

Ethics and Social Media

G. Bowden McElroy, M.Ed.
Licensed Professional Counselor
www.cfitulsa.com
bowdenmcelroy@cfitulsa.com

Social Media

- Blogs
 - Blogger: Started in 1999, acquired by Google in 2003
 - “Commenters”
- Social Networking
 - Facemash: 2003 at Harvard
 - “Friends”

Social Media

- Social Bookmarking
 - Delicious: started in 2003
- Microblogging
 - Twitter: 140 characters
 - began in 2006
 - “Followers”

Two Broad Issues

1. Multiple Relationships
2. Advertising

LPC 310:405-3-3 (c)

- **Dual relationships.** LPCs shall not knowingly enter into a dual relationship(s) and shall take any necessary precautions to prevent a dual relationship from occurring. When the LPC reasonably suspects that he or she has inadvertently entered into a dual relationship the LPC shall record that fact in the records of the affected client(s) and take reasonable steps to eliminate the source or agent creating or causing the dual relationship.

LPC 310:405-3-3 (c)

- If the dual relationship cannot be prevented or eliminated and the LPC cannot readily refer the client to another counselor or other professional, the LPC shall complete one or more of the following measures as necessary to prevent the exploitation of the client and/or the impairment of the LPC's professional judgment:
- (1) Fully disclose the circumstances of the dual relationship to the client and secure the client's written consent to continue providing counseling;
- (2) Consult with the other professional(s) to understand the potential impairment to the LPC's professional judgment and the risk of harm to the client of continuing the dual relationship.

Relationship?

- “Relationship” not defined in section C of the code.
- Section D: No sexual relationship within 5 years
- Section E: “close personal relationship” or “any business or financial dealings “

LMFT 310:400-5-1

- (C) LMFTs are cognizant of their potentially influential position with respect to clients, and they shall not exploit the trust and dependency of such persons. LMFTs therefore shall avoid extra therapeutic relationships with clients that could impair their professional judgment or increase the risk of exploitation. When extra-therapeutic relationships cannot be avoided,

LMFT 310:400-5-1

- LMFTs shall take appropriate professional precautions to insure that judgment is not impaired and that no exploitation occurs. Examples of such extra therapeutic relationships include, but are not limited to, business or close personal relationships with clients. Sexual intimacy with clients is prohibited. Sexual intimacy with former clients for two years following the termination of therapy is prohibited.

The Heart of the Matter

- LMFT 310:400-5-1(D)
- LMFTs **shall not use their professional relationship with clients to further their own interests.**

Differing Points of View

- "All dual relationships in psychotherapy are unethical or at least run the risk of getting you in trouble with your licensing board." -anon
- "The... demonization of dual relationships has come from an attempt to protect the public from exploiting therapists... It (is) a simplistic solution to a wide and complex problem... Worse, the ban on dual relationships... tends to increase the chance of exploitation and decrease the effectiveness of treatment." Zur, 2000

Advertising

- (f) Public statements. When an LPC provides advice or comment by means of public lectures, demonstrations, radio or television programs, prerecorded tapes, printed articles, mailed material, **or other media**, they shall take reasonable precautions to ensure that:
 - (1) The statements are based on appropriate professional literature and practice;
 - (2) The statements are otherwise consistent with the LPC Rules of Professional Conduct; and
 - (3) There is no implication that a professional counseling relationship has been established.

Issues to Consider

- Web Sites
 - Is the Information factual?
 - Are my credentials correct
 - Create a paper trail documenting attempts to correct misinformation on other's sites

Blogs

- Is the information factual?
- Comments or no comments?
- Responsibility of the clinician to moderate comments or discussion boards?

Facebook

- Personal account? Business account?
- Or both?
- To Friend or not to Friend
- Privacy settings
 - "Friends of Friends"

More about Facebook

- Facebook stalking
- The Wall
- Private Email: is it really private
- Zuckerberg's evolving sense of ethics

Twitter

- Direct Responses
- 140 Characters: just enough for misunderstanding
- (Anyone live-tweating this seminar?)

First Person Narratives

- Even if you change the details to protect confidentiality, your client may know.
- Worse, a client may think you are writing about them when you're not

Summary

1. Individuals and agencies without a unified web/social media presence will suffer.
2. Know the law for your license.
3. Have a Social Media Policy
4. Be prepared to defend to a client why you will not interact with them **OR**
Be prepared to defend to your licensing board why your interactions are not "close and personal" and don't further your own interests.
