University of North Texas

College of Education—Department of Counseling and Higher Education

Counseling Program

**COUN 5290: Ethical, Legal, and Professional Issues in CMHC**

Summer 2013

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Office Hours: By appointment

Course Time: Wednesdays 5:30 pm—9:20pm, 115 Matthews Hall

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**Catalog Description**

3 hour. Study of history and philosophy of counseling and clinical mental health counseling and ethical, legal, professional, and emerging issues specific to clinical mental health counseling. Prerequisite(s): COUN 5680 and 5710, or consent of department.

**Goal of the Course**

Students will understand history and philosophy of clinical mental health counseling (CMHC); demonstrate working knowledge of professional organizations, preparation standards, and credentials; and be able to recognize and respond to ethical, legal, and professional issues in CMHC.

**Tk20**

This course requires an assignment that will be uploaded and assessed in the UNT Tk20 Assessment System. This will require the one-time purchase of Tk20. Student subscriptions will be effective for seven years from the date of purchase. Key assignments must be uploaded into the Tk20 system for instructors to assess. Please go to the following link for direction on how to purchase Tk20. Announcements regarding TK20 will also be posted on this website. http://www.coe.unt.edu/tk20

**Core Curricular Experiences** **Provided**

Curricular experiences will provide an understanding of the following:

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| Core Curricular Experiences | CACREP |
| 1. History and philosophy of the counseling profession
 | IIG1a |
| 1. Professional roles, functions, relationships with other human service providers, including strategies for interagency/interorganization collaboration and communications
 | IIG1b |
| 1. Self-care strategies appropriate to the counselor role
 | IIG1d |
| 1. Professional organizations, including membership benefits, activities, services to members, and current issues
 | IIG1f |
| 1. Professional credentialing, including certification, licensure, and accreditation practices and standards, and the effects of public policy on these issues
 | IIG1g |
| 1. The role and process of the professional counselor advocating on behalf of the profession
 | IIG1h |
| 1. Ethical standards or professional organizations and credentialing bodies, and applications of ethical and legal considerations in professional counseling
 | IIG1j |

**Student Learning Outcomes (SLOs) Assessed**

The student will demonstrate knowledge, skills, and practices necessary for success as a professional counselor via his or her participation in key assessments in this course. SLOs for this course are as follows:

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| CMHC SLO | CACREP | Evaluation |
| 1. Understands the history, philosophy, and trends in CMHC
 | A1 | Exam |
| 1. Understands ethical and legal considerations specifically related to the practice of CMHC
 | A2 | Exam |
| 1. Knows the professional organizations, preparation standards, and credentials relevant to the practice of CMHC
 | A4 | Exam |
| 1. Is aware of professional issues that affect CMHCs (e.g., core provider status, expert witness status, access to and practice privileges within managed care systems)
 | A7 | Exam |
| 1. Demonstrates ability to apply and adhere to ethical and legal standards in CMHC
 | B1 | Case Study Paper |
| 1. Understands professional issues relevant to the practice of CMHC
 | C9 | Case Study Paper |
| 1. Understands effective strategies to support client advocacy and influence public policy and government relations on local, state, and national levels to enhance equity, increase funding, and promote programs that affect the practice of CMHC
 | E4 | Professional advocacy project |
| 1. Knows public policies on the local, state, and national levels that affect the quality and accessibility of mental health services
 | E6 | Professional advocacy project |

**Methods of Instruction**

Instruction is provided through discussion and lecture with an emphasis on understanding of ethical, legal, and professional issues in CMHC and application of standards to case material. The instructor utilizes experiential activities and videos to enhance learning.

**Required Textbooks**

Herlihy, B., & Corey, G. (2006). *ACA ethical standards casebook* (6th ed.). Alexandria, VA: American Counseling Association.

Remley Jr., T. P., & Herlihy, B. (2014). *Ethical, legal, and professional issues in counseling* (4th ed.). Upper Saddle River, NJ: Merrill. *\*Please note, find the 2005 Code of Ethics in Appendix A*

**Required Readings on Blackboard**

American Counseling Association (n.d.). Proposed 2014 ACA code of ethics. Retrieved from http://www.counseling.org

American Mental Health Counselors Association. (2010). *Code of ethics.* Alexandria, VA: Author.

