ALABAMA BOARD OF EXAMINERS IN COUNSELING
ADMINISTRATIVE CODE

CHAPTER 255-X-11
ETHICAL STANDARDS

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255-X-11-.01 Ethical Standards.

The Board has adopted the Code of Ethics and Standards of Practice for licensed professional counselors, associate licensed counselors and applicants. All entries in the Code of Ethics and Standards of Practice are applicable regardless of whether licensed professional counselors, associate licensed counselors, or applicants are providing client care in real-time in-person practice settings as well as synchronous or asynchronous virtual practice settings. All arrangements and management regardless of practice setting must assure client welfare and protection, client consent, client confidentiality, and client autonomy to the extent required by law as well as required in this chapter. The unique nature of the practice setting cannot serve as a basis for variance from the entries in this chapter.
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255-X-11-A Attachment 1.

255-X-11-.01
ATTACHMENT 1

CODE OF ETHICS
AND
STANDARDS OF PRACTICE[1]

CODE OF ETHICS

SECTION A: THE COUNSELING RELATIONSHIP

A.1. CLIENT WELFARE

a. **Primary Responsibility**: The primary responsibility of licensed professional counselors is to respect the dignity and to promote the welfare of clients. Licensed professional counselors act with deliberation to avoid foreseeable harm to clients and to minimize or remedy unanticipated harm.

b. **Positive Growth and Development**. Licensed professional counselors encourage client growth and development in ways that foster the clients' interest and welfare: licensed professional counselors avoid fostering dependent counseling relationships.

c. **Counseling Plans**. Licensed professional counselors and their clients work jointly in devising integrated, individual counseling plans that offer reasonable promise of success and are consistent with abilities and circumstances of clients. Licensed professional counselors and clients regularly review counseling plans to ensure their continued viability and effectiveness, respecting clients' freedom of choice. (See A.3.b).

d. **Family Involvement**. Licensed professional counselors recognize that families are usually important to clients' lives and strive to enlist family understanding and involvement as a positive resource, when appropriate.

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e. **Career and Employment Needs**. Licensed professional counselors work with their clients in considering employment in jobs and circumstances that are consistent with the clients' overall abilities, vocational limitations, physical restrictions, general temperament, interest and aptitude patterns, social skills, education,

general qualifications, and other relevant characteristics and needs. Licensed professional counselors neither place nor participate in placing clients in positions that will result in damaging the interest and the welfare of clients, employers, or the public.

A.2. RESPECTING DIVERSITY

a. **Nondiscrimination**. Licensed professional counselors do not condone or engage in discrimination based on age, race, culture, disability, ethnic group, gender, gender identity, religion, sexual orientation, marital/ partnership status, immigration or socioeconomic status or any other form of discrimination. (See C.5.a., C.5.b., and D.1.i.).

b. **Respecting Differences**. Licensed professional counselors will actively attempt to understand the diverse cultural backgrounds of the clients with whom they work. This includes, but is not limited to, learning how the counselor's own cultural/ethnic/racial identity impacts her/his values and beliefs about the counseling process. (See E.8.).

A.3. CLIENT RIGHTS

a. **Informed Consent and Disclosure to Clients**. When counseling is initiated, and throughout the counseling process as necessary, licensed professional counselors inform clients of the purposes, goals, techniques, procedures, limitations, potential risks and benefits of services to be performed, and other pertinent information. Such disclosures to clients are mandatory and must be provided in both verbal and written form to insure clients are fully informed and consent to the terms of the counseling relationship. Licensed professional counselors take steps to ensure that clients understand the implications of diagnosis, the intended use of tests and reports, fees, and billing arrangements including collection procedures to be employed in circumstances of nonpayment of fees. Clients have the right to expect confidentiality and to be provided with an explanation of its limitations, including supervision, consultations, and/or treatment team professionals; to obtain clear information about their case records, including their retention and destruction; to participate in the ongoing counseling plans; and to refuse any recommended services and be advised of the consequences of such refusal. Informed consent is an ongoing collaborative process throughout the counseling relationship. (See B.4.f., E.5.a. and G.2).

b. **Freedom of Choice**. Licensed professional counselors offer clients the freedom to choose whether to enter into a counseling relationship and to determine which professional(s) will provide counseling. Restrictions that limit choices of clients are fully explained. (See A.1.c.).

c. **Inability to Give Consent**. When counseling minors or persons unable to give voluntary informed consent, licensed professional counselors act in these clients' best interests. In addressing clients' best interests, licensed professional counselors balance the ethical rights of client choice and autonomy, client capacity to give consent, parental or familial rights, and legal obligations in instances of client inability to give voluntary informed consent. (See B.3.).

A.4. CLIENTS SERVED BY OTHERS

If a client is receiving services from another mental health professional, licensed professional counselors, with client consent, inform the professional persons already involved and develop clear agreements to avoid confusion and conflict for the client. (See C.6.c.).

A.5. PERSONAL NEEDS AND VALUES

a. **Personal Needs**. In the counseling relationship, licensed professional counselors are aware of the intimacy and responsibilities inherent in the counseling relationship, maintain respect for clients, and avoid actions that seek to meet their personal needs at the expense of clients.

b. **Personal Values**. Licensed professional counselors are aware of their own values, attitudes, beliefs, and behaviors and how these apply in a diverse society, and avoid imposing their values on clients. (See C.5.a.).

A.6. DUAL RELATIONSHIPS

a. **Avoid When Possible**. Licensed professional counselors are aware of their influential positions with respect to clients, and they avoid exploiting the trust and dependency of clients. Licensed professional counselors make every effort to avoid dual relationships with clients, clients' family members, or intimate partners of clients that could impair professional judgment or increase the risk of harm to clients. (Examples of such relationships include, but are not limited to familial, social, financial, business, or close personal relationships with clients). When a dual relationship cannot be avoided, licensed professional counselors take

appropriate professional precautions such as informed consent, consultation, supervision, and documentation to ensure that judgment is not impaired and no exploitation occurs. (See F.1.b.).

b. **Superior/Subordinate Relationships**. Licensed professional counselors do not accept as clients those who are in supervisee or subordinate status with whom they have administrative, supervisory, or evaluative relationships.

c. **Personal Virtual Relationship with Current Clients**. Licensed professional counselors are prohibited from knowingly engaging in a personal virtual relationship with a client, immediate family members of a client, or the intimate partners of a client (e.g. through social and other media).

A.7. SEXUAL INTIMACIES WITH CLIENTS AND OTHERS

a. **Current Clients, Family Members of Current Clients, or Intimate Partners of Current Clients**. Licensed professional counselors do not have any type of sexual intimacies with current clients, family members of current clients, or intimate partners of current clients and do not counsel persons with whom they have had a sexual relationship.

b. **Former Clients. Family Members of Former Clients, or Intimate Partners of Former Clients**. Licensed professional counselors do not engage in sexual intimacies with former clients, family members of former clients, or intimate partners of former clients within a minimum of five years after terminating the counseling relationship. Licensed professional counselors who engage in such relationship after five years following termination have the responsibility to thoroughly examine and document that such relations did not have an exploitative nature, based on factors such as duration of counseling, amount of time since counseling, termination circumstances, client's personal history and mental status, adverse impact on the client, and action by the counselor suggesting a plan to initiate a sexual relationship with the client after termination.

A.8. MULTIPLE CLIENTS

When licensed professional counselors agree to provide counseling services to two or more persons who have a relationship (such as husband and wife, or parents and children), counselors clarify with all parties at the outset which person or persons are clients and the nature of the relationships they will have with each involved

person. If it becomes apparent that licensed professional counselors may be called upon to perform potentially conflicting roles, they clarify, adjust, or withdraw from roles appropriately. (See B.2. and B.4.d.).

A.9. GROUP WORK

a. **Screening**. Licensed professional counselors screen prospective group counseling/therapy participants. To the extent possible, counselors select members whose needs and goals are compatible with goals of the group, who will not impede the group process, and whose well-being will not be jeopardized by the group experience. (See B. 2.a.)

b. **Protecting Clients**. In a group setting, licensed professional counselors take reasonable precautions to protect clients from physical or psychological trauma.

