



DOANE UNIVERSITY

SYLLABUS

COU 618 Mental Health Ethics, Law and Professional Practice

Course Content

<i>Course Number:</i>	COU 618
<i>Course Title:</i>	Mental Health Ethics, Law and Professional Practice
<i>Course Dates:</i>	01/16/2017 – 03/09/2017
<i>Credit Hours:</i>	3 Credits
<i>Instructor:</i>	Jason Schmid, M.A. LIMHP, LPC
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<i>Office Email:</i>	jason.schmid@doane.edu
<i>Office Hours:</i>	By Appointment
<i>Classroom:</i>	
<i>Meeting Times:</i>	6:00-10:30pm

Course Description

This course examines the mission, goals and objectives of professional practice. Students will learn and apply codes of ethics, laws, and regulations applicable to counseling, and professional standards of performance in the area of client welfare; professional competence, professional development, personal wellness, and establishing limits and boundaries with clients and colleagues. Client confidentiality, responding to subpoenas, sensitivity to diversity, ethical problem solving models, credentialing, informed consent, standards that can be adapted to practice in a variety of service settings, and establishing professional relationships will be explored. Problem solving skills using ethics codes and best practice standards will be developed.

Course Objectives:

- a. Heighten self-awareness by giving attention to and exploring personal assumptions, values, biases, strengths and limitations that may affect the counseling process (2.F.1.b, 5.C.2.l).
- b. Examine the pervasive nature of ethical issues that arise in therapeutic relationships (2.F.1.i, 5.C.2.l).
- c. Explore professional counseling organizations/memberships, their services, benefits and related issues (2.F.1.f, 2.F.1.i, 2.F.1.j, 5.C.2.k).
- d. Explore ethical decision models that lead to professional practice and develop proficiency in making objective decisions based upon circumstances and the welfare of those involved (2.F.8.j, 5.C.2.l, 5.C.3.c).
- e. Examine relevant ethics codes, professional literature, laws, and principles and develop proficiency in applying these to selected case studies (2.F.1.g, 2.F.1.i, 2.F.8.j, 5.C.2.k, 5.C.2.l, 5.C.3.c).
- f. Explore legal point of view and history of selected legal concepts from therapeutic practice (2.F.1.j, 2.F.5.e, 5.C.2.k, 5.C.2.l, 5.C.3.c).
- g. Discuss and understand the difference between mandatory ethics and aspirational ethics (2.F.1.i, 2.F.8.j, 5.C.2.k, 5.C.2.l, 5.C.3.c).
- h. Develop an awareness of the issues related to confidentiality and privacy and sensitivity regarding circumstantial and cultural meanings of confidentiality and privacy (2.F.1.i, 2.F.8.j, 5.C.2.k, 5.C.2.l, 5.C.3.c).
- i. Develop a personal/professional identity model that is reflective of ethical behavior including personal values, choices, assumptions, and moral conviction (2.F.1.b).
- j. Explore personal and professional theoretical orientations and clearly identify how this relates to ethical practice and the delivery of competent care (2.F.1.b, 2.F.1.i).
- k. Understand the components of professional competency and the steps professionals need to take to ensure that competency and professionalism are not compromised in practice (2.F.1.b, 2.F.1.g, 2.F.8.j, 5.C.2.k, 5.C.2.l, 5.C.3.c).
- l. Explore and understand professional responsibilities related to relationships with supervisors, supervisees and colleagues (2.F.1.b, 2.F.1.g, 2.F.8.j, 5.C.2.k, 5.C.2.l).
- m. Examine professional counseling credentialing, certification and state licensure (2.F.1.g, 2.F.8.j, 5.C.2.k, 5.C.2.l).
- n. Achieve competency in client education and the informed consent process (5.C.2.l).
- o. Examine the role of managed care organizations (MCO) in the counseling process, including record keeping, reimbursement and practice management (2.F.1.b, 2.F.1.f, 5.C.2.l, 5.C.2.m).
- p. Develop an understanding of the issues related to the evolving nature of the profession with regard to distance counseling, technology, and social media (2.F.1.i, 2.F.1.j, 2.F.5.e, 5.C.2.k).

