



Distance counseling, technology and social media

As a service to members, *Counseling Today* is publishing a monthly interview series focused on new aspects of the revised *ACA Code of Ethics*. The entire code is available on the American Counseling Association website at counseling.org/ethics.

This month, ACA Chief Professional Officer David Kaplan and ACA Director of Ethics Erin Martz interviewed two members of the Ethics Revision Task Force, Michelle Wade and Jeannette Baca.

David Kaplan & Erin Martz: The 2014 edition of the *ACA Code of Ethics* is the first to have an entire section (Section H) devoted to electronic forms of communication. What was the motivation for adding the new section on distance counseling, technology and social media?

Michelle Wade: Technology is now involved in every aspect of our lives. We are living in a digital technology-based society, and the counseling profession is growing and embracing these technologies. As such, we needed a section in the code that addressed the broad spectrum of technology-related ethical issues within counseling.

Jeannette Baca: As Michelle indicated, technology has grown exponentially since the 2005 version of the ACA ethics code. Although I think the 2005 version did a good job with where we were at that time, the new code of ethics reflects the complicated ethical issues that have arisen with new technologies, particularly in the area of privacy. The new distance counseling, technology and social media section provides up-to-date guidance not only to professional counselors but also to state licensing boards.

MW: The Ethics Revision Task Force felt there was a need to acknowledge that if you conduct distance counseling, use current technology applications or engage in social media, then you need to be knowledgeable about the technologies

you utilize. Just because a technology exists does not mean you have to use it. The code does not require practitioners to use Skype, tweet, text or have a Facebook page. But if you are going to use electronic forms of communication — and most counselors in this day and age do — you need to be competent in those forms of communication. It's not just plugging in Skype and talking to your clients or starting a Facebook page. There are a lot of things to consider, such as being familiar with the privacy settings on Facebook and knowing how to encrypt your cell phone.

Q: The 2014 code has a greatly expanded glossary that includes social media. How does the code define social media?

MW: Social media is defined in the glossary as technology-based forms of communications, ideas, beliefs, personal histories, etc., such as social networking sites and blogs.

Q: What are some of the current applications that counselors are using?

MW: Facebook, LinkedIn, Twitter, Instagram. Vine has six-second videos and has huge potential for self-expression for clients and thought-provoking creativity.

Q: It is interesting that the new technology section does not mention Facebook or any of the other applications by name.

JB: We tried very hard to stay away from naming specific applications because the 2014 edition [of the ethics code] has to last at least eight years.

MW: Right. With the speed of change in technology, specific applications may be out of date by the time this interview is published. That is obviously tongue in cheek, but the point is that social media sites are forever changing. So the principles are what count, not the specific application.

Q: Does the new Section H address legal issues related to distance counseling, technology and social media?

JB: Section H addresses licensure and

legal issues from the beginning. Standard H.1.b. states that counselors are aware of pertinent legal rights and limitations governing the practice of counseling across state lines.

MW: Standard H.1.b. also states that counselors who incorporate distance counseling, technology and social media into their counseling have the responsibility to conform to the laws and regulations of *both* the counselor's practice location and the client's place of residence. So, you have to go beyond the laws of your own state and know the rules and regulations of where your client lives. For example, there are currently 17 states that require you to hold a valid license within their jurisdiction in order to practice distance counseling with citizens of their state.

Q: This brings up the issue of whether a professional counselor who is conducting distance counseling across state lines needs to be licensed in the state in which the client resides. What's the current thinking about whether you need to be licensed in the client's home state?

MW: The current thinking is that you do need to be licensed in your client's state because you are operating under that state licensing board.

JB: That is my understanding as well.

Q: It appears the revised *ACA Code of Ethics* encourages counselors to have two separate web and Facebook pages — one focusing on the counselor's personal life and one focusing on his or her professional life.

JB & MW: Yes.

Q: Why?

MW: It comes down to boundaries. You need to separate your personal life from your professional life.

JB: For example, a school counselor should provide appropriate boundaries by not allowing students access to the counselor's personal Facebook page.

MW: As a second example, if I had both a professional and a personal page on

Facebook, I would want to use separate email addresses for both. Otherwise, the addresses can become linked, and there's a chance that clients would have access to information on my personal page that I want protected.

Q: What does the 2014 *ACA Code of Ethics* have to say about "friending"?

MW: A new standard, A.5.e., states that counselors cannot have a personal virtual relationship with their clients. This would include friending. As with the issues just discussed, it is a boundary issue. You wouldn't be friends with your clients face to face, so you should not be friends with your clients in a virtual setting either.

Q: "Personal virtual relationship" is a new term in the ethics code. What does it mean?

JB: It is defined in the glossary as engaging in a relationship via technology or social media that blurs the professional boundary.

Q: Switching gears, Standard H.2.a. talks about clients having the freedom to choose whether to use distance counseling, social media or technology. Tell us more about that.

JB: This is the technology aspect of informed consent. Clients have the right

to know what they are getting when communicating with a counselor via technology, and they also have the right to consent to the use of technology.

Q: What are some other informed consent issues that come up with distance counseling, technology and social media?

MW: One issue is anticipated response time. Clients need to understand that their counselor may not respond to a text or email as quickly as their friends do. Clients also need to understand that there may not be privacy if they are using their iPad, laptop or phone in a public setting such as a Starbucks.

