

Digital Ethics in Counselor Education

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Disclaimer

- I am not a lawyer
- This is not legal advice
- I am not a technician
- I am a bit of a philosopher
- But mostly, just like you, I am trying to stay on top of things in a really complex world

Goals for Today

- Provide a “retreat” day for reflection on ethics and technology
- Examine the assumptions behind how we make ethical decisions
- Consider the Role of Values and Our Professional Standards of Practice
- Examine Ethical Decision Making in our Digital World
- Imagine the Future
- Havre Some Fun and Get our CEU's 😊

Examples of ethical dilemmas for counselors, social workers, etc.

- How much do I self disclose on-line?
- What do I do if a client sends me an invitation to be a friend on Facebook?
- What happens when a client “likes” something that I posted?
- Is it ever ok to Google a client?
- Is it ever ok to e-mail a client?
- Is it really ok to text a client?

Why This Code?

American Counseling Association. (2014). *ACA Code of Ethics*. Alexandria, VA: Author.

I.1.c Ethical Decision Making

When counselors are faced with an ethical dilemma, they use and document, as appropriate, an ethical decision-making model that may include, but is not limited to, consultation; consideration of relevant ethical codes and principles, and laws; generation of potential courses of action; deliberation of risks and benefits; and selection of an objective decision based on the circumstances and welfare of all involved.

Assumption No. 1

Technology is a tool but it is also an extension of the human mind/body and of consciousness.

Think of the these cool extensions of ourselves:

Jewelry, Tools, Language, Scrolls, Printing Press,
Books, Boats, Trains, Cars, I-95, Computers,
SMARTphones, Etc.

And unfortunately we have also used animals and other human beings as extensions as well ☹️

Assumption No. 2

Digital Technology and the internet
has changed our experience of
“Private” versus “Public”
(How ?)

Assumption No. 3

There are significant philosophical and cultural differences regarding both the meaning and the use of technology

Assumption No. 4

Digital Technology is rapidly changing the understanding of what it means to be a Person
(a Human Being)

So before we dive into
problem solving, lets start at
the beginning:

What Do We Mean By
Ethics?

Let's Look at a Few Theories

(By the way, what is a theory?)



Consider two categories of normative ethics:

ETHICS OF ACTION

How *Ought* I Act?

ETHICS OF CHARACTER

What Sort of Person *Ought* I Be?

So in summary.....

Ethical decisions are implicitly guided by either

Consequentialism

Deontology

Virtue

A combination

Now Think about this:

- About 70 % of individuals in need of mental health services do not receive them
- 80 million Americans live in areas where there is a shortage of mental health and substance abuse providers
- About 10% of those who meet criteria for substance abuse receive treatment
- Where there are available providers, there may still be barriers to service: transportation, costs, child-care, time, language, stigma, etc.
 - - in a summary by Donald Meichenbaum

And this....

- More than 70% of American Adults have Internet and surf for more than an hour per day
- More than 50% have high speed access.
- More than 60 % report that they first search the internet when seeking solutions to health and mental health problems
- 90% of young people in US have Internet access
- 61% access it daily; 25% use it for health information
- 75% of 12-17 year olds have a cell phone
- In 2012, there were over 500,000 APPS for the Iphone and 10 billion downloads worldwide

But....

- 2016 World Wide App download was 149.3 billion
- 2014 World Wide Revenue Apps – 88.3 billion (US\$)
- 2017 Google Play – 2.8 million Apps available
- 2017 Apple – 2.8 million Apps available
- [Source: Statistica.com](https://www.statista.com)
- <https://www.statista.com/topics/1002/mobile-app-usage/>



There are APPS for:

- Anxiety disorders, depression, and suicidality (personal hope chest)
- Relaxation, anger management, moderation of substance use, coping with many issues....
- Diagnosis, treatment, and prevention...the tracking devices
- APPS and texting for mood swings, coaching, DBT, etc. (but watch out for who is sponsoring the APP)
- Data collection, patient and therapist feedback, retention
- Supervision
- Virtual programs.....and more and more !

- Nichols, H. (2018). The top ten mental health apps. Medical News Today. Retrieved from <http://www.medicalnewstoday.com/articles/3205575.php>
- Shelton, J. (2018). Top 25 best mental health apps: An effective alternative for when you can't afford therapy? Psyc.com. Retrieved from <https://psyc.com.net/25-best-mental-health-apps>
- (identifies apps for addiction, anxiety, bipolar disorder, eating disorders, depression, OCD, PTSD, Schizophrenia, suicide Prevention, Stress, and General Mental Health)

So the question arises:

Will technology ever replace
inter-personal
mental health therapy?

Why Not???

Should we be asking (like Carl Rogers) again.....

What does it mean to
be a person?

In the history of our profession, our understanding of what it means to be a person has been influenced by:

Mythology

Philosophy

Empiricism

Psychoanalysis

Behaviorism

Existentialism

Humanism

Postmodernism

Feminism

Multiculturalism

Posthumanism (transhumanism)

Transhumanism is a class of philosophies of life that seek the continuation and acceleration of the evolution of intelligent life beyond its currently human form and human limitations by means of science and technology, guided by life-promoting principles and values. (Max Moore, 1990) <http://whatistranshumanism.org/>

The Purpose of Professional Ethics

To Protect the Public from Harm
To Ensure the Integrity of the Profession

What is a Dual Relationship?