REQUIRED TEXT: Welfel, E.R. (2013). *Ethics in counseling and psychotherapy: Standards, research and emerging issues*. (6th edition). Belmont, CA: Wadsworth. ISBN: 1305089723.

Students may not substitute earlier editions of the text – earlier editions are organized differently and contain different content than the latest edition.

SUPPLEMENTAL TEXT: Wheeler, A.M & Bertram, B. (2015) *The Counselor and the Law*. (7th Edition). American Counseling Association. ISBN: 1556203500

OTHER SUPPLEMENTAL CONTENT:

The following **required** statutory/regulatory materials are available on the Internet.

- Regulations Governing the Licensure of Mental Health Practitioners and the Certification of Marriage and Family Therapists, Professional Counselors, and Social Workers - 172 NAC 94
- Statutes Relating to Alcohol and Drug Counseling -172 NAC 15
- Statutes Relating to the Uniform Credentialing Act (2012)
- Statutes Relating to Mental Health Practice (2013)
- Statutes Related to Medical Records (2010)
- Regulations Relating to Mandatory Reporting-172 NAC 5
- Disciplinary Process Guidelines
- HIPAA/HITECH Regulations related to confidentiality, privilege, and privacy (HHS short form)
- APA Code of Ethics
- ACA Code of Ethics
- ASGW Code of Ethics
- AAMFT code of Ethics
- NAADAC Code of Ethics
- ASCA Code of Ethics

CACREP Standards Addressed in this Course

Standard Identifier	Standard	Assessment
2.F.1.b	the multiple professional roles and functions of counselors across specialty areas, and their relationships with human service and integrated behavioral health care systems, including interagency and interorganizational collaboration and consultation	Weekly Quizzes, Student Presentation, Professional Practice Manual, Literature Reviews, Comprehensive Final Exam

2.F.1.f	professional counseling organizations, including membership benefits, activities, services to members, and current issues	Weekly Quizzes, Professional Practice Manual, Comprehensive Final Exam
2.F.1.g	professional counseling credentialing, including certification, licensure, and accreditation practices and standards, and the effects of public policy on these issues	Weekly Quizzes, Professional Practice Manual, Comprehensive Final Exam
2.F.1.i	ethical standards of professional counseling organizations and credentialing bodies, and applications of ethical and legal considerations in professional counseling	Weekly Quizzes, Student Presentation, Professional Practice Manual, Comprehensive Final Exam
2.F.1.j	technology's impact on the counseling profession	Weekly Quizzes, Professional Practice Manual, Literature Reviews, Comprehensive Final Exam
2.F.5.e	the impact of technology on the counseling process	Weekly Quizzes, Student Presentation, Comprehensive Final Exam
2.F.8.j	ethical and culturally relevant strategies for conducting, interpreting, and reporting the results of research and/or program evaluation	Weekly Quizzes, Student Presentation, Literature Reviews, Comprehensive Final Exam
5.C.2.k	professional organizations, preparation standards, and credentials relevant	Weekly Quizzes, Professional Practice Manual, Literature Reviews,

	to the practice of clinical mental health counseling	Comprehensive Final Exam
5.C.2.1	legal and ethical considerations specific to clinical mental health counseling	Weekly Quizzes, Student Presentation, Professional Practice Manual, Literature Reviews, Comprehensive Final Exam
5.C.2.m	record keeping, third party reimbursement, and other practice and management issues in clinical mental health counseling	Weekly Quizzes, Student Presentation, Professional Practice Manual, Literature Reviews, Comprehensive Final Exam
5.C.3.c	strategies for interfacing with the legal system regarding court-referred clients	Weekly Quizzes, Student Presentation, Professional Practice Manual, Literature Reviews, Comprehensive Final Exam