A. 10. FEES AND BARTERING - (See D.3.a. and D.3.b.)

a. **Advance Understanding**. Licensed professional counselors clearly explain to clients, prior to entering the counseling relationship, all financial arrangements related to professional services including the use of collection agencies or legal measures for nonpayment. (See A.11.c., and A.3.a.).

b. **Establishing Fees**. In establishing fees for professional counseling services, licensed professional counselors consider the financial status of clients and locality. In the event that the established fee structure is inappropriate for a client, assistance is provided in attempting to find comparable services of acceptable cost. (See A.10.d., D.3.a., and D.3.b.).

c. **Nonpayment of Fees**. If licensed professional counselors intend to use collection agencies or legal means to address nonpayment of client fees for counseling services, such actions must follow the process established in the informed consent disclosures to clients. Prior to initiating such procedures, clients must be informed of the intended action and allowed an opportunity to make payments. (See A.3.a.).

d. **Bartering Discouraged**. Licensed professional counselors ordinarily refrain from accepting goods or services from clients in return for counseling services because such arrangements create inherent potential for conflicts, exploitation, and distortion of the professional relationship. Licensed professional counselors may participate in bartering only if the relationship is not exploitative, if the client requests

it, if a clear written contract is established and if such arrangements are an accepted practice among professionals in the community. (See A.6.a., and C.5.e.)

e. **Pro Bono Service**. Licensed professional counselors contribute to society by devoting a portion of their professional activity to services for which there is little or no financial return (pro bono).

A.11. TERMINATION, REFERRAL, AND INTERRUPTION OF SERVICES

a. **Abandonment Prohibited**. Licensed professional counselors do not abandon or neglect clients in counseling.

b. **Inability to Assist Clients**. If licensed professional counselors determine an inability to be of professional assistance to clients, they avoid entering or continuing the counseling relationship and immediately terminate with appropriate referral a counseling relationship once this inability is determined. Licensed professional counselors are knowledgeable about referral resources and suggest appropriate alternatives. If clients decline the suggested referral, licensed professional counselors should discontinue the relationship.

c. **Appropriate Termination**. Licensed professional counselors terminate a counseling relationship, securing client agreement when possible, when it is reasonably clear that the client is no longer benefiting, when services are no longer required, when counseling no longer serves the client's needs or interests, when clients do not pay fees charged, or when agency or institution limits do not allow provision of further counseling services. Clients are considered to be abandoned by a licensed professional counselor if their termination is without notice and referral when termination is based solely on nonpayment of fees for counseling services. (See A.10.a., A.10.b., A.10.c., and C.2.h).

d. **Interruption of Services**. Licensed professional counselors assist in making appropriate arrangements for the continuation of treatment for clients, when necessary, during interruptions such as vacations and extended absences. Such arrangements must be made with reasonable precautions, including recommendations for emergency services, written authorization to consult with other professionals, and the option for termination and referral should the client prefer such arrangements.

A.12. TECHNOLOGY APPLICATIONS

a. **Use of Technology**. When technology applications are used in counseling services, licensed professional counselors must ensure that: (1) the client is intellectually, emotionally, and physically capable of using the technology application; (2) the technology application is appropriate for the needs of the client; (3) the client understands the purpose and operation of the technology applications; and (4) a follow-up of client use of a technology application is provided to correct possible misconceptions, discover inappropriate use, and assess subsequent needs.

b. **Explanation of Limitations**. Licensed professional counselors ensure that clients are provided information as a part of the counseling relationship that adequately explains the limitations of technology applications.

c. **Access to Technology Applications**. Licensed professional counselors provide for equal access to technology applications in counseling services. (See A. 2.a.).

d. **Distance Technology Counseling Services**. Licensed professional counselors who employ distance technology for counseling services must observe and demonstrate all aspects of client rights and welfare, client confidentiality, professional responsibility (including relationships with other professionals), procedures for assessment, and resolution of ethical issues reflected in the Code of Ethics and Standards of Practice adopted by the Alabama Board of Examiners in Counseling. Addressing and resolving any disparities between ethical or legally-mandated practices required in face-to-face counseling services versus distance technology counseling services is the ethical duty of the licensed professional counselor. Ethical standards for a licensed professional counselor who employs distance technology counseling services shall apply to client care and public protection regardless of the destination point of such counseling services, unless otherwise prohibited by law. (See A. 3.a.).

A.13. ROLE CHANGES IN THE COUNSELING RELATIONSHIP

Licensed professional counselors who seek to modify their existing counseling roles with a client, the family members of a client, or the intimate partners of a client must do so only after obtaining formal written consent from the client. Licensed professional counselors will be in violation of this standard if they fail to secure written formal consent to modify the existing counseling role with a client, the family members of a client, or the intimate partners of a client. Modifications of

existing roles with a client, the family members of a client, or the intimate partners of a client include (but are not limited to) the following: (1) changing from individual to family/relationship counseling or vice versa, (2) changing to an evaluative role, (3) changing to a researcher role, or (4) changing to a mediator role. The wishes of clients who do not consent to such role changes must be respected by licensed professional counselors and modifications to the original counseling role are to be avoided. (See A.3.)

SECTION B: CONFIDENTIALITY

B.1. RIGHT TO PRIVACY

a. **Respect for Privacy**. Licensed professional counselors respect their clients' right to privacy and avoid illegal and unwarranted disclosures of confidential information. Licensed professional counselors respect the cultural differences of their clients regarding disclosures of information but are not required to depart from legal requirements in so doing. (See A.3.a. and B.6.a.).

b. **Client Waiver**. The right to privacy may be waived by the client or their legally recognized representative. (See A.3.a.).

c. **Exceptions**. The general requirements that licensed professional counselors keep information confidential does not apply when disclosure is required to prevent clear and imminent danger to the client or others or when legal requirements demand that confidential information be revealed. Licensed professional counselors consult with other professionals when in doubt as to the validity of an exception.

d. **Contagious, Fatal Diseases**. A licensed professional counselor who receives information confirming that a client has a disease commonly known to be both communicable and fatal is justified in disclosing information to an identifiable third party, who by his or her relationship with the client is at a high risk of contracting the disease. Prior to making a disclosure the licensed professional counselor should ascertain that the client has not already informed the third party about his or her disease and that the client is not intending to inform the third party in the immediate future. (See B. 1.c. and B.1.f.).

e. **Court Ordered Disclosure**. When court ordered to release confidential information without a client's permission, licensed professional counselors request to the court that the disclosure not be required due to

potential harm to the client or counseling relationship. (See B.1.c.).

f. **Minimal Disclosure**. When circumstances require the disclosure of confidential information, only essential information is revealed. To the extent possible, clients are informed before confidential information is disclosed.

g. **Explanation of Limitations**. When counseling is initiated and throughout the counseling process as necessary, licensed professional counselors inform clients of the limitations of confidentiality and identify foreseeable situations in which confidentiality must be breached. (See G.2.a., and A.3.a.).

h. **Subordiantes**. Licensed professional counselors make every effort to ensure that privacy and confidentiality of clients are maintained by subordinates including employees, supervisees, clerical assistants, and volunteers. (See B.1.a.).

i. **Treatment Teams**. If client treatment will involve a continued review by a treatment team, the client will be informed of the team's existence and composition.

j. **Electronic Transmission and Dispersal of Confidential Information**. In the electronic transmission and dispersal of confidential client information, licensed professional counselors take precautions to insure that such information remains confidential. Electronic transmission and dispersal of confidential client information includes the use of computers, telephones, voicemail, electronic mail, facsimile machines, answering machines, or other forms of technology.

B.2. GROUPS AND FAMILIES

a. **Group Work**. In group work, licensed professional counselors clearly define confidentiality and the parameters for the specific group being entered, explain its importance, and discuss the difficulties related to confidentiality involved in group work. The fact that confidentiality cannot be guaranteed is clearly communicated to group members. (See A.9.a.).

b. **Family Relationship Counseling**. In family relationship counseling, information about one family member or partner cannot be disclosed to another member or partner without permission. Licensed professional counselors protect the privacy rights of each family member or client partner. Licensed professional counselors clearly define "the client" in instances where family members or

other multiple parties are involved in counseling services. Licensed professional counselors secure written agreements concerning the identity of "the client" as well as to clarify the rights, limitations, and expectations associated with the status of "the client." (See A.8., B.3., and B.4.d.).

B.3. MINOR OR INCOMPETENT CLIENTS

When counseling clients who are minors or individuals who are unable to give voluntary, informed consent, parents or guardians may be included in the counseling process as appropriate. Licensed professional counselors act in the best interests of clients and take measures to safeguard confidentiality. Such measures include (but are not limited to); (1) clarifying the limits of confidentiality with the client, (2) demonstrating sensitivity to cultural differences for clients, parents, and guardians, and (3) clarifying legal mandates affecting client, parental, or guardian preferences concerning confidentiality. (See A.3.c., and A.3.a.).

