



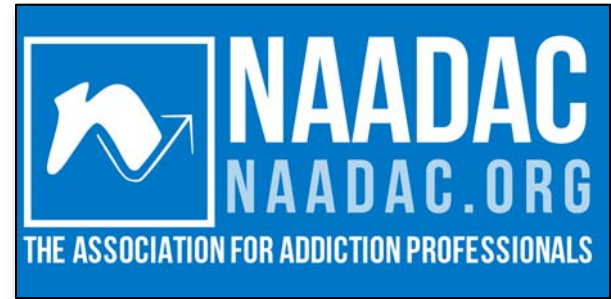
Ethics and Social Media

Kelly Scaggs, LCSW, LCAS, CCS, MAC, ICAADC

Fellowship Hall, Greensboro, NC

September 24, 2018





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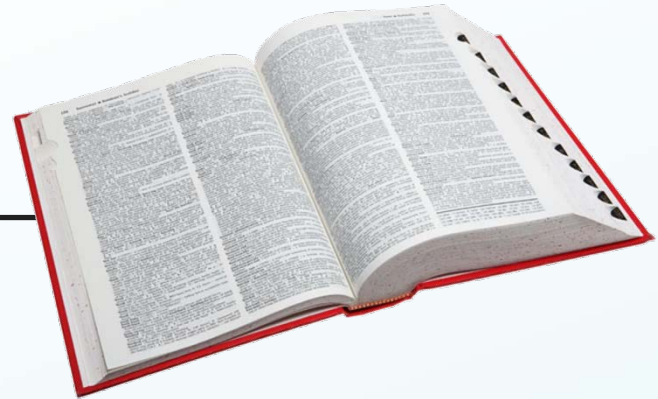
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Definition

Ethics



ETHICS

Rules of behavior based on ideas about what is morally good and bad

Merriam-Webster Dictionary 2018



PROFESSIONAL ETHICS

What is the right thing to do in a given practice situation?

Where would we find this information?



Codes Of Ethics

- **Addictions Professionals** National Association of Alcohol & Drug Abuse Counselors (NAADAC)
 - **Psychologists** American Psychological Association (APA)
 - **Social Workers** National Association of Social Workers (NASW)
 - **Counselors** American Counseling Association (ACA)
 - **Marriage and Family Therapists** American Association of Marriage and Family Therapists (AAMFT)
-



Question...

What's the problem?



Question...

What's the problem?

**Technology is advancing faster than
our codes of ethics can keep up.**



Question...

Technology is advancing faster than
our codes of ethics can keep up.

- NAADAC 2016
- APA 2016
- NASW 2017
- ACA 2014
- AAMFT 2015



The Digital Age

Access To Personal
Computers Changed
EVERYTHING!



The Digital Age

They Have Become:

- **Smaller**
- **More Affordable**
- **Faster**
- **More Versatile**





What is
Social Media



Social Media...



What Constitutes Social Media?



Social media: Forms of electronic communication (such as Web sites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos).

Merriam-Webster Dictionary 2018



Social Media

Social Media Lends Itself To
A **Multitude** Of Possible
Ethical Issues:

- Conflict of Interest
- Privacy and Confidentiality
- Inappropriate Self-Disclosure
- Dual Relationships



Question...



What Information Can Be Found Out About You On A Google Search?



Remember...



If It Is On The Internet,
It's Public Information!



Social Media



Clinicians postings on social networking sites may constitute an inadvertent form of self-disclosure to clients and colleagues who explore these sites.



Social Media



Responsibility falls on the clinician given the possibility of even private sites being hacked and exposed, or information being visible unintentionally via networks



Social Media

How do you respond if a client tells you they
“googled” you?



Social Media

Who else is searching your social media presence?



Potential Employers Are Searching Social Media



Provocative or inappropriate
photographs
46 percent



Candidate bad-mouthed previous
company or fellow employee
34 percent



Discriminatory comments related to
race, religion, gender, etc
29 percent



Information about candidate drinking
or using drugs
40 percent



Poor communication skills
30 percent

CareerBuilder Survey 2015



Question...

Do We Or Don't We?



Question...

Do We Or Don't We?

- Google Our Clients
- 'Follow' a Client's Twitter Feed
- Have a Presence On Facebook
- Accept a Facebook Friend Request
- Blog
- Utilize Online Dating Sites

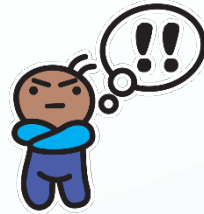


Question...

