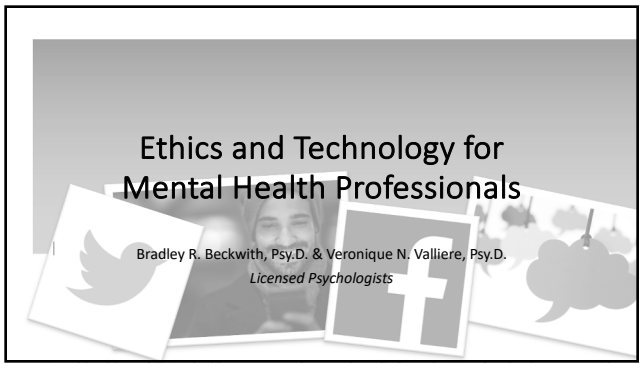

Ethics and Technology for Mental Health Professionals
Bradley R. Beckwith, Psy.D. & Veronique N. Valliere, Psy.D.
Licensed Psychologists

1

Learning Objectives
• Identify at 3 ways technology can impact your practice as a mental health professional
• Define "small world ethical thinking"
• List the types of self-disclosure that can occur for mental health professionals
• Explain the potential risks to the client-therapist relationship as a result of self disclosure
• Explore and analyze potential ethical pitfalls in the use of technology and mental health through the use of 3 different case examples

2

Ethics
"The discipline dealing with what is good and bad and with moral duty and obligation"
"the principles of conduct governing and individual or group"
"A guiding philosophy"
"A set of moral issues or aspects"
Merriam-Webster (2020)

3

Ethics of helpers

- Do no harm
- Do not exploit
- Be competent
- Don't be compromised
- Protection
- Justice
- Equality
- Dignity and respect

4

5

What makes us susceptible to ethical violations?

- Most ethical violations are not malicious, but in the spirit of "helping"
- Personally
  - Desire to help
  - Opportunity to influence or meet goals
  - Values and vulnerabilities
  - Emotions and education (lack of)
  - Numbness and complacency – "justified neglect"
  - Compromised standards
  - Sense of invulnerability
- Organizationally
  - No discussion of ethics or ignoring
  - Poor leadership/role-modeling
  - Disparity and sense that things are unfair
  - Sense of omnipotence and invulnerability

(Carrucci, 2016; Lustgarten, 2016; Wedell-Wedellsborg, 2019)

6

How these might apply to technology

- Convenience, time, and stress
- Fear (esp. during COVID)
- Familiarity
- Generational/cohort impact
- Needs of the client

7

Technology

- Electronic Health Records
- Cloud and Network – Office Wifi
- Platforms – telehealth
- Virtual Evaluations and Testing
- Distance Helping and Licensing Laws
- Electronic Communication – emails, texts
- Personal Tech Items/Devices – phone, tablets, home computers
- Social Media – personal and professional
- Use of Apps – dating, rating
- Media Presentations – YouTube, Webinars

8

Relevant APA Ethical Guidelines

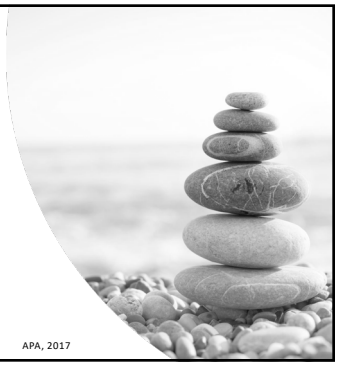
- Guideline 2: Standards of Care/Competence
- Guideline 3: Human Relationships
  - Multiple relationships
  - Exploitative relationships
  - Informed consent
  - Interruption of services
- Guideline 4: Confidentiality and Data
  - Searching for client information online
  - Recording
  - Intrusions on privacy
  - Disclosures
- Guideline 5: Advertising and Other Public Statements
  - Media presentations
  - Testimonials

APA, 2017

9

Relevant APA Ethical Guidelines

- Guideline 6: Record Keeping and Fees
  - Security and Transmission of Data
  - Insurance Issues with telehealth
  - Evolving and regular process
- Guideline 9: Testing and Assessment
  - Maintain test security
  - Understand and incorporate differences
- Guideline 10: Therapy