B.4. RECORDS

a. **Requirement of Records**. Licensed professional counselors maintain records necessary for rendering professional services to their clients and as required by laws, regulations, or agency or institution procedures.

b. **Confidentiality of Records**. Licensed professional counselors are responsible for securing the safety and confidentiality of any counseling records they create, maintain, transfer, or destroy, whether the records are developed and stored in written or, electronic methods. (See B.1.a., B.4.f., and G.2.j.).

c. **Permission to Record or Observe**. Licensed professional counselors obtain permission from clients prior to electronically recording or observing sessions. Such permission should specify in writing the types of recording to be employed, the identity and qualifications of those observing sessions, how recorded data are to be used, the length of time recorded data will be retained, the methods by which data will be destroyed/ erased and related aspects of record management. (See A.3.a.).

d. **Client Access**. Licensed professional counselors recognize that counseling records are kept for the benefit of clients, and therefore provide access to records and copies of records when requested by competent clients, unless the records contain information that may be misleading and detrimental to the client. In situations involving multiple clients, access to records

is limited to those parts of records that do not include confidential information related to another client. (See A.8., B.1.a., and B.2.b.).

e. **Disclosure or Transfer**. Licensed professional counselors obtain written permission from clients to disclose or transfer records to legitimate third parties unless exceptions to confidentiality exist as listed in Section B.1. Steps are taken to ensure that receivers of counseling records are sensitive to their confidential nature.

f. **Retention and Destruction of Records**. When records are destroyed, the licensed professional counselor ensures that the information is rendered unidentifiable and that the destruction is as discussed in their informed consent procedures. (See A.3.a.).

g. **Recommended Planning for Records Management in Death**. Licensed professional counselors are strongly encouraged to identify a custodian of record for client information in case of unexpected death. In the absence of an identified custodian-of-record, professional peers acting on behalf of the clients of a deceased licensee are encouraged to exercise care and collaborative oversight in the management of client records.

B.5. RESEARCH AND TRAINING

a. **Data Disguise Required**. Use of data derived from counseling relationships for purposes of training, research, or publication is confined to content that is disguised to ensure the anonymity of the individuals involved. (See B.1.g. and G.3.d.).

b. **Agreement for Identification**. Identification of a client in a presentation or publication is permissible only when the client has reviewed the material and has agreed in writing to its presentation or publication. (See G.3.d.).

B.6. CONSULTATION

a. **Respect for Privacy**. Information obtained in a consulting relationship is discussed for professional purposes only with persons clearly concerned with the case. Written and oral reports present data germane to the purposes of the consultation, and every effort is made to protect client identity and avoid undue invasion of privacy.

b. **Cooperating Agencies**. Before sharing information, licensed professional counselors make efforts to ensure

that there are defined policies in other agencies serving the licensed professional counselor's clients that effectively protect the confidentiality of information.

SECTION C: PROFESSIONAL RESPONSIBILITY

C.1. STANDARDS KNOWLEDGE

Licensed professional counselors have a responsibility to read, understand, and follow the Code of Ethics and Standards of Practice.

C.2. PROFESSIONAL COMPETENCE

a. **Boundaries of Competence**. Licensed professional counselors practice only within the boundaries of their competence, based on their education, training, supervised experience, state and national professional credentials, and appropriate professional experience. Licensed professional counselors will demonstrate a commitment to gain knowledge, personal awareness, sensitivity, and skills pertinent to working with a diverse client population.

b. **Theoretical, Empirical, or Scientific Bases for Treatment Approaches**. Licensed professional counselors use techniques, procedures, and modalities that are grounded in established theory or have an empirical or scientific foundation. Licensed professional counselors use techniques, procedures, and modalities that do not have an established theoretical, empirical or scientific foundation only after disclosing the experimental nature of the treatment to their clients (including potential risks) and securing approval as discussed with clients in their informed consent procedures. (See A.3.a.).

c. **New Specialty Areas of Practice**. Licensed professional counselors practice in specialty areas new to them only after appropriate education, training, and supervised experience. While developing skills in new specialty areas, licensed professional counselors take steps to ensure the competence of their work and to protect others from possible harm.

d. **Qualified for Employment**. Licensed professional counselors accept employment only for positions for which they are qualified by education, training, supervised experience, state and national professional credentials, and appropriate professional experience. Licensed professional counselors hire for professional counseling positions only individuals who are qualified and competent.

e. **Monitor Effectiveness**. Licensed professional counselors continually monitor their effectiveness as professionals and take steps to improve when necessary. Licensed professional counselors in private practice take reasonable steps to seek out peer supervision to evaluate their efficacy as counselors.

f. **Ethical Issues Consultation**. Licensed professional counselors take reasonable steps to consult with other licensed professional counselors or related professionals when they have questions regarding their ethical obligations or professional practice. (See H.1.).

g. **Continuing Education**. Licensed professional counselors recognize the need for continuing education to maintain a reasonable level of awareness of current scientific and professional information in their fields of activity. They take steps to maintain competence in the skills they use, are open to new procedures, and keep current with the diverse and/or special populations with whom they work.

h. **Impairment or Incapacitation**. Licensed professional counselors refrain from offering professional counseling services to clients or supervision of counselors-in-training when their physical, mental or emotional problems are likely to harm a client or others. Licensed professional counselors are alert to the signs of impairment, seek assistance for problems, and, if necessary, limit, suspend, or terminate their professional responsibilities until they can resume their duties. Should a licensed professional counselor be incapacitated, temporary care and continuity for clients may be undertaken by competent professional peers acting in the best interests of those clients. (See A.11.c.).

i. **Departure From or Termination of a Practice**. Licensed professional counselors who depart from a practice must act with due diligence to notify active and former clients of their pending departure from that practice. Such information should include (but not be limited to): (1) information for future professional contacts with the licensee, (2) clarification concerning client record availability, storage, and retrieval from a designated custodian of records, (3) contact information for other local professionals who may assist in the absence of the licensee, (4) appropriate referrals, and (5) other appropriate managerial or administrative duties to insure client care after the departure of the licensee. When possible, such information should also be provided to staff and peer professionals remaining at the practice from which the licensee is departing. Licensed professional counselors who are terminating their

practice must act with similar notice and due diligence as described in this standard.

j. **Counselor Incapacitation, Death, Retirement, or Termination of Practice**. Counselors prepare a plan for the transfer or clients and the dissemination of records to an identified colleague or records custodian in the case of the counselor's incapacitation, death, retirement, or termination of practice.

C.3. ADVERTISING AND SOLICITING CLIENTS

a. **Accurate Advertising**. There are no restrictions on advertising by licensed professional counselors except those that can be specifically justified to protect the public from deceptive practices. Licensed professional counselors advertise or represent their services to the public by identifying their credentials in an accurate manner that is not false, misleading, deceptive, or fraudulent. Licensed professional counselors may only advertise the highest degree earned which is in counseling or a closely related field from a college or university that was accredited when the degree was awarded by one of the regional accrediting bodies recognized by the Council on Recognition of Postsecondary Accreditations.

b. **Testimonials**. Licensed professional counselors who use testimonials do not solicit them from clients or other persons who, because of their particular circumstances, may be vulnerable to undue influence. (See C.5.e.).

c. **Statements by Others**. Licensed professional counselors make reasonable efforts to ensure that statements made by others about them or the profession of counseling are accurate.

d. **Recruiting Through Employment**. Licensed professional counselors do not use their places of employment or institutional affiliation to recruit or gain clients, supervisees, or consultees for their private practices. (See C.5.e.).

e. **Products and Training Advertisements**. Licensed professional counselors who develop products related to their profession or conduct workshops or training events, ensure that the advertisements concerning these products or events are accurate and disclose adequate information for consumers to make informed choices.

f. **Promoting to Those Served**. Licensed professional counselors do not use counseling, teaching, training, or supervisory relationships to promote their products or

training events in a manner that is deceptive or would exert undue influence on individuals who may be vulnerable. Licensed professional counselors may adopt textbooks they have authored for instruction purposes.

g. **Professional Association Involvement**. Licensed professional counselors actively participate in local, state, and national associations that foster the development and improvement of counseling.