Have You Ever
Considered Looking A
Client Up On A Social
Networking Site?



Consider
Looking Up A Client?



Stop Right There!

All clients have a right to their privacy, to their own lives, and to the content of their social networking sites.



Consider

Looking Up A Client?

- One may argue that information posted on social networking sites is public information and anyone has a right to access what is posted.
- This assumption is correct, however, clinicians must consider the intention behind any search for information.



Biggest Ethical Concerns...

- Boundaries
- Dual Relationships
- Conflicts Of Interest
- Confidentiality



Question...

How Could A Clinicians
Membership On A Social
Networking Site Affect
Potential Or Current
Clients?



Example:

Consider an anxious client who sees you as a reliable nurturer. Upon pursuing their favorite SNS, they search your name. You posted pictures from your recent vacation and what the client discovers is far different from the comforting support they seek weekly.



Explanation:

“Clients prefer to think of their therapists as existing only in the therapy space. Potential harm may occur, then, when the client feels impinged upon by finding a therapist’s information online.”

Scarton, 2010



Conflict Of Interest:

Clinicians should not engage in dual or multiple relationships with clients or former clients in which there is a risk of exploitation or potential harm to the client.



Conflict Of Interest:

A situation may be created when a clinician must decide whether or not to accept a “friend” request, potentially having to reject the client.



What if you decided to allow a current or former client into your social network?

- Clearly, this could be a case in which a dual relationship could form.
- Clients who learn personal details about clinician's lives may experience complex and counterproductive transference.
- Issues of privacy and confidentiality could also arise if you were to allow a client or former client into a social network that consisted of family and friends.
- You have your own privacy and boundary issues to consider.



Question...

Should You Accept A
Friend Request From
A Current Or Former
Client?



What The Codes Say...



ASWB-MRS

4.05 Take reasonable steps to prevent client access to personal social networking sites; maintain separate personal and professional social media websites

4.10 Refrain from accepting “friend” requests



ACA

H.6.a. use separate personal and professional web pages and profiles for social media; clearly distinguish between the two kinds of media presence



Social Media

Additional Digital Dilemmas



Additional Digital Dilemmas



What About Other Digital Technology?

- Email
- Text
- Video Conferencing
- Online Counseling
- Smartphone Apps



Additional Digital Dilemmas

- Addiction Professionals who choose to engage in the use of technology for e-therapy, distance counseling, and e-supervision shall pursue specialized knowledge and competency regarding the technical, ethical, and legal considerations specific to technology, social media, and distance counseling. Competency shall be demonstrated through means such as specialized certifications and additional course work and/or trainings.



Delivering Services In The Face Of New Challenges...



- Must be sure to use sophisticated encryption technology to preventing confidentiality breaches (hacking) by unauthorized parties and to comply with strict HIPAA guidelines.
- The ethical burden falls on the clinician to ensure trustworthy encryption by software vendors.



Delivering Services In The Face Of New Challenges...



Other Considerations:

- Do you clearly explain, in writing, your guidelines for interacting with clients via other digital or electronic means at various times of day and night, weekends, and holidays?
- What protocols do you or your agency have in place to ensure that clinically relevant email, text, social networking, and telephone exchanges are documented properly in the case record?



Distance Counseling

Informed Consent

- A thorough e-therapy informed consent shall be executed at the start of services. A technology-based informed consent discussion shall include:
- Distance counseling credentials, physical location of practice, and contact information;
- Risks and benefits of engaging in the use of distance counseling, technology, and/or social media;
- Possibility of technology failure and alternate 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 services; and
- Possible denial of insurance benefits; and social media policy.



Distance Counseling

Verification

- Addiction Professionals who engage in the use of electronic platforms for the delivery of services shall take reasonable steps to verify the client's/supervisee's identity prior to engaging in the e-therapy relationship and throughout the therapeutic relationship. Verification can include, but is not limited to, picture ids, code words, numbers, graphics, or other nondescript identifiers.



Distance Counseling

Access

Addiction Professionals shall assess and document the client's/supervisee's ability to benefit from and engage in e-therapy services.



Distance Counseling

Providers shall consider:

- The client's/supervisee's cognitive capacity and maturity
- Past and current diagnoses
- Communications skills
- Level of competence using technology
- Access to the necessary technology
- Geographical distance to nearest emergency medical facility
- Efficacy of client's support system
- Current medical and behavioral health status
- Current or past difficulties with substance abuse
- History of violence or self-injurious behavior.



Delivering Services In The Face Of New Challenges...