Council for Accreditation of Counseling & Related Educational Programs. (2009). *CACREP 2009 standards.* Retrieved from www.cacrep.org

Francis, P. C. (n.d.). Overview of revisions to the American Counseling Association 2005 code of ethics. Retrieved from http://www.counseling.org

National Board for Certified Counselors. (2012). *NBCC code of ethics.* Greensboro, NC: Author.

Texas State Board of Examiners of Professional Counselors. (2011). *Title 22 Texas Administrative Code Chapter Part 30 Chapter 681*. Retrieved from http://www.dshs.state.tx.us/counselor/lpc

 \_rules.shtm

**Assignments**

**Professional Organization Activity**

For this activity, students choose one professional counseling organization to research. Students create a handout highlighting the pertinent information of the organization including purpose, mission, history, leadership, activities, membership dues, conferences, publications, and codes of ethics or best practice guidelines (see handout template on Blackboard). In class, students are expected to briefly describe the organization to classmates. Students are evaluated on accuracy of handout, 2-page handout limit, and ability to articulate information to classmates in an interesting and engaging manner. Students are required to bring a hardcopy of the handout to class and be prepared to discuss organization on June 19, 2013.

**Professional Advocacy Project**

In this assignment, students are expected to read and become familiar with ACA legislative agenda, AMHCA public policy, and TCA public policy. From this knowledge, students identify one issue that they are personally invested in that advocates for client well-being and/or for the counseling profession. Students write a letter to their identified representative advocating for the identified issue on behalf of the profession. The letter should 1) demonstrate knowledge of the public policy, 2) how policy will impact the quality and accessibility of mental health services, and 3) follow the guidelines recommended by ACA, AMHCA, and/or TCA for communicating with congress. Students write a one-page reflection regarding the public policies and how they continue to advocate for the profession. Please note, students are not required to send the letter to representatives. Students are evaluated on ability to support client/professional advocacy, understanding of public policy, ability to advocate as a CMHC, knowledge of how public policy impacts quality and accessibility of mental health services, and format of letter, including writing style. The letter and reflection paper are submitted electronically to Tk20 by 5:30pm on July 10, 2013. Students are required to bring a hardcopy to class as well.

**Case Study Paper**

In this paper, students demonstrate ability to utilize an ethical decision-making model to conceptualize three case studies. Students are evaluated on ability to apply and adhere to ethical and legal standards, professional issues, and APA writing style. Students are provided with the 10-step ethical decision-making model and three case studies (Leanne, Raymond, and Marcie). Additional requirements include: use of five original, scholarly sources; APA title page and reference page; and 15 page maximum (including title and reference pages). Papers are submitted electronically to Tk20 by 5:30pm on July 31, 2013. Students are required to bring a hardcopy to class as well.

**Exam**

This is a cumulative exam of ethical, legal, and professional issues in CMHC. Students must demonstrate understanding of history, philosophy, and trends in CMHC; understanding of ethical and legal considerations related to practice in CMHC; knowledge of professional organizations, preparation standards, and credentials relevant to CMHC; and knowledge of professional issues that affect CMHCs (e.g., core providers status, expert witness status, access to and practice privileges within managed care systems). The exam format is multiple choice, online, timed, and open-book/notes. The exam will be available on Blackbaord Learn for students beginning August 1, 2013 at 8:00am. Students must complete the exam by Wednesday August 7, 2013 at 9:20pm. Students only receive one (1) chance to take exam, therefore, please create a quiet space with adequate time to complete the exam once started on Blackboard Learn.

**Grading Scale**

**Assignment Points Due Date**

Professional Organization Activity 10 6.19.2013

Professional Advocacy Project 15 7.10.2013

Case Study Paper 35 7.31.2013

Exam 30 8.7.2013

Attendance, Participation, & Professionalism 10 Ongoing

A = 100—91.5 B = 91.4—79.5 C = 79.4—69.5 F < 69.4

**Important Policies**

**Attendance, Participation, & Professionalism**

Enrollment in COUN 5290 is limited to graduate students who are preparing for professional careers; thus, attendance is required and class participation is expected as just one component of professional responsibility. At all times, students are expected to demonstrate personal characteristics consistent with the characteristics of professional counselors (see *Master’s Student Handbook*), engage in ethical behavior as defined in the American Counseling Association *Code of Ethics*, and adhere to UNT’s Academic Integrity Policy. As professionals, students also are responsible for coming to class prepared to discuss readings, making productive contributions to class discussions/activities, and attending respectfully to others when not contributing directly.