C.4. CREDENTIALS

a. **Accurate Representation of Credentials**. Licensed professional counselors claim or imply only professional credentials possessed and are responsible for correcting any known misrepresentations of their credentials by others. Professional credentials include graduate degrees in counseling or closely related mental health fields, accreditation of graduate programs, national voluntary certifications, government-issued certifications or licenses, American Counseling Association (ACA) professional membership, or any other credential that might indicate to the public specialized knowledge or expertise in counseling. Licensed professional counselors clearly distinguish to clients, professional peers, and the public any degrees that are honorary rather than earned.

b. **Professional Membership**. Licensed professional counselors may announce to the public their professional membership status. Licensed professional counselors may not announce membership in professional associations in a manner that might imply they are credentialed counselors.

c. **Credential Guidelines**. Licensed professional counselors follow the guidelines for use of credentials that have been established by the entities that issue the credentials.

d. **Misrepresentation of Credentials**. Licensed professional counselors do not attribute more to their credentials than the credentials represent, and do not imply that other licensed professional counselors are not qualified because they do not possess certain credentials.

e. **Doctoral Degrees From Other Fields**. Licensed professional counselors who hold a master's degree in counseling or a closely related mental health field, but hold a doctoral degree from other than counseling or a closely related field do not use the title, "Dr." in their practices and do not announce to the public in

relation to their practice or status as a counselor that they hold a doctorate.

C.5. PUBLIC RESPONSIBILITY

a. **Nondiscrimination**. Licensed professional counselors do not discriminate against clients, students, or supervisees in a manner that has a negative impact based on their age, race, culture, disability, ethnic group, gender, gender identity, religion, sexual orientation, marital/partnership status, immigration, socioeconomic status, or for any other reason. (See A.2.a.).

b. **Sexual Harassment**. Licensed professional counselors do not engage in sexual harassment. Sexual harassment is defined as sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, that occurs in connection with professional activities or roles, and that either (1) is unwelcome, is offensive, or creates a hostile work place environment, and licensed professional counselors know or are told this; or (2) is sufficiently severe or intense to be perceived as harassment to a reasonable person in the context. Sexual harassment can consist of a single intense or severe act or multiple persistent or pervasive acts.

c. **Reports to Third Parties**. Licensed professional counselors are accurate, honest, and unbiased in reporting their professional activities and judgments to appropriate third parties including courts, health insurance companies, those who are the recipients of evaluation reports, and others. Licensed professional counselors will be in violation of this standard if they provide written or verbal statements about persons they have not met, or about whom they do not have documentation from another professional from whom such statements have originated, in their communications with any third parties. (See B.1.g.).

d. **Media Presentations**. When licensed professional counselors provide advice or comment by means of public lectures, demonstrations, radio or television programs, prerecorded tapes, printed articles, mailed material, or other media, they take reasonable precautions to ensure that (1) the statements are based on appropriate professional counseling literature and practice; (2) the statements are otherwise consistent with the Code of Ethics and Standards of Practice; and (3) the recipients of the information are not encouraged to infer that a professional counseling relationship has been established. (See C.6.b.).

e. **Social Media Exchanges**. Licensed professional counselors who engage in social media exchanges that include references to their status as a licensed counselor or their role as a professional counselor are to adhere to the ethnical code for all media precautions featured in C.5.d. The use of social media as a forum for professional care with clients or the public is prohibited.

f. **Exploitation**. Licensed professional counselors do not use their professional positions to seek or receive unjustified personal gains, sexual favors, unfair advantage, or unearned goods or services. (See C.3.d.)

C.6. RESPONSIBILITY TO OTHER PROFESSIONALS

a. **Different Approaches**. Licensed professional counselors are respectful of approaches to professional counseling that differ from their own. Licensed professional counselors know and take into account the traditions and practices of other professional groups with which they work.

b. **Personal Public Statements**. When making personal statements in a public context, licensed professional counselors clarify that they are speaking from their personal perspectives and that they are not speaking on behalf of all counselors or the profession. (See C.5.d.).

c. **Clients Served by Others**. When licensed professional counselors learn that their clients are in a professional relationship with another mental health professional, they request release from clients to inform the other professionals and strive to establish positive and collaborative professional relationships. (See A.4.).

SECTION D: RELATIONSHIPS WITH OTHER PROFESSIONALS

D.1. RELATIONSHIPS WITH EMPLOYERS AND EMPLOYEES

a. **Role Definition**. Licensed professional counselors define and describe for their employers and employees the parameters and levels of their professional roles.

b. **Agreements**. Licensed professional counselors establish working agreements with supervisors, colleagues, and subordinates regarding counseling or clinical relationships, confidentiality, adherence to professional standards, distinction between public and private material, maintenance and dissemination of recorded information, workload, and accountability. Working agreements in each instance are specified and made known to those concerned.

c. **Negative Conditions**. Licensed professional counselors alert their employers to conditions that may be potentially disruptive or damaging to the licensed professional counselor's professional responsibilities or that may limit their effectiveness.

d. **Evaluations**. Licensed professional counselors submit regularly to professional review and evaluation by their supervisor or the appropriate representative of the employer.

e. **In-Service**. Licensed professional counselors are responsible for in-service development of self and staff.

f. **Goals**. Licensed professional counselors inform their staff of goals and programs.

g. **Practices**. Licensed professional counselors provide personnel and agency practices that respect and enhance the rights and welfare of each employee and recipient of agency services. Licensed professional counselors strive to maintain the highest level of professional services.

h. **Personnel Selection and Assignment**. Licensed professional counselors select competent staff and assign responsibilities compatible with their skills and experiences.

i. **Discrimination**. Counselors, as either employers or employees, do not engage in or condone practices that are inhumane, illegal, or unjustifiable (such as considerations based on age, race, culture, disability, ethnic group, gender, gender identity, religion, sexual orientation, martial/partnership status, immigration, socioeconomic status, or any other form of discrimination) in hiring, promotion, or training. (See A.2.a. and C.5.b.).

j. **Professional Conduct**. Licensed professional counselors have responsibility both to clients and to the agency or institution within which services are performed to maintain high standards of professional conduct.

k. **Exploitative Relationships**. Licensed professional counselors do not engage in exploitative relationships with individuals over whom they have supervisory, evaluative, or instructional control or authority.

l. **Employer Policies**. The acceptance of employment in an agency or institution implies that licensed professional counselors are in agreement with its general policies and principles. Licensed professional counselors strive to reach agreement with employers as to acceptable standards

of conduct that allow for changes in institutional policy conducive to the growth and development of clients.

D.2. CONSULTATION (SEE B.6)

a. **Consultation as an Option**. Licensed professional counselors may choose to consult with any other professionally competent persons about their clients. In choosing consultants, licensed professional counselors avoid placing the consultant in a conflict of interest situation that would preclude the consultant being a proper party to the licensed professional counselor's efforts to help the client. Should licensed professional counselors be engaged in a work setting that compromises this consultation standard, they consult with other professionals whenever possible to consider justifiable alternatives.

b. **Consultant Competency**. Licensed professional counselors are reasonably certain that they have or the organization represented has the necessary competences and resources for giving the kind of consulting services needed and that appropriate referral resources are available.

c. **Understanding with Clients**. When seeking consultation, licensed professional counselors attempt to develop with their clients a clear understanding of problem definition, goals for change, and predicted consequences of interventions selected.

d. **Consultant Goals**. The counseling relationship is one in which client adaptability and growth toward self-direction are consistently encouraged and cultivated. (See A.1.b.).

e. **Informed Consent in Consultation**. When providing consultation, licensed professional counselors have an obligation to review, in writing and verbally, the rights and responsibilities of both the consultant and consultee. Licensed professional counselors serving as consultants use clear and understandable language to inform all parties involved about the purpose of the services to be provided, relevant costs, potential risks and benefits, and the limits of confidentiality.

D.3. FEES FOR REFERRAL

a. **Accepting Fees from Agency Clients**. Licensed professional counselors refuse a private fee or other remuneration for rendering services to persons who are entitled to such services through the licensed professional counselor's employing agency or institution.

The policies of a particular agency may make explicit provisions for agency clients to receive counseling services from members of its staff in private practice. In such instances, the clients must be informed of other options open to them should they seek private counseling services. (See A.10.a., A.11.b., and C.3.d.).

b. **Referral Fees**. Licensed professional counselors do not accept a referral fee from other professionals.

D.4. SUBCONTRACTOR ARRANGEMENTS

When licensed professional counselors work as subcontractors for counseling services for a third party, they have a duty to inform clients of the limitations of confidentiality that the organization may place on licensed professional counselors in providing counseling services to clients. The limits of such confidentiality ordinarily are discussed as part of the intake session. (See A.3.a., B.1.c., B.1.e. and B.1.f.).