APA, 2017

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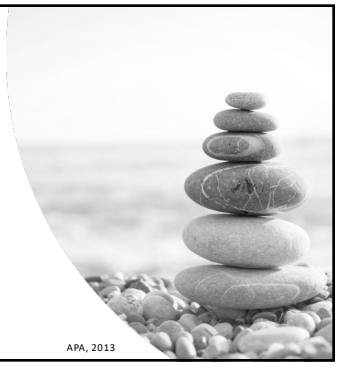
APA Guidelines on Telepsychology

- Guideline 1: Competence
- Guideline 2: Standards of Care
- Guideline 3: Informed Consent
- Guideline 4: Confidentiality and Data
  - Searching for client information online
- Guideline 5: Security and Transmission of Data
  - Evolving and regular process
- Guideline 6: Disposal of Data
- Guideline 7: Testing and Assessment
  - Maintain test security
  - Understand and incorporate differences
- Guideline 8: Interjurisdictional Practice



APA, 2013

11

American Counseling Association Ethical Guidelines

The only one to have specific ethics outlined

Section H – Distance Counseling, Technology, Social Media

- Knowledge and Legal Considerations
- Informed Consent and Security
- Client Verification
- Distance Counseling Relationship
- Records and Web Maintenance
- Social Media

(ACA, 2014)

12

Small World Ethics

- Ethics related to practitioners in settings where privacy is limited and transparency is increased
  - Rural
  - Limited resources
  - Multiple relationships
- Social media makes all the world small
  - Pervasive incidental contact
  - Self-disclosure
  - Multiple relationships
  - Revealing preferences, locations, affiliations

(Lannin & Scott, 2014)

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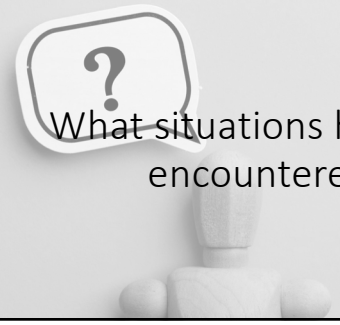
What situations have you encountered?



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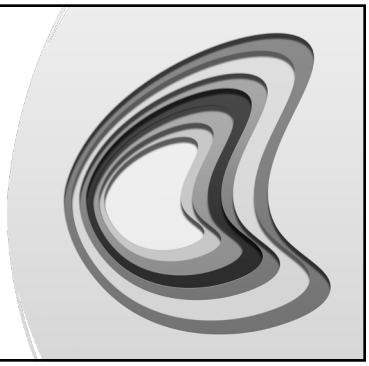
Layers of Risk

- The client
- You
- The setting
- Device
- App
- Network
- Platform
- Cloud



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5 question threat model

- What to protect
- Who to protect it from
- Likelihood of need to protect
- How bad are consequences of failure
- How much trouble are you willing to go through

(Lustgarten, 2016)

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BOTTOM LINE!

- POLICIES!!!
  - Cloud
  - Security of data/records
  - Telehealth platform
  - Security officer
  - Employee practices
    - Devices
    - Home offices
    - Media/data transport/use
  - Ex-employees
  - Business associate agreements
- PRACTICES!
  - Passwords on everything
  - Verification
  - Firewall
  - Calendars
  - Know your apps/platforms/servers security
  - Termination agreements
  - Documentation

17

Telehealth vs. In Person Therapy

Telehealth

- Convenience
- Allows clients to continue treatment despite changes
- New populations/clients
- Therapist has some access to home
- Client resiliency
- Not as effective with certain clients
- Not all clients have access
- Technical issues
- Confidentiality issues

In Person

- Traditional approach
- More research supports
- Control over confidentiality
- Less convenient
- Establishing rapport
- Non-verbal communication/body language
- More applicable for different modalities
- Person to person healing

Stoll, Muller, & Trachsel, 2019

18

Testing/Evaluations using Telehealth

Benefits
- Reaching populations who may be underserved
- Convenience
- Time management
- View of client's living situation

Limitations
- Internet connection
- Distractions/confidentiality
- Cognitive/ability tests
- Test Security
- Test norms
- Interjurisdictional practice
- Concerns that may be challenged in Courts

Farmer et al., 2020

19

Competence – Can you really do it?