Please remember, professionalism includes using technology (e.g., laptops, tablets, smart phones) appropriately in class. Students who do not meet expectations regarding professional responsibilities will be evaluated as such. This evaluation may be reflected in a grade reduction, competency concern report, and/or request for other remediation per Counseling Program policies.

**Absences**

As discussed above, prompt attendance at all class meetings is a professional responsibility. The rigors of graduate training in counseling involve more than simply the ability to earn an “A” or “B” in course material. It is recognized that adult learners have busy, complex lives and that setting priorities is often challenging. As a counselor trainee, this challenge becomes self-evident early in one’s graduate life and remains throughout most individuals’ professional career. Learning to balance responsibilities within the context of one’s life is an essential part of developing into a competent and trustworthy clinician. Students who **miss more than one class period**, for whatever reason, will be considered below professional expectations and will be deducted points. There is UNT protocol if students need to miss an extended period of time, please consult instructor for more information.

**Due Dates**

Major assignments will be considered lateif not received by class time on the date expected and will be penalized. Students in need of an extension must contact the instructor to make arrangements **before the assignment due date**. Extensions will result in a reduction of points on the assignment.

**Citations and Writing Style**

All sources used for all assignments must be citedin APA (6th edition) format. Excellent papers will reference scholarly sources and reflect a depth of critical thought and a writing style commensurate with graduate-level work. The resource list on Blackboard Learn provides students with many articles that may be of interest or pertinent to assignments.

**Academic Integrity & Academic Misconduct**

As discussed in the UNT Graduate Catalog (www.unt.edu/catalog/grad):

“Cheating and plagiarism are types of academic misconduct for which penalties are described and assessed under the UNT “Code of Student Conduct,” which is published in the *Undergraduate Catalog* and also is available on the UNT web site at www.unt.edu/csrr as part of the *Student Handbook*. The following statement on academic misconduct, adopted by the Graduate Council, is based on the *Code of Student Conduct*.

The term “cheating” includes, but is not limited to, (1) use of any unauthorized assistance in taking quizzes, tests or examinations; (2) dependence upon the aid of sources specifically prohibited by the instructor in writing papers, preparing reports, solving problems or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic material belonging to a faculty or staff member of the university; (4) dual submission of a paper or project, or resubmission of a paper or project to a different class without express permission from the instructor(s); (5) any other act designed to give a student an unfair advantage.

The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. Plagiarism also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

Specific penalties can be assigned by a faculty member for certain cases of academic misconduct (including cheating and plagiarism). These penalties include: giving a failing grade for the test or assignment; reducing or changing the grade for the test, assignment or course; requiring additional academic work not required of other students; assigning a failing grade in the course. Other specific penalties can be recommended by a faculty member to the appropriate administrative/academic authority, including denying of the degree, expulsion from the university or revocation of a degree already granted.

All graduate students are responsible for making themselves aware of the definitions and implications of academic misconduct. For further information on academic misconduct, penalties and appeal procedures, the student should refer to the *Code of Student Conduct*.”

UNT counseling program students are required to be familiar and comply with UNT’s most recent Academic Integrity Policy (http://vpaa.unt.edu/academic-integrity.htm). UNT counseling program students may be required to submit research papers and other written work electronically so that the instructor can use anti-plagiarism software to validate the originality of the student’s work. If I suspect that you have engaged in academic dishonesty, I will deal with the situation as outlined in the University Policy shown above. You will be allowed to remain in the class during the entire time that the academic misconduct accusation is being investigated, adjudicated, and appealed. As noted above, the maximum academic penalty that can be assessed by an instructor is an F in the course. However, university officials use the academic misconduct information to decide if other misconduct sanctions are then to be applied, and the student has separate rights to appeal those decisions, remaining in the class until all appeals are exhausted.

**Blackboard**

We will be using Blackboard Learn as a course management tool this semester. Students may access the course using their EUID and password via **https://learn.unt.edu**. Once within Blackboard Learn, students will be able to view announcements and download and print copies of course materials.

**Tk20**

This course requires assignments that will be uploaded and assessed in the UNT Tk20 Assessment System. This will require the one-time purchase of Tk20. Student subscriptions will be effective for seven years from the date of purchase. Please go to the following link for directions on how to purchase Tk20 and to view announcements regarding TK20: http://www.coe.unt.edu/tk20. Download student manual here: http://www.tk20.com/resources/HigherEdStudent.pdf

**Eagle Connect**

All UNT students should activate and regularly check their EagleConnect (e-mail) account. EagleConnect is used for official communication from the University to students. Many important announcements for the University and College are sent to students via EagleConnect. For information about EagleConnect, including how to activate an account and how to have EagleConnect forwarded to another e-mail address, visit **https://eagleconnect.unt.edu**. This is the main electronic contact for all course-related information and/or material.