Other Considerations:

- Giving at-risk clients your personal cell phone number for use in an emergency
- Engaging in clinically relevant email communications with a client who will be traveling abroad for an extended period of time



Did You Know...

Emails may be considered part of the clients' record, so clinicians should be aware that electronic communications can be subpoenaed, accessed by auditors, requested by the client, or otherwise disclosed or used in a variety of legal or administrative proceedings.



Recommendations...

- Obtain Appropriate Supervision
- Review Relevant Ethical Standards
- Consult With Colleagues Who Have Specialized Knowledge or Expertise
- Review Relevant Literature
- Review Relevant Regulations, Laws, and Policies
- Develop a Social Media Policy For Clients and Employees
- Obtain Legal Consultation When Necessary
- Document Decision Making Steps



SOCIAL MEDIA POLICY



Social Media Policy

Why Do We Need One?



The substance abuse professionals code of ethics states:

“The addiction professional will inform the client of his/her confidentiality rights in writing as part of informing the client of areas likely to affect the client’s confidentiality.”



Social Media Policy

What Should Be Included?



- “Friending”
- Following
- Business Review Sites
- Interacting
- Use of Search Engines
- Location Based Services
- Email
- Contact information for licensing board



Sample Policy



[HTTP://www.drkkolmes.com/docs/socmed.pdf](http://www.drkkolmes.com/docs/socmed.pdf)

Keely Kolmes, Psy.D.

CA License: PSY21284

My Private Practice Social Media Policy

This document outlines my office policies related to use of Social Media. Please read it to understand how I conduct myself on the Internet as a mental health professional and how you can expect me to respond to various interactions that may occur between us on the Internet.

If you have any questions about anything within this document, I encourage you to bring them up when we meet. As new technology develops and the Internet changes, there may be times when I need to update this policy. If I do so, I will notify you in writing of any policy changes and make sure you have a copy of the updated policy.

Friending

I do not accept friend or contact requests from current or former clients on any social networking site (Facebook, LinkedIn, etc.). I believe that adding clients as friends or contacts on these sites can compromise your confidentiality and our respective privacy. It may also blur the boundaries of our therapeutic relationship. If you have questions about this, please bring them up when we meet and we can talk more about it.

Fanning *As of 4/14/10, I deleted my Facebook Page after concluding that the potential risks of maintaining such a Page outweigh any potential gains. This section has been retained for those wishing to view the original document.*

I keep a Facebook Page for my professional practice to allow people to share my blog posts and practice updates with other Facebook users. All of the information shared on this page is available on my website.

You are welcome to view my Facebook Page and read or share articles posted there, but I do not accept clients as Fans of this Page. I believe having clients as Facebook Fans creates a greater likelihood of compromised client confidentiality and I feel it is best to be explicit to all who may view my list of Fans to know that they will not find client names on that list. In addition, the American Psychological Association's Ethics Code prohibits my soliciting testimonials from clients. I feel that the term "Fan" comes too close to an implied request for a public endorsement of my practice.

Note that you should be able to subscribe to the page via RSS without becoming a Fan and without creating a visible, public link to my Page. You are more than welcome to do this.

Following

I publish a blog on my website and I post psychology news on Twitter. I have no expectation that you as a client will want to follow my blog or Twitter stream. However, if you use an easily recognizable name on Twitter and I happen to notice that you've followed me there, we may briefly discuss it and its potential impact on our working relationship.

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Question...

Wouldn't It Just Be
Easier To Avoid Social
Media All Together?



Wouldn't It Be Easier To Avoid Social Media All Together?



- As internet-age clinicians we are obligated to understand social media.
- To be culturally competent, we must understand that the most commonly encountered “foreign” culture is the digital universe.



Our Responsibilities



- Familiarize ourselves with new technologies
 - What they are
 - How they are used
 - How they are misused
 - The upside and the downside



Practice Tips

- Set Healthy Boundaries From The Outset
- Have a Written Social Media Policy
- Secure Informed Consent
- Review Code Of Ethics And Practice Standards Frequently
- When Using Social Media Have Professional And Personal Profiles
- Consider A Pseudonym
- Inform Clients How Records Are Maintained And Secured
- Google Yourself Regularly And Correct Inaccuracies
- Consider Cyber Liability Protection
- Stay Current On New Technology



As professionals, we are told to practice within areas of competence. We need to be competent in the areas we practice, and that extends to our use of technology. We need to remain alert to the ways in which our online presence compliments or conflicts with our professional self.

Kathryn Chernack
NY-NASW Chapter Ethics Committee





QUESTIONS?



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A big **thanks** to you
For Watching...