SECTION E: EVALUATION, ASSESSMENT, AND INTERPRETATION

E.1. GENERAL

a. **Appraisal Techniques**. The primary purpose of educational and psychological assessment is to provide measures that are objective and interpretable in either comparative or absolute terms. Licensed professional counselors recognize the need to interpret the statements in this section as applying to the whole range of appraisal techniques, including test and nontest data.

b. **Client Welfare**. Licensed professional counselors promote the welfare and best interests of the client in the development, publication, and utilization of educational and psychological assessment techniques. They do not misuse assessment results and interpretations and take reasonable steps to prevent others from misusing the information these techniques provide. They respect the client’s right to know the results, the interpretations made, and the bases for their conclusions and recommendations.

E.2. COMPETENCE TO USE AND INTERPRET TESTS

a. **Limits of Competence**. Licensed professional counselors recognize the limits of their competence and perform only those testing and assessment services for which they have been trained. They are familiar with reliability, validity, related standardization, error of measurement, and proper application of any technique utilized. Licensed professional counselors using technology-based

test interpretations are trained in the construct being measured and the specific instrument being used prior to using this type of technology application. Licensed professional counselors take reasonable measures to ensure the proper use of psychological assessment techniques by persons under their supervision.

b. **Appropriate Use**. Licensed professional counselors are responsible for the appropriate application, scoring, interpretation, and use of assessment instruments, whether they score and interpret such tests themselves or use technology-based applications or other services.

c. **Decisions Based on Results**. Licensed professional counselors responsible for decisions involving individuals or policies that are based on assessment results have a thorough understanding of educational and psychological measurement, including validation criteria, test research, and guidelines for test development and use.

d. **Accurate Information**. Licensed professional counselors provide accurate information and avoid false claims or misconceptions when making statements about assessment instruments or techniques. Special efforts are made to avoid unwarranted connotations of such terms as IQ and grade equivalent scores. (See C.5.c.).

E.3. INFORMED CONSENT

a. **Explanation to Clients**. Prior to assessment, licensed professional counselors explain the nature and purposes of assessment and the specific use of results in language the client (or other legally authorized person on behalf of the client) can understand, unless an explicit exception to this right has been agreed upon in advance. Regardless of whether scoring and interpretation are completed by licensed professional counselors, by assistants, or by computer or other outside services, licensed professional counselors take reasonable steps to ensure that appropriate explanations are given to the client. (See A.3.a.).

b. **Recipients of Results**. The examinee's welfare, explicit understanding and prior agreement determine the recipients of test results. Licensed professional counselors include accurate and appropriate interpretations with any release of individual or group test results. (See B.1.a. and C.5.c.).

E.4. RELEASE OF INFORMATION TO COMPETENT PROFESSIONALS

a. **Misuse of Results**. Licensed professional counselors do not misuse assessment results, including test results, and interpretations, and take reasonable steps to prevent the misuse of such by others. (See C.5.c.)

b. **Release of Raw Data**. Licensed professional counselors ordinarily release data (e.g., protocols, counseling or interview notes, or questionnaires) in which the client is identified only with the consent of the client or the client's legal representative. Such data are usually released only to persons recognized by licensed professional counselors as competent to interpret the data. (See B.1.a.).

E.5. PROPER DIAGNOSIS OF MENTAL DISORDERS

a. **Proper Diagnosis**. Licensed professional counselors take special care to provide proper diagnosis of mental disorders. Assessment techniques (including personal interview) used to determine client care (e.g., locus of treatment, type of treatment, or recommended follow-up) are carefully selected and appropriately used. (See A. 3.a. and C.5.c.).

b. **Cultural Sensitivity**. Licensed professional counselors recognize that culture affects the manner in which clients' problems are defined. Clients' socioeconomic and cultural experience is considered when diagnosing mental disorders.

E.6. TEST SELECTION

a. **Appropriateness of Instruments**. Licensed professional counselors carefully consider the validity, reliability, psychometric limitations, and appropriateness of instruments when selecting tests for use in a given situation or with a particular client.

b. **Cultural Diverse Populations**. Licensed professional counselors are cautious when selecting tests for culturally diverse populations to avoid inappropriateness of testing that may be outside of socialized behavioral or cognitive patterns.

E.7. CONDITIONS OF TEST ADMINISTRATION

a. **Administration Conditions**. Licensed professional counselors administer tests under the same conditions that were established in their standardization. When tests are not administered under standard conditions or when unusual behavior or irregularities occur during the testing session, those conditions are noted in

interpretation, and the results may be designated as invalid or of questionable validity.

b. **Electronic Administration**. Licensed professional counselors are responsible for ensuring that administration programs function properly to provide clients with accurate results when a computer or other electronic methods are used for test administration. (See A.12.b.).

c. **Unsupervised Test-Taking**. Licensed professional counselors do not permit unsupervised or inadequately supervised use of tests or assessments unless the tests or assessments are designed, intended, and validated for self-administration and/or scoring.

d. **Disclosure of Favorable Conditions**. Prior to test administration, conditions that produce most favorable test results are made known to the examinee.

E.8. DIVERSITY IN TESTING

Licensed professional counselors are cautious in using assessment techniques, making evaluations, and interpreting the performance of populations not represented in the norm group on which an instrument was standardized. They recognize the effects of age, race, culture, disability, ethnic group, gender, gender identity, religion, sexual orientation, martial/ partnership status, immigration, and socioeconomic status on test administration and interpretation and place test result in proper perspective with other relevant factors. (See A.2.a.).

E.9. TEST SCORING AND INTERPRETATION

a. **Reporting Reservations**. In reporting assessment results, licensed professional counselors indicate any reservations that exist regarding validity or reliability because of the circumstances of the assessment or the inappropriateness of the norms for the person tested.

b. **Research Instruments**. Licensed professional counselors exercise caution when interpreting the results of research instruments possessing insufficient technical data to support respondent results. The specific purposes for the use of such instruments are stated explicitly to the examinee.

c. **Testing Services**. Licensed professional counselors who provide test scoring and test interpretation services to support the assessment process confirm the validity of such interpretations. They accurately describe the

purpose, norms, validity, reliability, and applications of the procedures and any special qualifications applicable to their use. The public offering of an automated test interpretations service is considered a professional-to-professional consultation. The formal responsibility of the consultant is to the consultee, but the ultimate and overriding responsibility is to the client.

E.10. TEST SECURITY

Licensed professional counselors maintain the integrity and security of tests and other assessment techniques consistent with legal and contractual obligations. Licensed professional counselors do not appropriate, reproduce, or modify published tests or parts thereof without acknowledgement and permission from the publisher.

E.11. OBSOLETE TESTS AND OUTDATED TEST RESULTS

Licensed professional counselors do not use data or test results that are obsolete or outdated for the current purpose. Licensed professional counselors make every effort to prevent the misuse of obsolete measures and test data by others.

E.12. TEST CONSTRUCTION

Licensed professional counselors use established scientific procedures, relevant standards, and current professional knowledge for test design in the development, publication, and utilization of educational and psychological assessment techniques.

SECTION F: TRAINING AND SUPERVISION

F.1. COUNSELOR EDUCATORS

a. **Counselor Educators**. Licensed professional counselors who are associated with counselor education and training programs act in an ethical manner and serve as role models for professional behavior. Such behavior is founded on sensitivity to and respect for multicultural/ diversity factors affecting the learning and supervisory environment of students and supervisees.

b. **Relationship Boundaries with Students and Supervisees**. Licensed professional counselors clearly define and maintain ethical, professional, and social relationship boundaries with their students and supervisees. They are aware of the differential in power that exists and the student’s or supervisee’s possible incomprehension of

that power differential. Licensed professional counselors explain to students and supervisees the potential for the relationship to become exploitive. (See A.6.a., and A. 6.b.).

c. **Informed Consent in Supervision**. When providing supervision, licensed professional counselors have an obligation to review, in writing and verbally, the rights and responsibilities of supervisors and supervisees. Licensed professional counselors serving as supervisors use clear and understandable language to inform supervisees about the purpose of the services to be provided, relevant costs, potential risks and benefits, and the limits of confidentiality.

d. **Sexual Relationships**. Licensed professional counselors do not engage in sexual relationships with students or supervisees and do not subject them to sexual harassment. (See A.6. and C.5.b.).

e. **Close Relatives, Friends, and Intimate Partners as Supervisees**. Licensed professional counselors do not accept close relatives, friends, or intimate partners as supervisees.

f. **Supervision Preparation**. Licensed professional counselors who offer clinical supervision services are adequately prepared in supervision methods and techniques. Counselors who are doctoral students serving as practicum or internship supervisors to master's level students are adequately prepared and supervised by the training program.

