

## SECTION K: TECHNOLOGY, SOCIAL MEDIA, AND VIRTUAL COUNSELING

### INTRODUCTION

CRCs/CCRCs recognize that service provision is not limited to in-person, face-to-face interactions. CRCs/CCRCs actively attempt to understand the evolving nature of technology-based services, social media, virtual counseling, and how such resources may be used to better serve clients. CRCs/CCRCs appreciate the implications for legal and ethical practice when using technology, social media, or virtual counseling and are particularly mindful of issues related to confidentiality, accessibility, and online behavior. When providing virtual counseling, CRCs/CCRCs are mindful of their professional behavior, disposition, and the background settings in which services are rendered (e.g., no distraction, extraneous noise).

### K.1. COMPETENCE AND LEGAL CONSIDERATIONS

**a. COMPETENCE.** When technology-based services are used in the counseling relationship, CRCs/CCRCs are held to the same level of expected behavior and competence as defined in the Code, regardless of the technology used or its application. Although some clients may find technology-based services to be a convenient and preferred method of service delivery, CRCs/CCRCs recognize that electronic modalities may not be well suited for all clients and all situations. CRCs/CCRCs develop knowledge and skills regarding the ethical, legal, and technical considerations of using technology-assisted services.

**b. LEGAL CONSIDERATIONS.** CRCs/CCRCs who use technology, social media, and/or virtual counseling in their practice understand they may be subject to laws in both the CRC's/CCRC's practicing location and the client's place of residence. CRCs/CCRCs are aware of and adhere to laws governing the practice of counseling across state lines or international boundaries. CRCs/CCRCs seek business, legal, and technical assistance when necessary; they make reasonable efforts to ensure that technology is used appropriately and client rights are protected. CRCs/CCRCs ensure that clients are informed of pertinent legal rights and limitations governing the practice of counseling across state or international boundaries.

### K.2. ACCESSIBILITY

**a. ACQUISITION AND USE OF TECHNOLOGY.** When providing technology-assisted services, CRCs/CCRCs ensure that technology and equipment used, purchased, or recommended for a client is in an accessible platform that meets the needs of the client. To ensure reasonable actions are implemented with security and confidentiality, CRCs/CCRCs use technology-based communications that allow for encryption and/or password protection. CRCs/CCRCs ensure technology is individualized, accessible, and meets language preferences.

**b. ACCESSING TECHNOLOGY.** In considering technology-assisted services, CRCs/CCRCs are responsible for guiding clients to obtain reasonable access to pertinent applications. CRCs/CCRCs must carefully assess a client's emotional, physical, intellectual, and linguistic capabilities to understand the application's purpose and functionality as it pertains to their needs, as well as their ability to utilize the technology-assisted services.

### K.3. CONFIDENTIALITY AND DISCLOSURE

**a. TRANSMITTING CONFIDENTIAL INFORMATION.** CRCs/CCRCs inform clients about the inherent risks of using technology to transmit confidential information. CRCs/CCRCs explain the limitations of specific technologies (e.g., voice recognition, text messaging, email) and urge clients to be cautious when using technology to communicate confidential information.

**b. SECURITY.** CRCs/CCRCs make reasonable efforts to ensure the security of confidential information transmitted or stored through any electronic means. CRCs/CCRCs use encryption and password-protection techniques for all technology-based communications to protect confidential client information. CRCs/CCRCs

review limitations of voice activated/voice recognition technologies with clients and how these may impact client confidentiality.

**c. CLIENT VERIFICATION.** CRCs/CCRCs who engage in the use of technology-based virtual counseling to interact with clients take steps to verify the client's identity at the beginning and throughout the rehabilitation counseling process. Verification can include, but is not limited to, using code words, numbers, graphics, two-factor authentication, or other nondescript identifiers.

