

The following is the text of the Washington State Department of Health brochure that outlines the state law regarding rights and responsibilities of therapists and clients in counseling.

Washington State Department of Health

The purpose of this document is to explain briefly how the law regulating counselors helps you and your counselor work together. Feel free to talk about any of the information on this page with your counselor. Remember, his or her role is to help you.

Client and Counselor Responsibilities and Rights

You and your counselor should discuss the type of counseling you will get; the methods or techniques that might be used; the therapist's education, training and experience; and the cost of counseling sessions. The counselor must give you written information that explains these topics, let you read the information, and have you sign a statement that you have received it.

If you have concerns about being dependent upon your counselor, talk to him or her about it. Remember, you are going to that person to seek assistance that helps you learn how to control your own life. You can and should ask questions if you do not fully understand what your counselor is doing or plans to do.

Requirement for Registration or Certification

Your counselor must be either registered or licensed through the Washington State Department of Health unless otherwise exempt. To be registered, a person fills out an application and pays a fee. To become licensed a person fills out an application form, pays a fee, shows proof of appropriate education and training, and passes stringent written and oral tests. There are some people who do not need to be either registered, certified, or licensed because they are exempt from the law. You should ask your counselor if he or she is registered, certified, or licensed, and discuss his or her qualifications to be your counselor.

Definitions

Counseling means using therapeutic techniques to help another person deal with mental, emotional and behavioral problems or to develop human awareness and potential. A registered or certified counselor or a licensed psychologist is a person who gets paid for providing counseling services.

Confidentiality

Your counselor cannot disclose any information you have told him/her during a counseling session unless:

1. You give written consent
2. The information concerns certain crimes or harmful acts
3. The client is a minor and the information acquired by the counselor indicates that the minor was the victim of a crime. The counselor may then testify at any proceeding where the crime itself is the subject of inquiry
4. You bring charges against the person registered or certified under the law
5. The counselor has reasonable cause to believe that a child or adult dependent or developmentally disabled person suffered abuse or neglect. Therapists are required to report such incidents to authorities

Assurance of Professional Conduct

Thousands of people in the counseling professions practice their skills with competence and treat their clients in a professional manner. If you and the counselor agree to the course of treatment and the counselor deviates from it, you have the right to question the change and to end the counseling if that seems appropriate to you.

We want you to know that there are acts that would be considered unprofessional conduct. If any of the following situations occurs during your course of treatment, you are encouraged to contact your therapist or the Department of Health at the address or phone number in this document to find out how to file a complaint against the offending counselor. The following situations are not identified to alarm you, but are identified so you can be an informed consumer of counseling services.

The conduct, acts, or conditions listed below give you a general idea of the kinds of behavior that could be considered a violation of law.

1. Abuse of a client or sexual contact with a client.
2. Incompetence, negligence or malpractice that harms a client or creates an unreasonable risk of harm to a client.
3. Willful betrayal of a practitioner-client privilege as recognized by law.
4. The commission of any act involving moral turpitude, dishonesty or corruption relating to the practice of counseling or hypnotherapy. The act does not have to be a crime in order to be a violation of the law regulating counselors.
5. Practicing counseling in a way that would pose a serious risk to public health while suffering from a contagious or infectious disease.
6. Aiding a client to obtain an abortion through illegal means.
7. Possession, use or distribution of drugs except for a legitimate purpose; addiction to drugs or violation of any drug law.
8. Habitual use of or impairment from the use of, alcohol.
9. Misrepresentation or fraud in any aspect of the conduct of the profession.
10. Advertising that is false, fraudulent or misleading.
11. Offering to treat clients by a secret method, procedure or treatment