g. **Responsibility for Services to Clients**. Licensed professional counselors who supervise the counseling services of others take reasonable measures to ensure that counseling services provided to clients are professional and reflect the ethical duties of licensees.

h. **Endorsement**. Licensed professional counselors do not endorse students or supervisees for certification, licensure, employment, or completion of an academic or training program if they believe students or supervisees are not qualified for the endorsement. Licensed professional counselors take reasonable steps to assist students or supervisees who are not qualified for endorsement to become qualified.

i. **Evaluation**. Licensed professional counselors clearly state to students and supervisees, in advance of training and supervision, the levels of competency expected, appraisal methods, and timing of evaluation. Licensed professional counselors provide students and supervisees

with periodic performance appraisal and evaluation feedback throughout the training program.

j. **Dual Relationships as Supervisors**. Licensed professional counselors avoid dual relationships such as performing the role of licensure supervisor and training program supervisor in the student's or supervisee's training program.

k. **Limitations**. Licensed professional counselors, through ongoing evaluation and appraisal, should be aware of limitations or obstacles of students and supervisees that might impede performance. Licensed professional counselors assist students and supervisees in securing remedial assistance when needed and discontinue supervision with supervisees who are unable to provide competent service.

l. **Counseling for Students and Supervisees**. If students or supervisees request counseling, supervisors or counselor educators provide then with acceptable referrals. Licensed professional counselors serving as supervisors or counselor educators do not serve as counselor to students or supervisees over whom they hold administrative, teaching, or evaluative roles unless this is a brief role associated with a training experience. (See A.6.b.).

m. **Clients of Students and Supervisees**. Licensed professional counselors make every effort to ensure that the clients of students in field placements or post-graduate supervisees are aware of the services rendered and the qualifications of the students and supervisees rendering those services. Clients receive professional disclosure information and are informed of the limits of confidentiality. Client permission is obtained in order for the students and supervisees to use any information concerning the counseling relationship in the training and supervisory process. (See A.3.a., and B.1.g.).

n. **Interruption of Supervision through Emergency or Absence**. Licensed professional counselors are responsible for clarifying with supervisees those procedures to follow in instances of supervision interruption through either emergency or absence. Such procedures should include options for contacting the supervisor, or on-call or back-up supervisors/consultants in cases of emergency, referral of the supervisees' clients, if necessary, and if necessary, no new clients for the supervisee until the return of the supervisor or a new permanent arrangement can be made for supervisee oversight.

SECTION G: RESEARCH AND FINDINGS

G.1. RESEARCH RESPONSIBILITIES

a. **Use of Human Subjects**. Licensed professional counselors plan, design, conduct, and report research in a manner consistent with pertinent ethical principles, federal and state laws, host institutional regulations, and scientific standards governing research with human subjects. Licensed professional counselors design and conduct research that reflects cultural sensitivity appropriateness.

b. **Deviation from Standard Practices**. Licensed professional counselors seek consultation and observe stringent safeguards to protect the rights of research participants when a research problem suggests a deviation from standard acceptable practices. (See B.6.).

c. **Precautions to Avoid Injury**. Licensed professional counselors who conduct research with human subjects are responsible for the subjects' welfare throughout the experiment and take reasonable precautions to avoid causing injurious psychological, physical, or social effects to their subjects.

d. **Principal Researcher Responsibility**. The ultimate responsibility for ethical research practice lies with the principal researcher. All others involved in the research activities share ethical obligations and full responsibility for their own actions.

e. **Minimal Interference**. Licensed professional counselors take reasonable precautions to avoid causing disruptions in subjects' lives due to participation in research.

f. **Diversity**. Licensed professional counselors are sensitive to diversity and research issues with special populations. They seek consultation when appropriate. (See A.2.a. and B.6.).

G.2. INFORMED CONSENT

a. **Topics Disclosed**. In obtaining informed consent for research, licensed professional counselors use language that is understandable to research participants and that: (1) accurately explains the purpose and procedures to be followed; (2) identifies any procedures that are experimental or relatively untried; (3) describes the attendant discomforts and risks; (4) describes the benefits or changes in individuals or organizations that might be reasonably expected; (5) discloses appropriate alternative procedures that would be advantageous for subjects; (6) offers to answer any inquiries concerning the procedures, including the retention and destruction

of data in the research; (7) describes any limitations on confidentiality; and (8) instructs that subjects are free to withdraw their consent and to discontinue participation in the project at any time. (See B.1.f.).

b. **Deception**. Licensed professional counselors do not conduct research involving deception unless alternative procedures are not feasible and the prospective value of the research justifies the deception. When the methodological requirements of a study necessitate concealment or deception, the investigator is required to explain clearly the reasons for this action as soon as possible.

c. **Voluntary Participation**. Participation in research is typically voluntary and without any penalty for refusal to participate. Involuntary participation is appropriate only when it can be demonstrated that participation will have no harmful effects on subjects and is essential to the investigation.

d. **Confidentiality of Information**. Information obtained about research participants during the course of an investigation is confidential. When the possibility exists that others may obtain access to such information, ethical research practice requires that the possibility, together with the plans for protecting confidentiality, be explained to participants as a part of the procedure for obtaining informed consent.

e. **Persons Incapable of Giving Informed Consent**. When a person is incapable of giving informed consent, licensed professional counselors provide an appropriate explanation, obtain agreement for participation and obtain appropriate consent from a legally authorized person.

f. **Commitments to Participants**. Licensed professional counselors take reasonable measures to honor all commitments to research participants.

g. **Explanations After Data Collection**. After data are collected, licensed professional counselors provide participants with full clarification of the nature of the study to remove any misconceptions. When scientific or human values justify delaying or withholding information, licensed professional counselors take reasonable measures to avoid causing harm.

h. **Agreements to Cooperate**. Licensed professional counselors who agree to cooperate with another individual in research or publication incur an obligation to cooperate as promised in terms of punctuality of

performance and with regard to the completeness and accuracy of the information required.

i. **Informed Consent for Sponsors**. In the pursuit of research, licensed professional counselors give sponsors, institutions, and publication channels the same respect and opportunity for giving informed consent that they accord to individual research participants. Licensed professional counselors are aware of their obligations to future research workers and ensure that host institutions are given feedback information and proper acknowledgement.

j. **Retention of Research Materials**. Licensed professional counselors retain research data until such time they determine that the data are no longer relevant to the original research or any extension of the original research. When data are destroyed, the licensed professional counselor insures that the data are rendered unidentifiable and that their destruction is as discussed with participants in their informed consent procedures.

G.3. REPORTING FINDINGS

a. **Information Affecting Outcome**. When reporting research results, licensed professional counselors explicitly mention all variables and conditions known to the investigator that may have affected the outcome of a study or the interpretation of data.

b. **Accurate Results**. Licensed professional counselors plan, conduct, and report research accurately and in a manner that minimizes the possibility that results will be misleading. They provide thorough discussions of the limitations of their data and alternative hypotheses. Licensed professional counselors do not engage in fraudulent research, distort data, misrepresent data, or deliberately bias their results.

c. **Obligation to Report Unfavorable Results**. Licensed professional counselors communicate to other counselors the results of any research judged to be of professional value. Results that reflect unfavorably on institutions, programs, services, prevailing opinions, or vested interests are not withheld.

d. **Identity of Subjects**. Licensed professional counselors who supply data, aid in the research of another person, report research results, or make original data available take due care to disguise the identity of respective subjects in the absence of specific authorization from the subjects to do otherwise. (See B.1.g. and B.5.a.)

e. **Replication Studies**. Licensed professional counselors are obligated to make available sufficient original research data to qualified professionals who may wish to replicate the study.

SECTION H: RESOLVING ETHICAL ISSUES

H.1. KNOWLEDGE OF STANDARDS

Licensed professional counselors are familiar with the Code of Ethics and Standards of Practice and other applicable ethics codes from other professional organizations of which they are members, or from certification and licensure bodies. Lack of knowledge or misunderstanding of an ethical responsibility is not a defense against a charge of unethical conduct.