Measurement of Outcomes

Assignments (Direct): Weekly Quizzes and Comprehensive Final Exam

Instructor Evaluations (Indirect): Student Presentation, Professional Practice Manual, Professional Performance Evaluation, Professional Development Self-Assessment

Instructional Methods

This will be an interactive course which includes **an elevated level of classroom participation** utilizing lecture and instruction, videos, quizzes, case studies, student presentations, article reviews and a comprehensive final exam. Students will be required to integrate content, knowledge, and application in practice. *Active participation is essential to your learning. Due to the emphasis on experiential learning, lateness and absences cannot be made up.*

Suggestions for getting the most out of this Course

This is a graduate level course that uses collaborative activities as one of its learning methods. Anything other than your best effort will negatively impact not only you, but your classmates as well. Since this is a graduate level course you will be required to read all of the assigned material and know it well enough to apply it to situations that will arise in your professional life.

In addition to 38 hours of classroom time, student should expect to spend a **minimum of 95-100** hours outside of the classroom reading, reviewing research, and preparing for classroom assignments, tasks, and active participation.

Course Requirements

1. Student will be expected to **attend** all classes, come **prepared**, and **participate** in all discussions. The success of this course for each student depends on appropriate engagement with the materials presented either by the instructor or other students. After each class session the instructor will award up to 4 points for that particular session. Points will be awarded as follows: 2 points for attendance, 1 point for preparation, and 1 point for participation. An absence, no matter what the reason, will result in no points awarded for that session.

Total possible points to be awarded in this area: 32.

2. There will be weekly quizzes during the term, each of which will focus on the reading from the required text and assigned readings for the week. Quizzes will be multiple choice, true/false, and/or short answer, which will be worth 5 points each. Each student will be allowed to take scores from the top 4 quizzes.

Total possible points to be awarded in this area: 20.

3. Students will work in partnership, or individually, to develop a two-part presentation for the class. This first part of this presentation will **summarize the content of the assigned reading(s) and chapter(s) for that week** and instruct the class on the importance of the chapter(s). It is expected that the presentation reflect all of the essential components of those sections.

Each student and/or team will also be assigned a test case related to that weeks content. Students will **address the ethical issue/dilemma related to the content of the week in the test case** and include all of the components in the format provided by the instructor. The presentation should reflect the use of ethical codes, principles, laws, and related research and be presented to the class in a way that encourages discussion and/or problem solving by the other students. *Students should provide*

paper copies for classmates and the instructor of both the weekly content and the test case (use of PowerPoint is encouraged).

Students are also required to upload and submit the test-case portion of their presentation through the corresponding assignment in LiveText. If working with a partner, students must upload a copy of the assignment in their own LiveText submission.

Total possible points to be awarded in this area: 10.

4. Each student will produce a Professional Practice Manual (PPM). By creating this professional practice manual you will be establishing a valuable foundation for legal and ethical practice as a student intern and professional in the field. You will use the resources in this binder during the course as you evaluate cases and engage in problem solving and analysis of ethical dilemmas. All of the required content is available on the Internet, in your text, and in the ethics codes. The development of this will serve as a significant step toward thinking ethically about the application of yourself to what you “do” and how you behave in professional contexts. Developing resources that you periodically update and maintaining a clear ethical decision making process are necessary for competent practice as a professional in the counseling and substance abuse fields.

