

Distance Counseling Policy

Provision of Services via Electronic, Distance Professional Counseling Services, and Supervision

Effective Date: February 2, 2017

In response to inquiries from licensees, supervisors and other interested parties, the North Carolina Board of Licensed Clinical Mental Health Counselors has confirmed that it has no separate view per se with regard to the provision of services via electronic means as long as a licensee is practicing in a manner consistent with his/her training and experience, is receiving supervision as is appropriate, and the medium for doing so is not an issue. Counselors consider the differences between face-to-face and electronic communication (nonverbal and verbal cues) and how these may affect the counseling process. Counselors educate clients on how to prevent and address potential misunderstandings arising from the lack of visual cues and voice intonations when communicating electronically.

The Board considers that the practice of counseling occurs both where the counselor who is providing counseling services is located and where the individuals (clients) who are receiving services are located. In order for an individual to provide counseling services in North Carolina, that individual must be licensed by the North Carolina Board of Licensed Clinical Mental Health Counselors or be exempt under the Licensed Professional Counselors Act. On this basis, if an individual licensed in North Carolina renders services electronically to an out-of-state client, it is the responsibility of the counselor to ensure that the counselor is complying with the laws and rules in the other state. Licensees are advised to review the North Carolina Licensed Professional Counselors Act and Section H of the ACA Code of Ethics (2014).

Delivery of clinical services via technology-assisted media such as telephones, use of video, or the internet requires the counselor to be sensitive to various issues. The counselor must consider and address a multitude of issues in the areas of structuring the relationship to include: informed consent, confidentiality, acquiring required signatures on intake forms (consent to treat, release of information, professional disclosure forms, consent to treat minors, consent to tape, etc.), determining the basis for professional judgments, boundaries of competence, computer security, avoiding harm dealing with fees and financial arrangements, and advertising. Other specific challenges include, but are not limited to verifying the identity of the client, determining if the client is a minor, explaining to the clients the procedures for contacting the counselor when he or she is off-line, discussing the possibility of technology failure and alternate means of communication if technology failure occurs, exploring how to cope with potential misunderstandings when visual cues do not exist, identifying an appropriately trained professional who can provide local assistance (including crisis intervention), if needed. It is imperative that when providing services through electronic methods, the client and counselor be knowledgeable regarding emergency services available in the communities where their clients live.

It is necessary for counselors to use encrypted technology. Because changes in technology are constantly evolving, the Board cannot provide advice regarding the specific technology to use. Clients should be informed of the encryption methods used to help ensure the security of communications and be made aware of the potential hazards of unsecured communication on the

internet. Also, counselors should inform clients as to whether session data is being preserved and if so, in what manner and for how long. In addition, clients need to be informed regarding the procedures that will be in place in receiving and releasing client information received through the internet and other electronic sources.