



CONTINUING EDUCATION (CE) COURSE MATERIAL

Course No. CE1204P3 – Professional Ethics and Confidentiality: NBCC Code of Ethics

COURSE OBJECTIVE

This course examines the *National Board for Certified Counselors (NBCC)* Code of Ethics for professional counselors.

COURSE MATERIAL

The National Board for Certified Counselors (NBCC) is a professional certification board which certifies counselors as having met standards for the general and specialty practice of professional counseling established by the Board. The counselors certified by NBCC may identify with different professional associations and are often licensed by jurisdictions which promulgate codes of ethics. The NBCC code of ethics provides a minimal ethical standard for the professional behavior of all NBCC certificants. This code provides an expectation of and assurance for the ethical practice for all who use the professional services of an NBCC certificant. In addition, it serves the purpose of having an enforceable standard for all NBCC certificants and assures those served of some resource in case of a perceived ethical violation.

The NBCC Ethical Code applies to all those certified by NBCC regardless of any other professional affiliation. Persons who receive professional services from certified counselors may elect to use other ethical codes which apply to their counselor. Although NBCC cooperates with professional associations and credentialing organizations, it can bring actions to discipline or sanction NBCC certificants only if the provisions of the NBCC Code are found to have been violated.

Section A: General

1. Certified counselors engage in continuous efforts to improve professional practices, services, and research. Certified counselors are guided in their work by evidence of the best professional practices.
2. Certified counselors have a responsibility to the clients they serve and to the institutions within which the services are performed. Certified counselors also strive to assist the respective agency, organization, or institution in providing competent and ethical professional services. The acceptance of employment in an institution implies that the certified counselor is in agreement with the general policies and principles of the institution. Therefore, the professional activities of the certified counselor are in accord with the objectives of the institution. If the certified counselor and the employer do not agree and cannot reach agreement on policies that are consistent with appropriate counselor ethical practice that is conducive to client growth and development, the employment should be terminated. If the situation warrants further action, the certified counselor should work through professional organizations to have the unethical practice changed.
3. Ethical behavior among professional associates (i.e., both certified and non-certified counselors) must be expected at all times. When a certified counselor has doubts as to the ethical behavior of professional colleagues, the certified counselor must take action to attempt to rectify this condition. Such action uses the respective institution's channels first and then uses procedures established by the NBCC or the perceived violator's profession.
4. Certified counselors must refuse remuneration for consultation or counseling with persons who are entitled to these services through the certified counselor's employing institution or



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agency. Certified counselors must not divert to their private practices, without the mutual consent of the institution and the client, legitimate clients in their primary agencies or the institutions with which they are affiliated.

5. In establishing fees for professional counseling services, certified counselors must consider the financial status of clients. In the event that the established fee status is inappropriate for a client, assistance must be provided in finding comparable services at acceptable cost.

6. Certified counselors offer only professional services for which they are trained or have supervised experience. No diagnosis, assessment, or treatment should be performed without prior training or supervision. Certified counselors are responsible for correcting any misrepresentations of their qualifications by others.

7. Certified counselors recognize their limitations and provide services or use techniques for which they are qualified by training and/or supervision. Certified counselors recognize the need for and seek continuing education to assure competent services.

8. Certified counselors are aware of the intimacy in the counseling relationship and maintain respect for the client. Counselors must not engage in activities that seek to meet their personal or professional needs at the expense of the client.

9. Certified counselors must insure that they do not engage in personal, social, organizational, financial, or political activities which might lead to a misuse of their influence.

10. Sexual intimacy with clients is unethical. Certified counselors will not be sexually, physically, or romantically intimate with clients, and they will not engage in sexual, physical, or romantic intimacy with clients within a minimum of two years after terminating the counseling relationship.

11. Certified counselors do not condone or engage in sexual harassment, which is defined as unwelcome comments, gestures, or physical contact of a sexual nature.