Each student’s manual will contain all of the following information, organized in the following manner:

Section 1 Ethics and Codes for MAC

- a) Relevant codes of ethics for practice: APA, ACA, ASGW, AAMFT, ASCA, and NAADAC
(6 points)
- b) A written plan **detailing** the ethical decision making model you plan to use and why you selected this model (3 points)

(Total points of this section: 9 points)

Section 2 Statutes and Regulation for MAC

- 1) Licensure statutes and regulations for Mental Health and Drug and Alcohol Counseling.
- 2) State Standards for Involuntary Treatment.
- 3) State Statutes related to Mandatory reporting,
- 4) Disciplinary Process Guidelines
- 5) Mental Health Practice Statues
- 6) State Statues related to Medical Records
- 7) Uniform Credentialing Act
- 8) HIPAA/HITECH Regulations
- 9) Subpoena checklist

(Total points for this section: 9 points)

Section 3 Informed Consent for MAC

Demonstrate proficiency with the informed consent process by:

- 1) producing a written document that reflects adherence to the codes, principles, and laws.
- 2) authoring a document that reflects the use of literature and research related to the informed consent document and process.

In creating an Informed Consent document you should refer to *reliable resources and the codes outlining the mandatory content for the document. The informed consent must contain all relevant items as outlined in the grading rubric.*

*Students will be required to **author their own informed consent** using best practice standards, ethical codes, and the recommendation of ethics scholars.*

(Total points for this section: 17 points)

Section 1 Ethics and codes for School Counseling

- a) Relevant codes of ethics for practice: NASP, ASCA, ACA, ASGW, AAMFT, and NAADAC
(6 points)
- b) A written plan **detailing** the ethical decision making model you plan to use and **why** you selected this model (3 points)

(Total points for this section: 9 points)

Section 2 Statutes and Regulation for School Counseling

- 1) Rule 24 Certification for school counselors
- 2) Nebraska Policy and Model
- 3) Professional Counselor Standards/School Counselor Competencies
- 4) State Standards for Involuntary Treatment.
- 5) State Statutes related to Mandatory reporting,
- 6) ASCA Position Statements
- 7) Legal and Ethical FAQ and Ethical Tips
- 8) Record Keeping Guidelines
- 9) HIPAA and FERPA
- 10) Subpoena checklist

(Total points for this section: 10 points)

Section 3 Informed Consent for School Counseling

Demonstrate proficiency with the informed consent process by:

- 1) producing a written document that reflects adherence to the codes, principles, and laws and institutional policies.
- 2) authoring a document that reflects the use of literature and research related to the informed consent document and process

In creating an Informed Consent document you should refer to *reliable resources and the codes outlining the mandatory content for the document. The informed consent must contain all relevant items as outlined in the grading rubric.*

Students will be required to author their own informed consent using best practice standards, ethical codes, and the recommendation of ethics scholars.
(Total points for this section: 16 points)

Students are required to upload and submit this manual in specified sections through the corresponding assignment in LiveText.

Total possible points to be awarded for the PPM : 35

5. Each student will produce a 4-5 page narrative concerning the informed consent document and process as it relates to the ethical principles and ethics codes, the therapeutic relationship, and the professional philosophy and responsibilities of the counselor.

The Narrative must include a discussion of how the informed consent process impacts the therapeutic relationship, your philosophy and professional responsibility related to informed consent and the process - when it starts and when it ends.

Lastly a discussion of what you will do differently with regards to informed consent when working with couples, minors, families and groups (be specific in your discussions).

Students are required to upload and submit this paper through the corresponding assignment on LiveText.

Total possible points to be awarded : 5

6. Each student will produce 6 literature or research reviews using the format provided by the instructor. The instructor may assign articles for the review or the student may be asked to select articles on their own. The articles will be related in some way to ethics and ethical decision-making and related to the chapter content assigned for the week.

Students are expected to use journals or books as the primary source. You will be asked to present the information from the review during classroom discussions and be familiar enough with the information that you can function as a student “expert”.

Students should provide classmates and the instructor with a written summary of the **essential content of the article** and the reference information (noted in APA format). You will need to bring a copy of the article with you to class to refer to during the discussions, however copies of the article are not needed for your peers.

Students are also required to upload and submit their reviews through the corresponding assignment on LiveText.

