

Confidentiality

Before you tell your consultant about yourself, you have the right to know what information can and cannot be kept confidential. Please read this and if there is anything you don't understand, your consultant will explain it in more detail.

General Extent and Limits of Confidentiality

The laws and ethics governing consultancy require that consultants keep all information about clients confidential except for certain types of information and situations. Those exceptions are:

1. *Client's desire:* If you want your Consultant or Enable to give information about your situation to anyone outside Enable, you must sign a Release of Information giving written permission for this disclosure.

2. *Safety:*
 - a. *Risk of self-harm:* If your words or behavior convince your consultant that you are likely to harm yourself, either deliberately or because you are unable to keep yourself safe, your consultant must do whatever he or she can to prevent you from being harmed. This means the consultant must take action up to and including hospitalizing you with or without your consent. If this situation comes up, your consultant will discuss it with you before taking action unless it appears that this would be unsafe or immediate action is needed to keep you from being harmed.

 - b. *Risk of harm to others:* If you threaten serious harm to another person, your consultant must try to protect that person. He or she would report your threat to the police, warn the threatened person, and try to prevent you from carrying out your threat. If this situation comes up, your consultant will discuss it with you before taking action unless it appears that this would be unsafe or immediate action is needed to keep you from acting on your threat.

 - c. *Emergencies:* In an emergency when your health or your life is endangered, your consultant must provide medical personnel or other professionals any information about you that is needed to protect your life, but only information that is needed for that purpose. If possible your consultant would discuss it with you and get your permission first. If not, he or she would talk with you about it afterward.

3. **Abuse:** If your consultant obtains information leading him or her to believe or suspect that someone is abusing a child, a senior citizen, or a disabled person, the consultant must report this to a state agency. To "abuse" means to neglect, hurt, or sexually molest another person. The consultant cannot investigate and decide whether abuse is taking place: if the suspicion is there, the consultant must report it. The state agency will investigate. If you are involved in a situation of this kind, you should discuss it with a lawyer before telling your consultant anything about it unless you are willing to have the consultant make such a report. If this situation comes up, your consultant will discuss it with you if possible before making a report.

4. **Work with children, families, and couples:**

a. **Children and adolescents:** It is the policy of Enable, when a consultant treats children and adolescents, to ask their parents or guardians to agree that most details of what their children or adolescents tell the consultant will be treated as confidential. However, parents or guardians do have the right to *general* information about how treatment is going. The consultant may also have to tell parents or guardians about information if their children or others are in any danger. If this situation comes up, the consultant will discuss it with the child or adolescent first before talking to the parents or guardians.

b. **Families:** At the start of family therapy all participants must have a clear understanding of any limits on confidentiality that may exist. The family must also specify which members of the family must sign Release of Information forms if necessary for the records of family therapy.

c. **Couples:** If one member of a couple tells a consultant something the other member does not know, and not knowing this could harm him or her, the consultant cannot promise to keep it confidential from the other person. If this occurs the therapist will discuss it with you before doing anything else.

5. **Group therapy:** In group therapy, the other members of the group are not therapists. They are not bound by the ethical rules and laws governing therapists. To avoid problems in this area, it is Enable's policy to ask all members of therapy groups to agree to protect one another's confidentiality, and to remove from the group any member who does violate another member's confidentiality. Still, Enable cannot be responsible for such disclosures by other clients, and it may be better for you to discuss information you feel must be legally protected in an individual session with your therapist than in a therapy group session.

6. **Professional consultation:** Your consultant may consult with a clinical supervisor or another colleague about your treatment. The other consultant must give you the same confidentiality as your consultant. If this fellow consultant is employed at Enable, no written authorization from you is required. If your consultant discusses your case with a professional outside Enable, such as a therapist who treated you in the past, he or she must get your written permission (a Release of Information form) first. If another professional asks your consultant for information about you during or after your treatment, your consultant cannot provide any information unless that other

professional provides a Release of Information which you have signed authorizing your consultant to provide that information.

7. *Legal proceedings:* If a judge orders your consultant to provide information about your history or your treatment, the consultant may be required to do so.

8. *Debt collections:* If you fail to pay for services as agreed, and other methods of resolving the problem fail, Enable may have to use a collection agency or other legal means to collect the fees you owe. The only information the agency would disclose for this purpose would be your name, address, contact details, the dates you received services, and the amount of your unpaid balance.

9. *Recording sessions:* Enable will not record sessions on audiotape or videotape without your written permission. If you give permission for such recording, you have the right to know who will see or hear the recording, for what purpose(s) it will be used, and when it will be erased or destroyed.

10. *Referring agencies and conditions of treatment:* If you have been involuntarily referred for treatment by a court or a government agency such as a Community Corrections or DHS, your treatment may include requirements that you comply with conditions including reporting of information about your treatment to the agency that referred you, or reporting to that agency if you appear to have violated laws regarding substance abuse or agency rules regarding satisfactory participation in a program. If such reporting requirements exist, your consultant will tell you about them before you start sessions, and will notify you when making any such required reports.

12. *Independent disclosure by client:* Any information that you yourself share outside of sessions, willingly and publicly, will not be considered protected or confidential by a court.