



Assessing the risk potential of a new supervisory position

Question: I am a licensed professional counselor and have been offered a job as a supervising counselor in a prison. I'd like to take the position because I think the population I'd be helping is seriously underserved in my state. In weighing my decision though, I'd like to assess whether this counseling position might hold a significantly higher risk than other mental health settings. Do you have any thoughts?

Answer: I always hesitate to deter a counselor from practicing in a setting that serves underprivileged populations, those who are seriously mentally ill or those without access to good mental health treatment. However, you should consider the risks in the position you are deliberating and make your decision with knowledge of those risks, which can sometimes be higher than those in other counseling settings. Here are some issues to consider.

If you are supervising other counselors, you are legally responsible for the actions of your supervisees. You will want to consider the credentials of the workforce and whether the prison hires counselors with appropriate training, education and experience. In some settings run by the government, licensure may not be required, which could mean that your supervisees have varying degrees of competence.

A lawsuit filed earlier this year against the South Carolina Department of Corrections underscores the importance of hiring trained personnel in this context. The complaint alleges that two inmates with known mental health problems confessed to strangling four other inmates over a period of several hours. The two inmates reportedly conducted these murders with the aim of being given the death penalty for their actions. The complaint also claimed that some of the clinical counselors did not meet the institution's requirements for a bachelor's degree in social or behavioral sciences or a South Carolina counseling license. Additionally, the plaintiffs alleged that counselors often conducted insufficient evaluations on an infrequent basis and announced the inmates' mental health diagnoses out loud to embarrass them. (For more, see tinyurl.com/SCPrisonLawsuit.)

Besides evaluating whether your supervisees possess the requisite training, you will want to engage in comprehensive discussions with the prison's administration and your direct supervisor to ensure that they will respect your license and any supervision requirements that may be placed on you by state law. In the South Carolina case, the complaint alleges that some counselors who complained about treatment expectations and tried to follow a prison psychiatrist's

treatment plans were subsequently reprimanded by a supervisor.

In your situation, you would want to have a contract that clearly sets forth duties and expectations on your part and on the part of the prison administration. You would also want the ability and right to follow both state standards and the *ACA Code of Ethics*. Furthermore, it would be wise to require assurances in your contract that adequate training will be provided to staff regarding privacy issues, treatment of clients, the handling of threats of suicide and harm to others, incident reporting and documentation of counseling sessions. You should consider having a local health care attorney review any proposed contract offered to you. ♦

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