- Risks and benefits
- Set up and security
- Level of technological experience
- Payor issues
- Interjurisdictional Issues
- Safety planning/Reporting issues
- Boundary setting and assertiveness/control
- Do you want to?

20

Can the client *really* do it?

- Intellectual, social, or technological limitations
- Privacy
- Danger
- Boundaries
- Effectiveness

- What is your plan for remediation if the answer is no?
- What are your ethical duties if telehealth is not viable?

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"It's just therapy but online" - Competence

Informed consent

- Risks
- Tech Failures
- Privacy
- Insurance issues

State licensing requirements

Reporting requirements

Safety planning

Suicidal or violent clients

22

23

Boundaries

- Boundary violations are the most common ethical complaint AND source of disciplinary action

(Knapp, Younggren, VandeCreek, Harris, & Martin, 2013)

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What's the problem with multiple relationships?

- While not every multiple relationship is unethical, they are very difficult to navigate -
  - Provider's impaired objectivity or effectiveness
  - Privacy
  - Incompatible expectations
  - Power differentials
  - Practitioner exploitation of client
  - Client violation of practitioner

(Knapp, Younggren, VandeCreek, Harris, & Martin, 2013; Lannin & Scott, 2014))

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Self-Disclosure

- Deliberate
- Unavoidable
- Accidental

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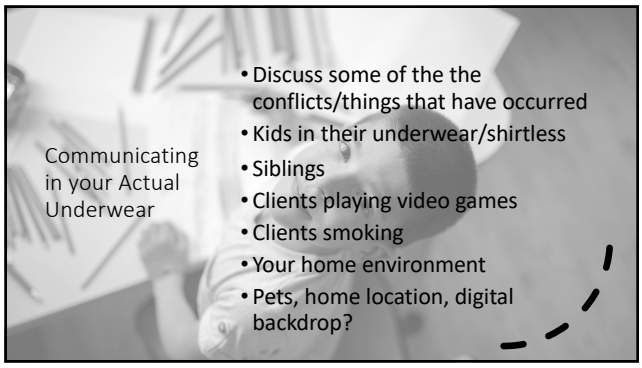
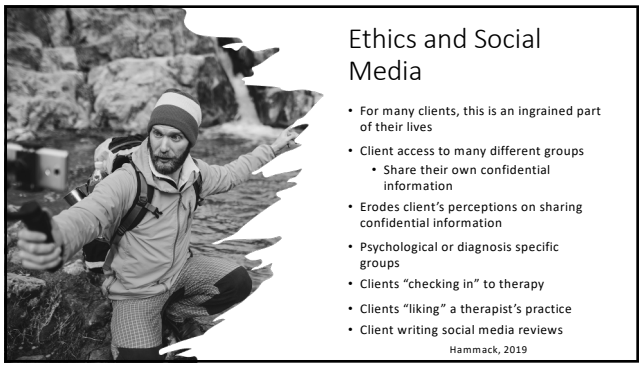
Communicating in your virtual underwear

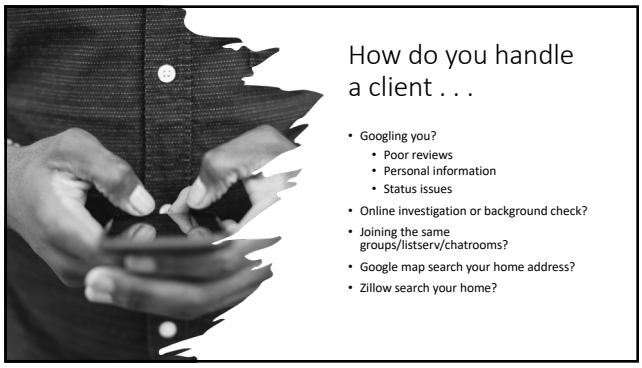
27


Communicating in your Actual Underwear
• Discuss some of the the conflicts/things that have occurred
• Kids in their underwear/shirtless
• Siblings
• Clients playing video games
• Clients smoking
• Your home environment
• Pets, home location, digital backdrop?