12. Through an awareness of the impact of stereotyping and unwarranted discrimination (e.g., biases based on age, disability, ethnicity, gender, race, religion, or sexual orientation), certified counselors guard the individual rights and personal dignity of the client in the counseling relationship.

13. Certified counselors are accountable at all times for their behavior. They must be aware that all actions and behaviors of the counselor reflect on professional integrity and, when inappropriate, can damage the public trust in the counseling profession. To protect public confidence in the counseling profession, certified counselors avoid behavior that is clearly in violation of accepted moral and legal standards.

14. Products or services provided by certified counselors by means of classroom instruction, public lectures, demonstrations, written articles, radio or television programs or other types of media must meet the criteria cited in this code.

15. Certified counselors have an obligation to withdraw from the practice of counseling if they violate the Code of Ethics, or if the mental or physical condition of the certified counselor renders it unlikely that a professional relationship will be maintained.



Section B: Counseling Relationship

1. The primary obligation of certified counselors is to respect the integrity and promote the welfare of clients, whether they are assisted individually, in family units, or in group counseling. In a group setting, the certified counselor is also responsible for taking reasonable precautions to protect individuals from physical and/or psychological trauma resulting from interaction within the group.
2. Certified counselors know and take into account the traditions and practices of other professional disciplines with whom they work and cooperate fully with such. If a person is receiving similar services from another professional, certified counselors do not offer their own services directly to such a person. If a certified counselor is contacted by a person who is already receiving similar services from another professional, the certified counselor carefully considers that professional relationship as well as the client's welfare and proceeds with caution and sensitivity to the therapeutic issues. When certified counselors learn that their clients are in a professional relationship with another counselor or mental health professional, they request release from the clients to inform the other counselor or mental health professional of their relationship with the client and strive to establish positive and collaborative professional relationships that are in the best interest of the client. Certified counselors discuss these issues with clients and the counselor or professional so as to minimize the risk of confusion and conflict and encourage clients to inform other professionals of the new professional relationship.
3. Certified counselors may choose to consult with any other professionally competent person about a client and must notify clients of this right. Certified counselors avoid placing a consultant in a conflict-of-interest situation that would preclude the consultant serving as a proper party to the efforts of the certified counselor to help the client.
4. When a client's condition indicates that there is a clear and imminent danger to the client or others, the certified counselor must take reasonable action to inform potential victims and/or inform responsible authorities. Consultation with other professionals must be used when possible. The assumption of responsibility for the client's behavior must be taken only after careful deliberation, and the client must be involved in the resumption of responsibility as quickly as possible.
5. Records of the counseling relationship, including interview notes, test data, correspondence, audio or visual tape recordings, electronic data storage, and other documents are to be considered professional information for use in counseling. Records should contain accurate factual data. The physical records are property of the certified counselors or their employers. The information contained in the records belongs to the client and therefore may not be released to others without the consent of the client or when the counselor has exhausted challenges to a court order. The certified counselors are responsible to insure that their employees handle confidential information appropriately. Confidentiality must be maintained during the storage and disposition of records. Records should be maintained for a period of at least five (5) years after the last counselor/client contact, including cases in which the client is deceased. All records must be released to the client upon request.
6. Certified counselors must ensure that data maintained in electronic storage are secure. By using the best computer security methods available, the data must be limited to information that is appropriate and necessary for the services being provided and accessible only to appropriate staff members involved in the provision of services. Certified counselors must also ensure that



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the electronically stored data are destroyed when the information is no longer of value in providing services or required as part of clients' records.

7. Any data derived from a client relationship and used in training or research shall be so disguised that the informed client's identity is fully protected. Any data which cannot be so disguised may be used only as expressly authorized by the client's informed and uncoerced consent.