H.2. SUSPECTED VIOLATIONS

a. **Ethical Behavior Expected**. Licensed professional counselors expect professional associates to adhere to the Code of Ethics and Standards of Practice.

b. **Consultation**. When uncertain as to whether a particular situation or course of action may be in violation of the Code of Ethics and Standards of Practice, licensed professional counselors consult with other licensed professional counselors who are knowledgeable about ethics, with colleagues, or with appropriate authorities.

c. **Conflicts Between Ethics and Law**. If licensed professional counselors encounter conflicts between the Code of Ethics and Standards of Practice of the Board and legal requirements in state or federal law that cannot be reconciled, they may adhere to legal requirements. No penalty or disciplinary action will be taken against the licensed professional counselor by the Board so long as the conflict can be verified as irreconcilable.

d. **Organization Conflicts**. If the demands of an organization with which licensed professional counselors are affiliated pose a conflict with the Code of Ethics and Standards of Practice, licensed professional counselors specify the nature of such conflicts and express to their supervisors or other responsible officials their commitment to the Code of Ethics and Standards of Practice. When possible, licensed professional counselors work toward change within the organization to allow full adherence to the Code of Ethics and Standards of Practice.

e. **Reporting Suspected Violations**. Licensed professional counselors, based upon reasonable suspicion and cause, take action such as reporting the suspected ethical violation of other licensees to the office of the Alabama Board of Examiners in Counseling as well as to state or national ethics committees, unless this action conflicts with confidentiality rights or existing legal codes.

f. **Good-Faith Complaints**. Licensed professional counselors do not initiate, participate in, or encourage the filing of ethics complaints that are not in good faith or intended to harm a licensed professional counselor rather than to protect clients or the public.

H.3. COOPERATION WITH INVESTIGATIVE COMMITTEES

Licensed professional counselors assist in the process of enforcing the Code of Ethics and Standards of Practice. Licensed professional counselors cooperate with investigations, proceedings, and requirements of the Alabama Board of Examiners in Counseling, and its jurisdiction over those charged with ethical violations. Licensed professional counselors are familiar with the rules and regulations of the Alabama Board of Examiners in Counseling and use them as a reference in assisting the enforcement of the Code of Ethics and Standards of Practice.

STANDARDS OF PRACTICE

All licensed professional counselors are required to adhere to the Standards of Practice and the Code of Ethics. The Standards of Practice represent minimal behavioral statements of the Code of Ethics. Licensed professional counselors should refer to the applicable section of the Code of Ethics for further interpretation and amplification of the applicable Standards of Practice.

SECTION A: THE COUNSELING RELATIONSHIP

Standard of Practice One (SP-1) Avoiding Harm to Clients

Licensed professional counselors must act with deliberation to avoid foreseeable harm to clients and must act to minimize or remedy unanticipated harm to clients. (See A.1.a., and C.2.b.).

Standard of Practice Two (SP-2) Nondiscrimination

Licensed professional counselors respect diversity and must not discriminate against clients because of age, race, culture, disability, ethnic group, gender, gender identity, religion, sexual orientation,

marital/partnership status, immigration, socioeconomic status or any other form of discrimination. (See A.2.a.).

Standard of Practice Three (SP-3) Disclosure to Clients

Licensed professional counselors must adequately inform clients, verbally and in writing, regarding the counseling process and counseling relationship at or before the time it begins and throughout the relationship. (See A.3.a.)

Standard of Practice Four (SP-4) Dual Relationships

Licensed professional counselors must make every effort to avoid dual relationships with clients, family members of clients, and intimate partners of clients that could impair their professional judgment or increase the risk of harm to clients. When a dual relationship cannot be avoided, licensed professional counselors must take appropriate steps to ensure that judgment is not impaired and that no exploitation occurs. Licensed professional counselors must not engage in any personal virtual relationships with clients, family members of clients, or the intimate partners of a client through social media or other media. (See A.6.a., A.6.b., and A.6c.).

Standard of Practice Five (SP-5) Sexual Intimacies With Clients

Licensed professional counselors must not engage in any type of sexual intimacies with current clients, family members of current clients, or intimate partners of current clients and must not engage in sexual intimacies with former clients, family members of former clients, or intimate partners of former clients within a minimum of five years after terminating the counseling relationship. Licensed professional counselors who engage in such relationship after five years following termination have the responsibility to thoroughly examine and document that such relations did not have an exploitative nature. (See A.7.a. and A.7.b.).

Standard of Practice Six (SP-6) Protecting Clients During Group Work

Licensed professional counselors must take steps to protect clients from physical or psychological trauma resulting from interaction during group work. (See A. 9.b.).

Standard of Practice Seven (SP-7) Advance Understanding of Fees

Licensed professional counselors must explain to clients, prior to their entering the counseling relationship, financial arrangements related to professional services. If licensed professional counselors intend to use collection agencies or legal means to address nonpayment of client fees for counseling services, such actions must follow the process established in the informed consent disclosures to clients. Prior to initiating such procedures, clients must be informed of the intended action and allowed an opportunity to make payments. (See A.10.a-d. and A.11.c.)

Standard of Practice Eight (SP-8) Abandonment and Termination

Licensed professional counselors must not abandon clients but must assist in making appropriate arrangements for the continuation of treatment of clients, when necessary, following termination of counseling relationships. Clients are considered to be abandoned by a licensed professional counselor if their termination is without notice and referral. (See A.11.a. and A.11.c.).

Standard of Practice Nine (SP-9) Inability to Assist Clients

Licensed professional counselors must avoid entering or continuing a counseling relationship and immediately terminate, with appropriate referral if it is determined that they are unable to be of professional assistance to a client. (See A.11.b.).

Standard of Practice Ten (SP-10) Distance Technology Counseling Services

Licensed professional counselors must ensure all aspects of ethical duty contained in the Alabama Board of Examiners in Counseling Code of Ethics and Standards of Practice in the provision of distance technology counseling services. Addressing and resolving any disparities between ethical or legally mandated practices required in face-to-face counseling services versus distance technology counseling services is the ethical duty of the licensed professional counselor and must be accomplished by the licensee. (See A.12.d.).

Standard of Practice Eleven (SP-11) Role Changes in the Counseling Relationship

Licensed professional counselors who seek to modify their existing counseling roles with a client, the family members of a client, or the intimate partners of a client must do so only after obtaining formal written consent from the client. Modifications of existing roles with a client, the family members of a client, or the intimate partners of a client include (but are not limited to) the following: (1) changing from individual to family/relationship counseling or vice versa, (2) changing to an evaluative role, (3) changing to a researcher role, or (4) changing to a mediator role. The wishes of clients who do not consent to such role changes must be respected by licensed professional counselors and modifications to the original counseling role are not to be entered. (See A.3., and A.13).

SECTION B: CONFIDENTIALITY

Standard of Practice Twelve (SP-12) Confidentiality Requirement

Licensed professional counselors must keep information related to counseling services confidential unless disclosure is in the best interest of clients, is required for the welfare of others, or is required by law. When disclosure is required, only information that is essential is revealed and the client is informed of such disclosure. (See B.1.a.-f.).

Standard of Practice Thirteen (SP-13) Confidentiality Requirements for Subordinates

Licensed professional counselors must take measures to ensure that privacy and confidentiality of clients are maintained by subordinates. (See B.1.h.).

Standard of Practice Fourteen (SP-14) Confidentiality in Group Work

Licensed professional counselors must clearly communicate to group members that confidentiality cannot be guaranteed in group work. (See B.2.a.)

Standard of Practice Fifteen (SP-15) Confidentiality in Family Counseling

Licensed professional counselors must not disclose information about one family member in counseling to

another family member without prior consent. In instances of family/relationship counseling that features one member/partner as "the client", licensed professional counselors must secure written verification of this status as well as all limitations associated with the status of "the client." (See B.2.b.).

Standard of Practice Sixteen (SP-16) Confidentiality of Records

Licensed professional counselors must maintain appropriate confidentiality in creating, storing, accessing, transferring, and disposing of counseling records. (See B.4.b.).

Standard of Practice Seventeen (SP-17) Permission to Record or Observe

Licensed professional counselors must obtain prior consent from clients in order to electronically record or observe sessions. (See B.4.c.)

Standard of Practice Eighteen (SP-18) Disclosure or Transfer of Records

Licensed professional counselors must obtain client consent to disclose or transfer records to third parties, unless exceptions listed in SP-12 exist. (See B.4.e.).

Standard of Practice Nineteen (SP-19) Destruction of Client Records

Licensed professional counselors must inform clients at intake about their policies concerning destruction of client records. When client records are destroyed, licensed professional counselors must render confidential information unidentifiable. (See B.4.f. and A.3.a.).

Standard of Practice Twenty (SP-20) Data Disguise Required

Licensed professional counselors must disguise the identity of the client when using data for training, research, or publication. (See B.5.a.).

SECTION C: PROFESSIONAL RESPONSIBILITY

Standard of Practice Twenty-One (SP-21) Boundaries of Competence

Licensed professional counselors must practice only within the boundaries of their competence. (See C. 2.a.)