28


Ethics and Social Media
• For many clients, this is an ingrained part of their lives
• Client access to many different groups
• Share their own confidential information
• Erodes client's perceptions on sharing confidential information
• Psychological or diagnosis specific groups
• Clients "checking in" to therapy
• Clients "liking" a therapist's practice
• Client writing social media reviews
Hammack, 2019

29


How do you handle a client . . .
• Googling you?
• Poor reviews
• Personal information
• Status issues
• Online investigation or background check?
• Joining the same groups/listserv/chatrooms?
• Google map search your home address?
• Zillow search your home?

30

Client searches of therapists

- Join groups you are in
- Pay for online search
- Danger of friends of friends
- Looked on comments, saw another professional
- Children, value of home, income, marriages, etc

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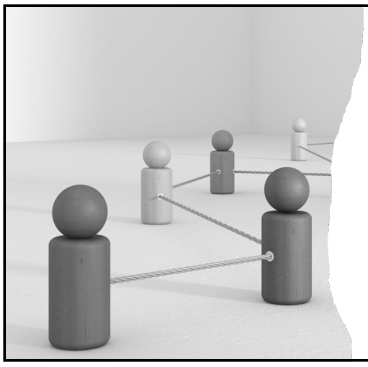

Always assume a client can see

- Dating apps
  - Sexual orientation
  - Relationship status
  - Gender identity
  - Beliefs and values
  - Political affiliation
  - Sexualized photos
  - Geographical location
  - Patient's partners, ex-partners, family members, close friends

32

Common sense?

- Do not friend clients
- Avoid potential dual relationships
- Should I check in at a client's business?
- Can I like their business on social media?
- Searching for clients online without their permission can be a problem!
  - If you do, decide why?
  - How will you use/share the information?
  - How do you document the information?
  - How do you monitor your motivations?

33

Online Reviews

- Can be a significant breech in confidentiality
- Client may identify self
- Anything you write could be evaluated for ethical issues
- Positive reviews – do not engage
- Negative or factually inaccurate reviews
  - You can engage, but only to provide a blanket statement about confidentiality and your ethical responsibility

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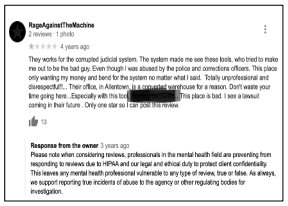
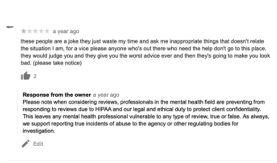
Glowing reviews!





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Methods of risk mediation

- Encrypt everything
- Iphones can encrypt conversations to other iphones (investigate this)
- Policies for staff changes, data destruction, passwords to iclouds
- File/folder encryption
- Virtual disc encryption
- Firewalls strong passwords
- Hipaa compliant cloud providers 2 factor authentication
- Separate computer from network (air gapped)
- Complete informed consent

36

Give Yourself an Online Check up

- Consider providing a fake or altered name for yourself
- Professional Version of self on social media
- Check your security settings
  - Pictures taken by others do not often fall under the same security procedures
  - Ask permission for tags
- Your family and friends
  - Friends of friends is often a huge loophole
- Be mindful of your group affiliation and interests
- Internet fingerprint

37

Running into a client on a dating app?