Total possible points awarded in this area: 24 (4 points per review)

7. A comprehensive final exam. The final exam will be a combination of multiple choice, short answer and essay questions covering the content of the course, assigned articles, and the text.

Total possible points to be awarded in this area: 34

8. Professional Development: Students will be required to complete a self-assessment upon completion of the course. The outline for this will be provided and the assessment will be due with the final exam. *The final will be considered incomplete without the self-assessment and subject to loss of points for lateness.*

You will be expected to approach this in a thoughtful and self-reflective manner. One-sentence responses will not be acceptable and may result in the self-assessment being returned to you and subject to loss of points for lateness.

Students are required to upload and submit this through the corresponding assignment on LiveText.

Evaluation Criteria

Final Grade

All assignments are due on the date indicated in the course schedule. Students will lose 1 point for every day over the due date. The final grade will be an accumulation of 160 total points based on the following criteria:

1. Student will be expected to **attend** all classes, come **prepared**, and **participate** in all discussions - 32/160 points (20% of overall grade)
2. Weekly quizzes – 20/160 points (12.5% of overall grade)
3. Two-part student presentation – 10/160 points (6.25% of overall grade)
4. Professional Practice Manual (PPM) – 35/160points (21.875% of overall grade)
5. Narrative paper concerning the informed consent document - 5/160 points (3.125% of overall grade)
6. Literature reviews – 24/160 points (15% of overall grade)

7. Comprehensive Final Exam – 34/160 points (21.25% of overall grade)

Grading Scale:

A+	100-97	B+	89.9-87	C+	79.9-77	D+	69.9-67	F	Below 60
A	96.9-93	B	86.9-83	C	76.9-73	D	66.9-63		
A-	92.9-90	B-	82.9-80	C-	72.9-70	D-	62.9-60		

Expectations

Student Responsibilities

- students will read course assignments and research articles assigned prior to the class session and be prepared to apply the concepts during discussions and the experiential portion of the class.
- students will be integrative learners and are expected to present questions and discussion related to the class readings and scholarly reviews or research. Not all readings will be discussed in detail, which requires students to use the readings as a guide for learning, and be prepared to interact with the readings as a background for their interaction.
- students will be active learners. This means that students should arrive on time, actively participate in classroom discussions, be prepared to assume the role of student expert using assigned literature reviews, **have cell phones and computers off and out of sight during class, and remain in class throughout the duration of the session.**
- students will experience some discomfort as they work to gain skills.
- students will be respectful, open to feedback and willing to provide feedback, willing to role play clients or assume leadership roles, and be open to both personal and professional change.
- students will engage in open and respectful dialogue related to ethical dilemmas and their interactions with peers and base their comments on professional standards vs personal reactions.
- students will abide by all ethical standards governing confidentiality and professionalism.
- students will use resources in addition to the text to enhance learning and complete academic tasks.

Professional Practice Expectations:

- Actively listen to others and demonstrate a desire to understand other points of view
- Respond in a self-reflective and self-critical manner to feedback.
- Show motivation to master new material, examine and challenge current beliefs and practices, and increase competency in areas related to professional practice.
- Demonstrate sensitivity, awareness and acceptance of others.
- Demonstrate tolerance for the ambiguity inherent in the counseling profession and the ethical standards governing the profession.
- Assume the role of professional consultant when discussing cases and issues and discuss issues using best practice and professional ethical standards.
- Demonstrate an awareness of personal values and beliefs as they pertain to and affect decision making in the counseling profession and in your interactions with others.

