



North Carolina Board of Licensed Professional Counselors

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NCBLPC Professional Brief

Content Area: LPC Regulations - Professional Ethics

Brief Overview/Description:

A code of ethics provides a common standard of care and practice for professionals to uphold in their day to day work. Professionals who are Licensed Professional Counselor Associates (LPCA), Licensed Professional Counselors (LPC), and Licensed Professional Counselor Supervisors (LPCS) uphold the code of ethics adopted by the NC Board of Licensed Professional Counselors (the Board). The Board has adopted the 2005 Code of Ethics set forth by the American Counseling Association (ACA). The ACA Code of Ethics is available on the ACA website in pdf format and printed copies are available at no cost from the ACA website (www.counseling.org). The ACA Code of Ethics provides a foundation to practicing counselors for serving clients and a guide to professionals for protecting client well-being. It also provides a basis for beginning the process of ethical decision making.

In addition, the Board has also adopted the code of ethics set forth by the Center for Credentialing and Education (CCE) for Approved Clinical Supervisors (ACS). The ACS Code of Ethics can be found at <http://www.cce-global.org/Downloads/Ethics/ACScodeofethics.pdf> and provides supervisors with guidelines for best practice and ethical decision making when in supervision relationships with counselors in training (counselor interns) and LPCA's. These guidelines for supervision are also incorporated in the 2005 Code of Ethics set forth by the American Counseling Association (ACA).

The Preamble to the ACA Code of Ethics states that "The American Counseling Association is an educational, scientific, and professional organization whose members work in a variety of settings and serve in multiple capacities. ACA members are dedicated to the enhancement of human development throughout the life span. Association members recognize diversity and embrace a cross-cultural approach in support of the worth, dignity, potential and uniqueness of people within their social and cultural contexts" (ACA Code of Ethics Preamble, 2005).

Further, "Professional values are an important way of living out an ethical commitment. Values inform principles. Inherently held values that guide our behaviors or exceed prescribed behaviors are deeply ingrained in the counselor and developed out of personal dedication, rather than the mandatory requirement of an external organization" (ACA Code of Ethics Preamble, 2005).

Clearly, the ACA code maintains that being a counselor is more than a job. Counselors are honor-bound to relate to clients, students, supervisees, consultees, research participants and others in an ethical manner, in full recognition that differential power exists in relationships, and that trust and confidentiality are cornerstones of our professional value to our clientele (ACA Code of Ethics, 2005). In other words, counselors must be trustworthy, ethical and constantly vigilant to avoid the potential of harm to our clients.

Key Legal Factors:

The ACA Code of Ethics is not a code of law. While it guides best practice and ethical decision making, it is not a legal document. However, NC licensure law states clearly that those professional counselors licensed in NC as LPCAs, LPCs, and LPCSs agree to uphold the appropriate codes and practice by their guidance.

The information contained herein is an overview of North Carolina laws, federal laws, and regulations. It is not intended to be a comprehensive list of all laws or regulations that govern the practice of counseling. The material is not to be taken as legal advice. Any interpretation of a statute or regulation expressed in the materials is created for educational purposes only. The NCBLPC does not issue advisory opinions, and the materials are not to be construed as such.

Counselors must conduct themselves in a manner consistent with the ACA Code of Ethics, and also the laws and relevant statutes governing local, state, national or international entities in which counselors practice their profession. At times, local practices of employment agencies and institutions may conflict with the ACA Code of Ethics and counselors may be tasked with alerting their employers to inappropriate policies and practices, striving to reach agreement with employers as to acceptable standards of conduct and the value of making changes to institutional policies conducive to the growth and development of clients (ACA Code of Ethics, 2005). In effect, counselors must become gate keepers to the principles of confidentiality and ethical practices on behalf of those who seek our services.

Similarly, counselors must police their own practices when reporting to third parties, when advertising their services and credentials to the public, when making personal statements in public contexts, when publishing, and when supervising or training other counselors who look to their supervisors and educators as role models for professional behavior.

Real Issues to Consider:

When faced with an ethical decision, consultation and clear documentation is wise. Document, document, document is the battle cry of professional counselors. In the course of providing services, counselors must be vigilant of much more than their clinical interactions during a 9-5 workday. Counselors must adhere to ethical standards in all of their dealings within their community of allied service providers, colleagues, court officials, community organizations, as well as clients, students, and consultees whom we serve currently and whom we have served in the past.

Catch 22:

The law and the ACA Code of Ethics may not always agree or purport the same course of action be taken in a situation.

Counselors are honor-bound to avoid dual relationships with clients, students, supervisees and others with whom there exists the potential to do harm. For this reason, counselors must carefully consider how to address opportunities to engage in potentially beneficial relationships, such as attending formal ceremonies, making hospital visits, providing support during stressful events, or mutual membership in a professional association, organization or community event. The ACA Code of Ethics recommends documenting the rationale for engaging in these potentially beneficial relationships and yet, the very act of documenting these interactions may in itself create an opportunity for harm and violations of confidentiality. When counselors live and work in the same community, social and community activities offer frequent and unexpected opportunities for contact with clients, past and present, at public and private social events. Counselors may find themselves walking a fine line between cordiality and social rudeness in the effort to protect a client's confidentiality.

Summary Statement:

Guided by the codes of ethics, professional counselors and counselor supervisors aspire to the highest level of client care and strive to make ethical decisions that reflect the true essence of the codes of ethics adopted by the Board to govern professional practice.

The role of counselor is one of great responsibility. When counselors elect to work with clients, they are often taking on more than simply the opportunity to be helpful within a therapeutic context. As counselors, we become responsible for client assessment, coordination of services with other health care providers, writing confidential reports which determine whether our services will be covered by third party payers, and we become responsible for assessing suicidality, homicidal tendencies, and the existence of abuse. Along with these responsibilities, we are honor-bound to protect the confidentiality of our clients per HIPAA guidelines and the ACA Code of Ethics.

Counselors no longer work in isolated environments which offer absolute guarantees of confidentiality. In addition to providing direct counseling services, counselors must also provide indirect services on behalf of clients with their informed consent. Relationships between counselors, counselees and third parties offer a number of dilemmas. With third party payers, counselors must reveal confidential information in order for insurance companies and other third party payers to cover the cost of services. With allied health care providers, counselors must reveal confidential information in the effort to collaborate

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and provide mental health care in coordination with medical providers. While there are advantages to both insurance coverage and professional collaboration, the documentation of information in both of these circumstances places a client's confidentiality at risk.

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