Standard of Practice Twenty-Two (SP-22) Treatment Approaches

Licensed professional counselors must employ techniques, procedures and modalities that are grounded in an established theoretical, empirical, or scientific foundation unless such a foundation has not been established for the specific client needs. When employing techniques, procedures, and modalities that do not have an established theoretical, empirical, or scientific foundation, licensed professional counselors must disclose to clients the experimental nature of such approaches, including potential risks, and secure informed consent from clients for their implementation. (See C.2.b. A.1.a., and A.3.a.).

Standard of Practice Twenty-Three (SP-23) Continuing Education

Licensed professional counselors must engage in continuing education to maintain their professional competence. (See C.2.g.).

Standard of Practice Twenty-Four (SP-24) Impairment of Professionals

Licensed professional counselors must refrain from offering professional services when their personal problems or conflicts may cause harm to a client or others. (See C.2.h.).

Standard of Practice Twenty-Five (SP-25) Departure From or Termination of a Practice

Licensed professional counselors who depart from a practice must act with due diligence to notify active and former clients of their pending departure from that practice. Licensed professional counselors who are terminating their practice must act with similar notice and due diligence as described in this standard. (See C.2.i.).

Standard of Practice Twenty-Six (SP-26) Custodian of Records

Licensed professional counselors must identify a custodian of records in their departure from or termination of a practice. (See C.2.i. and B.4.g.).

Standard of Practice Twenty-Seven (SP-27) Accurate Advertising

Licensed professional counselors must accurately represent their credentials and services when advertising. (See C.3.a.).

Standard of Practice Twenty-Eight (SP-28) Recruiting Through Employment

Licensed professional counselors must not use their place of employment or institutional affiliation to recruit clients for their private practices. (See C. 3.d.).

Standard of Practice Twenty-Nine (SP-29) Accurate Representation of Credentials

Licensed professional counselors must claim or imply only professional credentials possessed and must correct any known misrepresentations of their credentials by others. (See C.4.a.).

Standard of Practice Thirty (SP-30) Sexual Harassment

Licensed professional counselors must not engage in sexual harassment of any type with any person. (See C.5.b.).

Standard of Practice Thirty-One (SP-31) Exploitation

Licensed professional counselors must not use their professional positions to seek or receive unjustified personal gains, sexual favors, unfair advantage, or unearned goods or services. (See C.5.e.f).

Standard of Practice Thirty-Two (SP-32) Clients Served by Others

With the consent of the client, licensed professional counselors must inform other mental health professionals serving the same client that a counseling relationship between the counselor and client exists. (See C.6.c.).

Standard of Practice Thirty-Three (SP-33) Negative Employment Conditions

Licensed professional counselors must alert their employers to institutional policy or conditions that may be potentially disruptive or damaging to the counselor's professional responsibilities, or that

may limit their effectiveness or deny clients' rights. (See D.1.c.).

Standard of Practice Thirty-Four (SP-34) Personal Selective Assignment

Licensed professional counselors must select competent staff and must assign responsibilities compatible with staff skills and experiences. (See D. 1.h.)

Standard of Practice Thirty-Five (SP-35) Exploitative Relationships with Subordinates

Licensed professional counselors must not engage in exploitative relationships with individuals over whom they have supervisory, evaluative, or instructional control or authority. (See D.1.k.).

SECTION D: RELATIONSHIP WITH OTHER PROFESSIONALS

Standard of Practice Thirty-Six (SP-36) Informed Consent in Consultation

When providing consultation, licensed professional counselors must review in writing and verbally the rights and responsibilities of both the consultant and the consultee, including but not limited to, the nature of services, relevant costs, potential risks and benefits, and the limits of confidentiality regarding consultation. (See D.2.e.).

Standard of Practice Thirty-Seven (SP-37) Accepting Fees From Agency Clients

Licensed professional counselors must not accept fees or other remuneration for consultation with persons entitled to such services through the counselor's employing agency or institution. (See D.3.a.)

Standard of Practice Thirty-Eight (SP-38) Referral Fees

Licensed professional counselors must not accept referral fees. (See D.3.b.).

SECTION E: EVALUATION, ASSESSMENT, AND INTERPRETATION

Standard of Practice Thirty-Nine (SP-39) Limits of Competence

Licensed professional counselors must perform only testing and assessment services for which they are competent. Licensed professional counselors must not

allow the use of psychological assessment techniques by unqualified persons under their supervision. (See E.2.a.).

Standard of Practice Forty (SP-40) Appropriate Use of Assessment

Licensed professional counselors must use assessment instruments in the manner for which they were intended. (See E.2.b.)

Standard of Practice Forty-One (SP-41) Assessment Explanations to Clients

Licensed professional counselors must provide explanations to clients prior to assessment about the nature and purposes of assessment and the specific use of results. (See E.3.a.).

Standard of Practice Forty-Two (SP-42) Recipients of Test Results

Licensed professional counselors must ensure that accurate and appropriate interpretations accompany any release of testing and assessment information. (See E.3.b.).

Standard of Practice Forty-Three (SP-43) Obsolete Tests and Outdated Test Results

Licensed professional counselors must not base their assessment or intervention decisions or recommendations on data or test results that are obsolete or outdated for the current purpose. (See E. 11.)

SECTION F: TRAINING AND SUPERVISION

Standard of Practice Forty-Four (SP-44) Sexual Relationships With Students or Supervisees

Licensed professional counselors must not engage in sexual relationships with their students or supervisees. (See F.1.d.).

Standard of Practice Forty-Five (SP-45) Informed Consent in Supervision

When providing supervision, licensed professional counselors must review in writing and verbally the rights and responsibilities of both the supervisor and the supervisee, including but not limited to, the nature of services, relevant costs, potential risks

and benefits, and the limits of confidentiality regarding supervision. (See F.1.c.).

Standard of Practice Forty-Six (SP-46) Supervision Preparation

Licensed professional counselors who offer clinical supervision services must be trained and prepared in supervision methods and techniques. (See F.1.f.).

Standard of Practice Forty-Seven (SP-47) Evaluation Information

Licensed professional counselors must clearly state to students and supervisees in advance of training, the levels of competency expected, appraisal methods, and timing of evaluations. Licensed professional counselors must provide students and supervisees with periodic performance appraisal and evaluation feedback throughout the training program. (See F. 1.i.).

SECTION G: RESEARCH AND FINDINGS

Standard of Practice Forty-Eight (SP-48) Precautions to Avoid Injury in Research

Licensed professional counselors must avoid causing physical, social, or psychological harm or injury to subjects in research. (See G.1.c.).

Standard of Practice Forty-Nine (SP-49) Confidentiality of Research Information

Licensed professional counselors must keep confidential information obtained about research participants. (See G.2.d.).

Standard of Practice Fifty (SP-50) Retention and Destruction of Research Materials

When conducting research, licensed professional counselors must retain research materials until such time that the materials are no longer relevant for the original research or an extension of the original research. Licensed professional counselors must inform research participants at the time of data collection about their policies concerning destruction of research materials. When research materials are destroyed, licensed professional counselors must render confidential information unidentifiable. (See G.2.j.)

Standard of Practice Fifty-One (SP-51) Information Affecting Research Outcome

Licensed professional counselors must report all variables and conditions known to the investigator that may have affected research data or outcome. (See G.3.a.).

Standard of Practice Fifty-Two (SP-52) Accurate Research Results

Licensed professional counselors must not distort or misrepresent research data, nor fabricate or intentionally bias research results. (See G.3.b.).

SECTION H: RESOLVING ETHICAL ISSUES

Standard of Practice Fifty-Three (SP-53) Ethical Behavior Expected

Licensed professional counselors must adhere to the Code of Ethics and Standards of Practice. (See H. 2.a.).

Standard of Practice Fifty-Four (SP-54) Reporting Suspected Violations

Licensed professional counselors who suspect ethical violations by other licensees must report the suspected violations to the office of the Alabama Board of Examiners in Counseling unless this action conflicts with confidentiality rights or existing legal codes. (See H.2.e.).

Standard of Practice Fifty-Five (SP-55) Good-Faith Complaints

Licensed professional counselors must not initiate, participate in, or encourage the filing of ethics complaints that are unwarranted or intended to harm a mental health professional rather than to protect clients or the public. (See H.2.f.).

Standard of Practice Fifty-Six (SP-56) Cooperation With Investigative Committee

Licensed professional counselors must cooperate with investigations, proceedings, and requirements of the Alabama Board of Examiners in Counseling and its jurisdiction over those charged with a violation. (See H.3.)

Author:
Statutory Authority:

History: