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# **The code of ethics and the counseling relationship**

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The code of ethics as it pertains to the counseling relationship is meant to define and guide the therapeutic relationship. Clinicians work hard to create and sustain a relationship with their clients based on trust. It is important to obtain informed consent from clients when entering any type of counseling relationship. The code of ethics aims to ensure clinician respect client's confidentiality and privacy rights. The importance of informing the client of counseling expectations including rules, sessions, group work, and cost is stressed. It is also important to be cognizant of clients cultural backgrounds and belief systems. "The primary responsibility of counselors is to respect the dignity and promote the welfare of clients. Counselors create, safeguard, and maintain documentation necessary for rendering professional services (ACA 2014)". " Counselors recognize that support networks hold various meanings in the lives of clients and consider enlisting the support, understanding, and involvement of others (ACA 2014)".

While counselors like other individuals hold their own beliefs and values it is important to respect the boundaries, beliefs and values of our clients. "Counselors are aware of—and avoid imposing—their own values, attitudes, beliefs, and behaviors. Counselors respect the diversity of clients, trainees, and research participants and seek training in areas in which they are at risk of imposing their values onto clients, especially when the counselor's values are inconsistent with the client's goals or are discriminatory in nature. (ACA 2014)".

## **Confidentiality**

Counselors are responsible for educating clients on the concept of confidentiality, and informing clients about the limitations of confidentiality regarding what situations information must be disclosed and in what situations. Clinicians should also discuss if and how client information could or must be shared with others and maintain and store records in a way that maintains confidentiality standards. "Counselors protect the confidential information of prospective and current clients. Counselors disclose information only with appropriate consent or with sound legal or ethical justification. To the extent possible, clients are informed before confidential information is disclosed and are involved in the disclosure decision-making process. When circumstances require the disclosure of confidential information, only essential information is revealed. (ACA 2014)".

## **Professional responsibility**

Clinicians must be compliant with the ACA Code of Ethics. It is important to stay within one's own scope of practice. Practice counseling based on scientific foundations, and proven methods or framework. It is also recommended that clinicians engage in self-care activities so they can work effectively with clients and minimize risk of burnout.

## **Consultation and referrals**

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Clinicians should develop relationships with colleagues whose scope of practice is different than their own and be respectful of those who have different theoretical approaches. It is important to only provide consultation within one's scope of practice. Counselors are tasked with providing appropriate consultation or referrals when requested or necessary.

## **Assessment and interpretation**

Counselors must understand the use of evaluations and assessments as an important part of information gathering and to assist in conducting clients' treatment planning. Clinicians must diagnose clients and interpret assessments accurately and in a culturally sensitive manner.

## **Resolving ethical dilemmas**

Counselors must behave in a manner that is both ethical and legal and recognize when there is a conflict between ethics codes and laws. Counselors should be able to utilize and document an ethical decision-making process when faced with an ethical dilemma. It is important to seek supervision or legal consultation when necessary.

## **Mental health law**

"According to the National Alliance on Mental Illness, there are certain types of mental health laws, and each state is different. Comprehensive parity provides equal coverage to individuals for mental health issues and substance abuse or addiction. A limited parity means that a plan limits equal coverage based on diagnosed mental health conditions or restricts coverage to a set limit, either financially or in terms of care duration. A broad-based parity law, on the other hand, is a mix between the two. While some limitations to coverage may apply, the coverage itself is encompassing of all mental health conditions. There are a few types of mandates in regards to coverage offerings. These may help you better understand MHPAEA and other parity-related laws. A mandated offering requires an insurance plan to include an option on mental health, in which coverage benefits will be equal to other care. If the plan already offers mental health care treatment, a mandate if offered law states that coverage will be equal to other medical care. And, on the other end of the spectrum, a minimum mandated benefit law does not stress the equality between types of health care coverage. Like mandated care, benefits also fall into the same category. Minimum benefit if offered works similarly to the above mandated benefit only there is not specifically a mandate. If a plan offers health coverage, the minimum benefit need only apply. And such, a minimum benefit is just that – a minimum benefit. (U.S 2018)." One limitation of mental health laws are that they vary state to state, and that not all counties have laws governing mental health services and practices.

## **Risk management**

Risk management is an important and integral part in the counseling profession. "The purpose of risk management is to identify potential problems before they occur, allowing the worker and agency to make choices to avoid, minimize, or mitigate potential harm. Although avoiding harm to clients, workers, and others may be a valid ethical goal, at least part of the rationale for risk management is to avoid the legal consequences of causing harm—for instance, being sued for malpractice, having to pay compensation, losing one's license to practice, or putting the agency's legal status at risk. By pre-empting and managing risks, workers and agencies can

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make strategic choices about which types of risks to accept and which to avoid. Some agencies have designated officials whose role is to help the agency manage risk. Other agencies leave it up to practitioners and their supervisors to manage risks.(Barksy 2015)".

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