

ETBU Counseling Center Confidentiality Policy & Information Regarding Counseling

Nature of Counseling:

The type and extent of services for the client will be determined following an initial assessment and through discussion with the client. There may be both benefits and risks associated with participating in counseling. Counseling may improve the client's ability to relate to others, provide clearer understanding of self, values, and goals. It can also improve ability to deal with everyday stress. Counseling may also lead to unanticipated feelings and change, which might have an unexpected impact on the client and their relationships.

Confidentiality:

Confidentiality is an ethical standard that protects clients from the disclosure of information without the client's consent. Client contacts with the Counseling Care Center are confidential. We will not provide information about clients to friends, partners, faculty, parents, employers or anyone else outside of the Counseling Care Center staff.

The Counseling Care Center, among its functions, serves as a teaching-training center for Masters-level graduate students. Each student is individually supervised by a professional staff member and includes recording the counseling session. The supervision and recording of the session, in part, allows us to see that every client is being provided with competent counseling. These recordings are only viewed by the supervisor and counselors-in-training, as part of the student's skill development. Recordings are stored on a secure university server and are destroyed at the end of each semester.

The Counseling Care Center will release information from counseling sessions to third parties only at the request of the client. The "Authorization to Release Information" form, signed by the client and a witness, will be used for this purpose. The client must give informed consent and therefore his/her counselor will discuss, prior to release, the information to be released, to whom, and for what purpose. The client will also be advised about the possible effects of disclosure.

Exceptions, as identified by Texas Health and Safety Code, Chapters 181 and 611:

- When the Counseling Care Center believes that a client poses a clear and present danger to harm himself/ herself and/or others (verbal threat, action, or possession of a prohibited weapon or prohibited device), the Counseling Center may selectively release information, without the client's consent, to aid in the care and protection of the client or endangered others.
- When the Counseling Care Center has reasonable cause to suspect a child (a person under 18 years of age), disabled person, or elderly person has been subjected to maltreatment, which may involve abuse, sexual abuse, neglect, sexual exploitation or abandonment, the Counseling Care Center may selectively release information, without the client's consent, to aid in the care and protection of the child/disabled/ elderly person.
- When the Counseling Care Center has reasonable cause to suspect that an adult (a person 18 years of age or older) through abuse or neglect, is in imminent risk of death or bodily harm and does not comprehend the nature and consequence of remaining in that situation or condition, then the Counseling Care Center is required to report this situation to Texas Department of Health & Human Services.

Email Communication:

Email is an important means of communication. However, email is not a secure means to transmit confidential information. Therefore, the Counseling Care Center will use email to communicate with clients only (a) in response to the client's initiation and (b) with the client's consent to send messages to their email address. Copies of email communication between client and counselor will be included in the client's file.

Client files:

The Family Educational Rights and Privacy Act of 1974 (FERPA) provides that student records maintained by physicians, psychologists, psychiatrists or other recognized professionals and para-professionals are not educational records. Therefore, client files do not become part of any permanent record at the University, but are the property of the Counseling Care Center. A client's file is maintained at the Counseling Care Center for a period of seven (7) years from the date of last contact. A client's file is destroyed after this seven (7) year period.

Clients may review their records in the presence of a Counseling Care Center staff member, upon written request. The request and fact that a review occurred will be noted in the client's record. Clients may receive copies of their record unless the Counseling Care Center staff, upon review, believes disclosure would be detrimental to the client's health or well-being.

The client file of a person who is not a student, including but not limited to, a staff member, faculty member, student's spouse, etc., is not an educational record.

Client session notes are kept and stored electronically and maintained in the client's file. The entire file including the client demographic information and other personal information is maintained electronically in a secured server dedicated to the Counseling Care Center's needs. Compiled information when retrieved is used for summary report purposes and does not identify clients by name.

Disclosure of Client Records:

Texas law recognizes the privilege that attaches to the counselor-client relationship. Should the Counseling Care Center receive a subpoena for client records, university legal counsel will be consulted prior to taking any action. Clients will be notified in advance, if at all possible, of any compliance with a court order, state or federal law that might require disclosure of client records.

Cancellations & Missed Appointments:

It is important that the client arrive on time for his/her appointment. If the client is not going to keep a scheduled appointment, (e.g. due to illness, absence from school, no longer wants counseling), we ask that the client call the Counseling Care Center and cancel the appointment at least 24 hours in advance at which time the client will be asked whether or not he/ she wants to reschedule.

When a client fails to contact the Counseling Care Center to cancel an appointment, he/she is considered a "No Show". Please be considerate in scheduling because that appointment time, reserved by the counselor for you, could be used to serve another client.

Clients, including No Shows, who reschedule but do not attend two consecutive sessions may have their files closed and will not be guaranteed their original appointment day/time. Clients who arrive more than 15 minutes late for their appointment will be seen or rescheduled at the discretion of the counselor.

Concerns and Complaints:

The Counseling Care Center staff strives to provide counseling that demonstrates respect for every client, treats all with dignity, and is sensitive to the diversity that is present in those whom we serve. If your counselor does not meet these standards in counseling with you, then we encourage you to let the director, Dr. Terri Howe, know. You can email her at: thowe@etbu.edu or call: (903) 923-2383.

If the director is your counselor and your complaint is about her, you may contact the Provost, Dr. Tommy Sanders at (903) 923-2075.

Electronic Transmission of Information:

If you agree to participate in technology-based consultation and other healthcare-related information exchanges with an ETBU behavioral health care practitioner (including a Counselor-In-Training):

This means that you authorize information related to your medical and behavioral health to be electronically transmitted in the form of images and data through an interactive video connection to and from the practitioner, other persons involved in your health care, and the staff operating the consultation equipment.

Mobile Application:

It may also mean that your private health information may be transmitted from your practitioner's mobile device to your own or from your device to that of your practitioner via an 'application' (abbreviated as "app").

A variety of alternative methods of behavioral health care may be available to you, and you may choose one or more of these at any time. Your behavioral health care provider will the alternatives to you, should they become necessary to utilize.

Equipment:

It is recommended that you use your own equipment to communicate and not equipment owned by another, and specifically not use an employer's computer or network. Any information you enter into an employer's computer can be considered by the courts to belong to your employer and your privacy may thus be compromised.

Tele-behavioral Health Process:

The tele-behavioral health practitioner will explain how the session will be performed and how it will be used for treatment. The behavioral practitioner will also explain how the session(s) will differ from in-person services, including but not limited to emotional reactions that may be generated by the technology.

Additional Services:

It is your duty to inform your practitioner of electronic interactions regarding your care that you may have with other health care providers.

Electronic Presence:

Your practitioner will not be physically in your presence. Instead, you will see and hear each other electronically, or and any information you enter into an "app" will be transmitted electronically to and from you and your practitioner.

Limitations:

Regardless of the sophistication of today's technology, some information your practitioner would ordinarily get in in-person consultation may not be available in teleconsultation. Such missing information could in some situations make it more difficult for your practitioner to understand your problems. Your practitioner will be unable to physically touch you or to render any emergency assistance if you experience a crisis.

Risks:

Tele-behavioral health is a new delivery method for professional services, in an area not yet fully validated by research, and may have potential risks, possibly including some that are not yet recognized.

Among the risks that are presently recognized is the possibility that the technology will fail before or during the consultation, that the transmitted information in any form will be unclear or inadequate for proper use in the consultation(s), and that the information will be intercepted by an unauthorized person or persons.

In rare instances, security protocols could fail, causing a breach of privacy of personal health information.