any questions you might have.

LEGAL LIMITATIONS TO CONFIDENTIALITY: You have the right to keep what you tell me private. Generally, no one will learn of our work without your written permission. In my role as a psychologist, I have an ethical obligation to protect the public welfare and a duty to protect, there are some situations in which I am required by law to reveal some of the things you tell me, even without your permission. Here are some of these situations:

a. Harm to Others. If I come to believe that you are threatening serious harm to another person, my duty to protect requires that I take action to protect that person. I may have to notify the person and the police, or perhaps try to have you put in a hospital until the situation is stabilized and there is no homicidal ideation or threat of violence.

b. Harm to Self. If you are planning to take your life, or seriously threaten or act in a way that indicates that you are likely to harm yourself, I will seek protection for you until the situation is stabilized. This may mean that we consider inpatient hospitalization, rehabilitation, or a more intensive level of treatment for you. This may mean that we call or involve your significant others or emergency contacts who can help protect you before you leave our session. This may mean that we proceed by ambulance to an emergency room for a crisis assessment. If such a situation does come up, I will fully discuss the situation with you before I do anything, unless there is a very strong reason not to. In these cases, it is useful to have a release on file to coordinate contact with your psychiatrist if you have one.

c. Clinical Emergency. In an emergency where your life or health is in danger, and I cannot get your consent, I may give another professional some information to protect your life. I will try to get your permission first, and I will discuss this with you as soon as possible afterwards.

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d. Abusive Treatment of Vulnerable Populations. If I believe or suspect that you are abusing or exploiting a child or an elderly person, I must file a report with a state protective agency. To “abuse” means to intentionally or unintentionally neglect, hurt, or sexually molest another person. I do not have any legal power to investigate the situation to find out all the facts. The state agency will investigate. If this might be your situation, we should discuss the legal aspects in detail before you tell me anything about these topics, including appropriate and inappropriate disciplinary practices. You may also want to get advice from your lawyer.

INSURANCE: At this time, I am in-network with select insurance companies and can submit claims to those companies. If you seek reimbursement from your health insurance company to pay a part of my out-of-network fees, please understand that they do not have to pay for out-of-network services. Please be advised that insurance companies may require some information about therapy. Insurers such as Blue Cross/Blue Shield or other managed care organizations may ask for information about you and your symptoms, as well as a detailed treatment plan. Please understand that we have no control over how these records are handled at the insurance company.

SHARING YOUR RECORDS: If you want me to send information about our therapy to someone else, you must sign a “Authorization for Release of Information” form that documents your written consent to exchange health information or records about you. Some health insurance companies have their own forms that they like to use, and these can be downloaded as needed off of the company website or my website. I have copies that you can see, so you will know what is involved. If your records need to be seen by another professional, or anyone else, I will discuss it with you before I agree to release the information. If you agree to share these records, you will need to sign a release form. This form states exactly what information is to be shared, with whom, and why, and it also sets time limits. You may read this form at any time. Ask me about how records will be handled in the event of your unexpected death, you may or may not want to permit your legal estate representative to have access to your records. If you have questions, please ask me.

PROFESSIONAL CONSULTATION: I sometimes consult other therapists or other professionals about my clients or provide trainings to students. This helps me provide high-quality treatment. In case consultation, your identifying information is not revealed in order to protect your privacy. Other providers, like myself, are ethically bound and required to keep such information private. Your name will never be given to them, and they will be told only as much as they need to know to understand your situation and provide relevant feedback.

Resource: Legal Implications of the Duty to Warn

[http://www.socialworker.com/feature-articles/ethics-articles/Confidentiality %26 the Duty to Warn%3A Ethical and Legal Implications for the Therapeutic Relationship/](http://www.socialworker.com/feature-articles/ethics-articles/Confidentiality%26theDutytoWarn%3AEthicalandLegalImplicationsfortheTherapeuticRelationship/)

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LEGAL CONSULTATION: The laws and rules on confidentiality are complicated. Please bear in mind that I am not an attorney and I will not provide you with formal legal advice. If we discuss information and I provide my opinion to you about an issue, bear in mind, this is an informal opinion and you are expected to research the

information and seek legal consultation as it is relevant to your specific case. I can provide you with referrals for legal consultation if interested. If you are interested in how information can be revealed or obtained during court proceedings, ask me and I will answer your questions or direct you to resources where you can read more about this information. Are you pursuing custody litigation? In these cases, if my records or testimony is subpoenaed, I am bound to act in the best interest of the minor child. Are you suing someone or being sued? Are you being charged with a crime? If so, and you tell the court that you are seeing me; I may then be ordered to show the court my records. If you have special or unusual concerns, such as these, and so need special advice, I strongly suggest that you consult with a lawyer about these concerns.

For additional information, you may find these sources helpful:

American Psychological Association (APA) Ethics Code

<http://www.apa.org/ethics/code/principles.pdf>

American Counseling Association Ethics Code

<http://www.counseling.org/resources/aca-code-of-ethics.pdf>

Ethical Standards for National Association of School Psychologists (NASP)

<http://www.nasponline.org/standards/2010standards.aspx>

What do you do if you feel there has been an ethical violation?

<http://apa.org/topics/ethics/index.aspx>

Divorce Situations & Privacy Law

<http://www.tba.org/journal/privacy-of-mental-health-records-in-divorce-and-custody-proceedings>

Forensic Situations <http://ct.counseling.org/tag/ethics-legal-issues/>

Firearm Background Checks and Concealed Carry Law in IL

<http://smartgunlaws.org/mental-health-reporting-policy-summary/>

<http://www.ncsl.org/research/civil-and-criminal-justice/possession-of-a-firearm-by-the-mentally-ill.aspx>

<http://psycnet.apa.org/index.cfm?fa=buy.optionToBuy&id=2014-07843-007>

<http://www.ilga.gov/legislation/publicacts/98/PDF/098-0063.pdf>

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