Examples of General Issues that May Look Like

Dual Role Relationships

- Clients using Google to search counselors
- Counselors using Google to search clients
- Counselors' professional and personal disclosure on web sites, social networks, etc.
- Counselors and clients communicating digitally via e-mail, Skype, Facebook, Twitter, texting, etc.
- Counselors using texting or cell phones in sessions
- Issues of privacy, record keeping, storage, etc.

Cultural Difference?

Digital Natives

And

Digital Immigrants

Differences

Digital Natives

- connect via text
- A-synchronistic communication
- No manuals
- Multitasking
- Read and write in bytes
- Work is continuous
- Work is egalitarian
- Use Internet to socialize
- Like pictures
- Uses “emoticons”

Digital Immigrants

- connect via phone
- Synchronistic real time communication
- “where’s the manual?”
- Single tasking
- Prefer a book
- Five day work week
- Work is hierarchical
- Use Internet for info
- Like to talk
- Uses grammar



**Is it ever ok for a client
to Google a counselor
or therapist?**

Guess what!...

Self-Disclosure

How would you define Self-Disclosure?

The sharing of any information that is beyond what is normally shared in the client-counselor relationship according to standards of practice

Considerations around self-disclosure are related to theoretical orientation

Transparency

- Self-disclosures may be intentional or unintentional.
- Self-disclosures may also be unavoidable in small communities where counselor's lives can be transparent.
- The Internet creates a similar transparency, the only difference being the size of the “community”



Types of Self-Disclosure

1. Deliberate – the counselor may disclose personal information, or may disclose a personal reaction to an event (self-revealing versus self-involving)
2. Non-deliberate – dress, jewelry, physical attributes, photographs, decorations, etc.
3. Accidental – spontaneous verbal or non-verbal reactions
4. Inappropriate – benefits the counselor, not the client.
5. Initiated by a client's deliberate actions – searches done on-line

**Is it ever O.K. to
Google a client?**

Facebook

What are some ethical issues that may arise for counselors and social workers who are using Facebook?

Do I accept Friend Requests from Clients?

Once a counselor has posted a profile on a social networking page (like Facebook), sooner or later, a Friend Request from a client is likely to occur.

Does the counselor accept the request?

Does the counselor ignore the request?

With regard to either choice, what are the ethical and clinical ramifications?

Social Media

- H.6.a. - Virtual Presence
 - In cases where counselors wish to maintain a professional and personal presence for social media use, separate professional and personal web pages and profiles are created to clearly distinguish between the two kinds of virtual presence.

- H.6.b. Social Media as Part of Informed Consent
 - Counselors clearly explain to their clients, as part of the informed consent procedure, the benefits, limitations, and boundaries of the use of social media.

- H.6.c. Client Virtual Presence
 - Counselors respect the privacy of their clients' presence on social media unless given consent to view such information.

- H.6.d. Use of Public Social Media
 - Counselors take precautions to avoid disclosing confidential information through public social media

- A.5.a
 - Sexual and/or romantic counselor-client interactions of relationships with current clients, their romantic partners, or their family members are prohibited. This prohibition applies to both in-person and electronic interactions or relationships.

What is an Email?



“....An email message is a tiny packet of self-representation that launches off into cyberspace. Some even experience it as a creative work, a gift sent to one’s Internet pal. It’s a piece of oneself that experienced email users enjoy constructing”

(Suler, 2004)

The Culture of Email

Suler (2004) outlined the basic features of email:

- “Text Talk” - involves typing (I saw a typewriter in a movie once)
- Lack of face-to-face-cues and the art of email
- Anonymity – “disinhibiting effect” (also related to lack of cues)
- Asynchronous interaction – not in “real time”; provides for a “zone of reflection” (rules?)
- Adjustable Conversing Speed – minutes, days, weeks
- Adjustable Group Size – inclusion, stages, etc
- Spam – “defending the in-box”

SMS and Chat

- Data (message) described in terms of “bytes”
- Introduced in 1980’s for government and commercial use, then for public in 1992
- Cell to cell transmission, but there are other aps
- Used in medicine to prompt patients: diabetes, asthma, treatment, pre-natal, eating disorders (even management of suicidal patients)

What about on-line and
virtual communities

?

Distance Counseling

- H.1.a – Knowledge and competency
- H.1.b - Laws and Statutes
- H.2.a. – Informed Consent and Disclosure
- H.2.b.c. Maintenance of confidentiality and limitations.
- H.3. – Client Verification
- H.2.d. – Security
 - Counselors use current encryption standards with their websites and/or technology-based communications that meet applicable legal requirements. Counselors take reasonable precautions to ensure the confidentiality of information transmitted through any electronic means.

Distance Counseling Informed Consent H.2.a.

- Distance counseling credentials, physical location of practice, contact information
- Risks and benefits of engaging in distance counseling, technology, social media
- Possibility of technology failure and alternative methods of service delivery
- Anticipated response time
- Emergency procedures to follow when the counselor is not available
- Time zone differences
- Cultural and/or language differences that may affect delivery of service.

Where will we go from here?

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