Tentative Schedule

Date	Topic	Reading Assignment	Assignment Due
Week 1	Intro to Course		
Week 2	Models for Ethical Decision Making/Ethical Counseling in a Multicultural Society	Chapters 1,2 & 3	Research Article #1 Group 1 Presents
Week 3	Competence to Practice/Ethics of Assessment and Diagnosis	Chapters 4 & 10	Research Article #2 Professional Practice Manual – Section 1a (Codes) Group 2 Presents
Week 4	Confidentiality/Interventions with Groups, Couples and Families	Chapters 5 & 9	Research Article #3 Professional Practice Manual – Section 2 Group 3 Presents
Week 5	Informed Consent/Avoiding Conflict of Interest/Issues in School Counseling	Chapter 6, 12 & 13	Research Article #4 Professional Practice Manual – Section 1b

			(Decision Making Model) Group 4 & 5 Present
Week 6	Violations of Power and Trust/Modeling Responsible Behavior	Chapters 7 & 14	Research Article #5 Professional Practice Manual – Section 3 *DRAFT* Group 6 Presents
Week 7	Multiple Relationships and Boundary Issues/ Preventing Misconduct and Minimizing Damage	Chapter 8 & 11	Research Article #6 Professional Practice Manual – FINAL Informed Consent Narrative Reflection Group 7 Presents
Week 8	Course Review		Professional Development Self-Assessment
Week 9	Final Exam		

Course Declarations

LiveText/Blackboard Usage: LiveText and Blackboard will be utilized to collect various artifacts that can represent the student’s body of work. For example, signature artifacts are major assessments of knowledge, skill, and practice that are grounded in CACREP and best practice standards and are associated with various assessment rubrics and are integrated in LiveText. The online portfolio is maintained in the student’s personal file on the LiveText website. There may be a number of artifacts that are appropriate for inclusion—see the instructor for details.

Questions, Concerns, Grievances: Feel free to schedule an appointment to talk with the instructor, if you have follow-up issues to discuss; if you feel there is a problem or misunderstanding; or if you have a question or complaint. In addition, you may contact the Dean regarding any concerns. Formal grievance procedures are outlined in the Doane MAC Student Handbook.

Non-Discrimination Policy

Applicants for admission and employment or professional agreements with the University are hereby notified that this institution does not discriminate on the basis of race, color, religion, sex, genetic information, national origin, disability, age, marital status, sexual orientation or any other protected class recognized by state or federal law in admission or access to, or treatment, or employment in its programs and activities. Sexual Harassment and sexual violence are prohibited forms of sex discrimination.

Title IX Policy Statement

It is the policy of Doane University not to discriminate on the basis of gender in its educational programs, activities or employment policies as required by Title IX of the 1972 Education Amendments.

Inquiries regarding compliance with Title IX may be directed to the Director of Human Resources, Doane University, 1014 Boswell Avenue, Crete, NE 68333 or to the *Director of the Office for Civil Rights*, Department of Health, Education, and Welfare, Washington, D.C., 20202.

Academic Integrity

The faculty expect students to pursue their work with academic integrity. A copy of the policies concerning academic honesty may be obtained from the office of the Vice President for Academic Affairs in Crete or from the Dean of each program. Any breach of academic integrity may result in immediate suspension from the program.

Access/Services for Students with Disabilities

The Rehabilitation Act of 1973 (section 504) and the Americans with Disabilities Act (ADA) provide that "no otherwise qualified disabled individual in the United States shall, solely on the basis of disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal financial assistance." This regulation requires that Doane programs be accessible to the disabled, but it does not require that every building or part of a building be accessible. Thus, it may be necessary to reschedule classes to accessible classrooms or to take other steps to open one of the programs to students with mobility impairments.

1. Students interested in services related to a disability should notify the university of any special circumstances that would affect their ability to compete equally in the college environment. To assist the university in providing services, documentation of such disabilities must be provided by qualified professionals upon request.
2. While students are encouraged to self-identify at the earliest possible time, they can access services at any time by initiating the process described in number one above.
3. To initiate this process, students are encouraged to contact the Office of Graduate Studies before beginning classes so their needs can be anticipated, reviewed, and accommodated.

Changes in Syllabus: Circumstances may occur which require adjustments to the syllabus. Changes will be made public at the earliest possible time.