- Small world ethical thinking
- Discussion –''
- What is harmless? What is not?
- Pictures of kdis online? What are risks?
- Ethics of self disclosure
- Multiple relationships
- Principles of beneficence, nonmaleficence, and integrity

Abrams, [illegible]

38

Ethical Considerations with Online Therapy

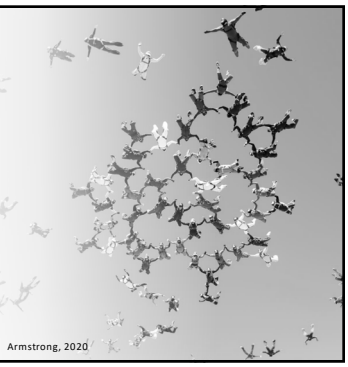
- Ensuring privacy
- Establishing identity of new client
- Interjurisdictional Practice
- Billing
- Record Keeping
- Verifying client's location
- Plans for crisis management
  - If your client is far from you
  - Crisis centers/numbers
  - Confirm client's current location

Chenneville, T. & Schwartz-Mette, 2020

39

Risk Management Plan for Telehealth

- Assess if the client can be effectively treated using telehealth
- Establish a crisis/emergency safety plan
- Evaluate home access devices
- Pre-plan for technical issues and troubleshooting
- Continue to evaluate client risk
- Crisis and other supports local to the client, not the therapist
- Document reason behind telehealth
- Continue to research the best/most compliant platforms/software



Armstrong, 2020

40

Ethics Online

- Dissemination of public advice
- Role confusion
- Private online activity impacting professional competence
- Online self disclosure and boundary violations
- Clients perception of relationship become casual and social violates context of therapy as sanctuary
- Three types of self disclosure
  - Deliberate
  - Unavoidable
  - Accidental
  - Online is unavoidable

Chenneville, T. & Schwartz-Mette, 2020

41

Best practices online

- Understand what multiple relationships means
- Understand that psychologist who use these are at greater risk for causing harm
- Formal social networking policy
- American counseling association has policy
- Do not friend clients or interact on social media sites
- Do not search for clients online without permission
- Avoid any discussion of clients online
- Online agreements like skype and facetime turn over all data to parent company

42

Risks

- Individual and collective actors
  - Your clients!!! Offenders stark lesson learned with Paul Z.
  - Communication on smart devices
    - Legal risks – discoverable not protected
    - Unencrypted
    - Free telehealth sells your data to companies
    - Freedom on information act can access emails if you email through public university
    - Email left on servers for more than 180 days is "abandoned" Stored Communication Act

43

Collaboration With Other Professionals Online

- Social media groups for therapists and caseworkers
- Identity verification
- Collaboration is different than supervision
- Protect the identity of clients
- What if one of the therapists is also a client?
- Fee discussion and antitrust laws
- Misleading Google reviews from other therapists

Armstrong, 2020

44

Way to Reduce Ethical Issues within an Organization

- Assess needs and resources
- Build a strong ethical foundation
- Establish a culture of integrity
  - Start with the top
- Remain focused on values
- Re-assess, re-evaluate, revise
  - Avoid complacency
  - "This is how we've always done it."

Armstrong, 2020

45

Supervision, Trainees, New Employees

- What should supervision look like regarding tech?
- What are your agency's policies regarding employees and access?
- Should you search for your potential employees/trainees/interns online?
- What is your policy when they leave?
- Do you need to change passwords and logins when an employee leaves? Even if it is amicable?

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Avoiding Ethical Issues

- Understand Multiple relationships (power, duration, termination)
- Protect Confidentiality
- Respect individual autonomy
- Know your supervisory responsibilities
- Identify client and role
- Document everything
- Know your limitations
- Know the difference between abandonment and termination
- Stick to the evidence
- Be accurate with billing

Smith, 2003

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Case Discussion

- You find that a client has been viewing your social media accounts through "friend of friends"
- You swipe right and find out it is your client's sibling
- You allow clients to use your office wifi
- You place client reviews on your website with their consent
- You give positive reviews and endorsements to colleagues
- Your client is in the car during a session
- You are running group virtually and some clients are engaged in child care
- Someone posts a Youtube video of you drunk and signing Karaoke

48

Case Discussion

- Getting tagged in a friend's photo
- Social media on the stand
- Tagging restaurants or establishments
- Checking in or liking

49

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