#### **K.4. SOCIAL MEDIA**

**a. PROFESSIONAL ELECTRONIC PRESENCE.** If CRCs/CCRCs choose to have a professional social media presence that is separate and apart from their personal social media presence, they clearly display the purpose and limits of the professional page. CRCs/CCRCs maintain professionalism, integrity, and honesty in all electronic platforms interactions in which they are in their counselor role, avoiding making statements or sharing content that is not relevant to the profession.

**b. MONITORING SOCIAL MEDIA.** CRCs/CCRCs recognize that information posted on social media sites is largely permanent and easily shared beyond the privacy settings of any particular site. CRCs/CCRCs take reasonable steps to monitor for and remove or correct potentially harmful information shared on sites they establish for their professional presence.

**c. SOCIAL MEDIA AND INFORMED CONSENT.** CRCs/CCRCs clearly explain to their clients, as part of the informed consent procedure, the benefits, limitations, and boundaries of the use of social media in the provision of services. As part of appropriate boundaries, CRCs/CCRCs include an explicit statement in the disclosure regarding non-acceptance of friend or follow requests from clients on their personal social media accounts. After termination of the rehabilitation counseling relationship, CRCs/CCRCs determine for themselves if they will accept personal friend or follow requests from former clients. Additionally, CRCs/CCRCs work within their organizations to develop and clearly communicate a social media policy so the social media practice is transparent, consistent, and easily understood by clients. When discrepancies exist between agency policy and the Code, CRCs/CCRCs advocate to align policies with the Code. If CRCs/CCRCs choose to have a professional social media page, they can provide this information to clients.

**d. PRIVACY IN SOCIAL MEDIA.** CRCs/CCRCs respect the privacy of their client's presence on social media and avoid searching a client's virtual presence unless relevant to the rehabilitation counseling process. If a CRCs/CCRCs may search a client's virtual presence, this is disclosed in advance. CRCs/CCRCs caution clients of the potential impact that social media use may have on the counseling relationship and discuss the benefits and risks of using social media within the rehabilitation counseling process.

**e. MAINTAINING CONFIDENTIALITY IN SOCIAL MEDIA.** CRCs/CCRCs protect the confidentiality of clients by avoiding the posting of any personally identifiable information unless the client has provided written consent to do so. In no circumstance should protected or highly sensitive information be shared via social media platforms or agency/organization websites. Images of clients are not shared without written consent of the client or the parent/guardian of a client when the client is unable to provide consent.

#### **K.5. VIRTUAL COUNSELING**

**a. INFORMED CONSENT.** Unless court-ordered or otherwise mandated, clients have the freedom to choose whether to use technology-based virtual counseling within the rehabilitation counseling process. In addition to the usual and customary protocol of informed consent between CRCs/CCRCs and client for face-to-face counseling, the following issues, unique to the use of technology-based virtual counseling, are addressed in the informed consent process:

- (1) risks and benefits of engaging in the use of technology-based virtual counseling;
- (2) type of technology, possibility of technology failure, and alternate methods of service delivery;
- (3) anticipated response time;
- (4) procedures to follow when the CRC/CCRC is not available;

- (5) referral information for client emergencies;
- (6) time zone differences;
- (7) cultural and/or language differences that may affect the delivery of services;
- (8) possible denial of insurance claims and/or benefits;
- (9) any limitations due to services provided across jurisdictions; and
- (10) any policies related to use of social media.

**b. LAWS AND STATUTES.** When providing virtual counseling or virtual rehabilitation services, CRCs/CCRCs understand they may be subject to laws and regulations of both the CRC's/CCRC's practicing location and the client's place of residence. CRCs/CCRCs are aware of the legal rights and limitations governing the distance counseling services within their state and across state lines.

**c. PRIVACY AND SECURITY.** When using teleconferencing platforms, CRCs/CCRCs ensure such platforms are appropriately HIPAA or PIPEDA compliant and meet agency/organization, local, state, and federal regulations.

**d. EMERGENCY PREPAREDNESS.** At the beginning of a course of virtual counseling, CRCs/CCRCs develop a procedure to follow in the event of an emergency, which includes acquiring contact information for local emergency services and a personal emergency contact in the client's physical location.