**SETE**

The Student Evaluation of Teaching Effectiveness (SETE) is a requirement for all organized classes at UNT. This short survey will be made available to you at the end of the semester, providing you a chance to comment on how this class is taught. I am very interested in the feedback I get from students, as I work to continually improve my teaching. I consider the SETE to be an important part of your participation in this class.

**Disability Accommodation**

The University of North Texas (UNT) is on record as being committed to both the spirit and letter of federal equal opportunity legislation; reference Public Law 92-112 – The Rehabilitation Act of 1973 as amended. With the passage of new federal legislation entitled Americans with Disabilities Act (ADA), pursuant to section 504 of the Rehabilitation Act, there is renewed focus on providing this population with the same opportunities enjoyed by all citizens. As a faculty member, I am required by law to provide "reasonable accommodations" to students with disabilities, so as not to discriminate on the basis of disability. If you are a student with a disability, your responsibility primarily rests with informing me of your need for accommodation by providing me with your letter from the UNT Office of Disability Accommodation. Information regarding specific disability diagnostic criteria and policies for obtaining academic accommodations can be found at www.unt.edu/oda. Also, you may visit the Office of Disability Accommodation in the University Union (room 321) or phone (940) 565-4323.

***\*Please make an appointment with the instructor to present and discuss your letter of accommodation.***

**Student Behavior in the Classroom**

Student behavior that interferes with an instructor’s ability to conduct a class or other students’ opportunity to learn is unacceptable and disruptive and will not be tolerated in any instructional forum at UNT. Students engaging in unacceptable behavior will be directed to leave the classroom and the instructor may refer the student to the Center for Student Rights and Responsibilities to consider whether the student’s conduct violated the Code of Student Conduct. The university’s expectations for student conduct apply to all instructional forums, including university and electronic classroom, labs, discussion groups, and field trips. The Code of Student Conduct can be found at: www.unt.edu/csrr

**Tentative Course Schedule**\*

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| **Date** | **Topic** | **Readings & Assignments Due** |
| Week 16.5.2013 | History and philosophy of counseling & CMHCProfessional preparation and credentials | Remley & Herlihy Chapter 1, 2CACREP Guidelines |
| Week 26.12.2013 | Moral principles & ethical decision makingClient right and counselor responsibilities | Remley & Herlihy Chapter 4Herlihy & Corey Parts I & 11Texas LPC, NBCC, & AMCHA guidelines |
| Week 36.19.2013 | Professional organizationsRecords, subpoenas, and technologyConfidentiality and privilege communication | **Professional Organization Activity**Remley & Herlihy Chapters 5, 6Herlihy & Corey Chapters 1, 3 |
|  Week 46.26.2013 | Professional advocacyProfessional practice in a multicultural society | ACA, AMHCA, & TCA Public PolicyRemley & Herlihy Chapter 3 |
| Week 57.3.2013 | Competency and malpracticeBoundary issues | Remley & Herlihy Chapter 7, 8Herlihy & Corey Chapters 4, 7, 8 |
| Week 67.10.2013 | Resolving legal and ethical issuesReview proposed 2014 code of ethics | **Professional Advocacy Project**Remley & Herlihy Chapter 16Herlihy & Corey Chapter 10Proposed 2014 Code of EthicsOverview of Revisions |
| Week 77.17.2013 | Professional relationships, private practice, and healthcare plansSupervision and consultation | Remley & Herlihy Chapters 12, 14 |
| Week 87.24.2013 | Counseling children and vulnerable groupsCounseling families and groups | Remley & Herlihy Chapters 9, 10Herlihy & Corey Chapters 5, 6 |
| Week 97.31.2013 | Issues in counselor ed; expert witness status, technology, core provider status, managed careResearch and publicationsEvaluation, testing, and diagnosis | **Case Study Paper**Remley & Herlihy Chapters 11, 13, 15Herlihy & Corey Chapter 9 |
| Week 108.7.2013 | No in-class meeting. Exam available on Blackboard Learn starting 8.1.2013 at 8am until 8.7.2013 at 9:20pm | **Final Exam** |
| *\*Instructor reserves the right to alter this schedule during the semester based on student need.* |