Q: The response time issue is really an interesting one. A worst-case scenario would be a client who is suicidal and texts you at 10 p.m. expecting an immediate response because all of her friends respond immediately at that time of night. How would informed consent address this?

MW: Texting should now be part of the informed consent process. Counselors should state in their informed consent documents how clients can contact them electronically. If counselors are willing to text with clients, they should state the hours in which they will respond. So, for example,

a counselor may have a statement that the client should not text in an emergency because the counselor may not have immediate access to the message.

Q: Encryption is a focus of Standard H.2.d. Do counselors really need to use encryption when communicating with clients electronically?

MW: Yes, you really do have to encrypt. Otherwise, your communication can be intercepted. Encryption is a reasonable precaution for ensuring confidentiality. There are a number of apps out there that can help you encrypt, such as RedPhone for telephone calls and TextSecure for texts. Both are available at whispersystems.org. A review that lists 10 top security apps for smartphones — from virus protection to encrypting personal data — is available at mobile-encryption-software-review.toptenreviews.com.

Q: Speaking of confidentiality, Standard H.3. now requires counselors who use distance counseling, technology or social media to verify the client's identity. How do you do that?

MW: You can establish a code word or a code phrase that is used by the client at the very beginning. That way, you can know

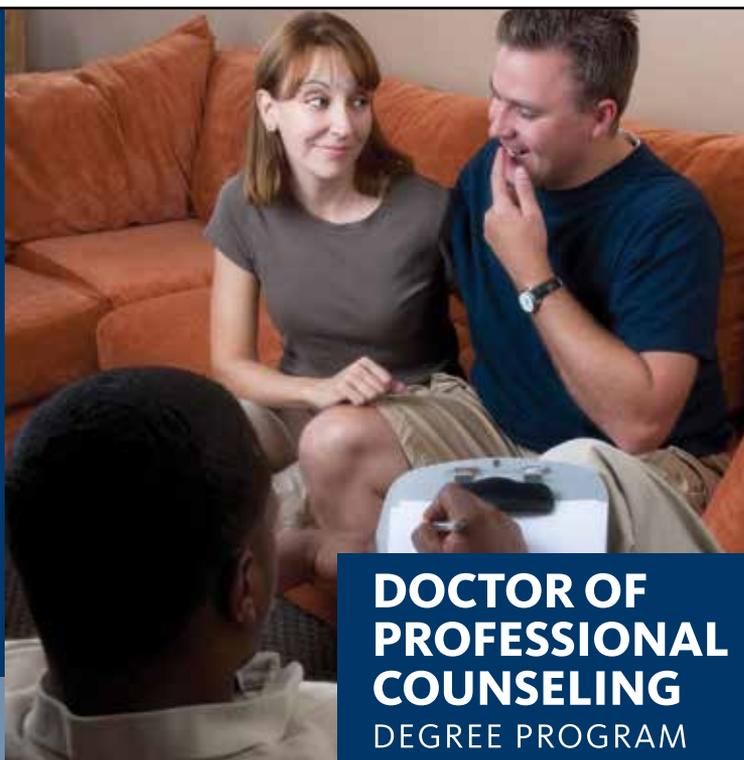
HIGHLIGHTS

- ▶ Year-round admission
- ▶ On campus and online courses
- ▶ Experienced clinical faculty
- ▶ Cohorts of supportive professional colleagues
- ▶ Clinical specialization
- ▶ Evidence based practice
- ▶ Psychotherapy integration
- ▶ International learning opportunities
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- ▶ Clinical project instead of dissertation

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it is the client and not a friend, parent or partner who just took the client's phone or logged onto the client's computer account and is trying to be nosy.

JB: You also want to verify that the client is not a minor who needs parental permission.

Q: The new Standard H.6.d. talks about the importance of taking precautions to avoid disclosing confidential information through public social media. What are some ways that counselors may inadvertently disclose confidential information through public social media?

MW: I'll give you a great example that I ran across recently. A counselor had a really bad day and made a post on Facebook that said, "I just got through a really tough session with a 6-year-old girl" and listed a number of things that could help identify the client. It was an innocent post venting about a hard day, but it was a violation of confidentiality.

Q: What about postings to counselor online communities or Listservs such as ACA Connect, CESNET or COUNSGRADS? Would it be considered a violation of the *ACA Code*

of Ethics to talk about a client on these or other social media sites?

MW: If there is any possible way to identify who the client is, then you have revealed too much and, therefore, it would be a violation of the ethics code.

Q: What if the counselor says, "Well, I didn't use the client's name."

JB: Even if the counselor did not use the client's name in the posting, You have to err on the side of caution and not provide client details through Listservs or social media.

Q: Everything we've been focusing on so far has been between counselors and clients. Do any of the things we've been talking about also apply to counselor educators and their graduate students?

MW: Friending between counselor educators and their students is discouraged. It is the same boundary issues as with clients and counselors — separating your personal and professional life.

Q: In addition to the issue of avoiding friending a client or student, the code discourages counselors from visiting a client's Facebook page unless invited to do so. What is the rationale for that?

MW: It is an extension of the right to privacy. It is now easy and very tempting to investigate your client's personal pages online. Since a client may feel that this is a violation of privacy and, therefore, has potential to do harm to the counseling relationship, the Ethics Revision Task Force wanted to specifically say that you cannot Google your client or visit the client's Facebook or other social media page without advance permission.

JB: As with face-to-face counseling, clients have the right to choose what they want to share with you electronically. And if we Google clients, they have not chosen to share that information with us.



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