8. When counseling is initiated, and throughout the counseling process as necessary, counselors inform clients of the purposes, goals, techniques, procedures, limitations, potential risks and benefits of services to be performed, and clearly indicate limitations that may affect the relationship as well as any other pertinent information. Counselors take reasonable steps to ensure that clients understand the implications of any diagnosis, the intended use of tests and reports, methods of treatment and safety precautions that must be taken in their use, fees, and billing arrangements.

9. Certified counselors who have an administrative, supervisory and/or evaluative relationship with individuals seeking counseling services must not serve as the counselor and should refer the individuals to other professionals. Exceptions are made only in instances where an individual's situation warrants counseling intervention and another alternative is unavailable. Dual relationships that might impair the certified counselor's objectivity and professional judgment must be avoided and/or the counseling relationship terminated through referral to a competent professional.

10. When certified counselors determine an inability to be of professional assistance to a potential or existing client, they must, respectively, not initiate the counseling relationship or immediately terminate the relationship. In either event, the certified counselor must suggest appropriate alternatives. Certified counselors must be knowledgeable about referral resources so that a satisfactory referral can be initiated. In the event that the client declines a suggested referral, the certified counselor is not obligated to continue the relationship.

11. When certified counselors are engaged in intensive, short-term counseling, they must ensure that professional assistance is available at normal costs to clients during and following the short-term counseling.

12. Counselors using electronic means in which counselor and client are not in immediate proximity must present clients with local sources of care before establishing a continued short or long-term relationship. Counselors who communicate with clients via Internet are governed by NBCC standards for Web Counseling.¹

13. Counselors must document permission to practice counseling by electronic means in all governmental jurisdictions where such counseling takes place.

14. When electronic data and systems are used as a component of counseling services, certified counselors must ensure that the computer application, and any information it contains, is appropriate for the respective needs of clients and is non-discriminatory. Certified counselors must ensure that they themselves have acquired a facilitation level of knowledge with any system they use including hands-on application, and understanding of the uses of all aspects of the computer-based system. In selecting and/or maintaining computer-based systems that

¹ The NBCC standards for Internet counseling is included in the Continuing Education Course No. CE1204P4; it is not necessary to complete that course to receive full credit for this course.



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contain career information, counselors must ensure that the system provides current, accurate, and locally relevant information. Certified counselors must also ensure that clients are intellectually, emotionally, and physically compatible with computer applications and understand their purpose and operation. Client use of a computer application must be evaluated to correct possible problems and assess subsequent needs.

15. Certified counselors who develop self-help/stand-alone computer software for use by the general public, must first ensure that it is designed to function in a stand-alone manner that is appropriate and safe for all clients for which it is intended. A manual is required. The manual must provide the user with intended outcomes, suggestions for using the software, descriptions of inappropriately used applications, and descriptions of when and how other forms of counseling services might be beneficial. Finally, the manual must include the qualifications of the developer, the development process, validation date, and operating procedures.

16. The counseling relationship and information resulting from it remains confidential, consistent with the legal and ethical obligations of certified counselors. In group counseling, counselors clearly define confidentiality and the parameters for the specific group being entered, explain the importance of confidentiality, and discuss the difficulties related to confidentiality involved in group work. The fact that confidentiality cannot be guaranteed is clearly communicated to group members. However, counselors should give assurance about their professional responsibility to keep all group communications confidential.

17. Certified counselors must screen prospective group counseling participants to ensure compatibility with group objectives. This is especially important when the emphasis is on self-understanding and growth through self-disclosure. Certified counselors must maintain an awareness of the welfare of each participant throughout the group process.

Section C: Measurement and Evaluation

1. Because many types of assessment techniques exist, certified counselors must recognize the limits of their competence and perform only those assessment functions for which they have received appropriate training or supervision.

2. Certified counselors who utilize assessment instruments to assist them with diagnoses must have appropriate training and skills in educational and psychological measurement, validation criteria, test research, and guidelines for test development and use.

3. Certified counselors must provide instrument specific orientation or information to an examinee prior to and following the administration of assessment instruments or techniques so that the results may be placed in proper perspective with other relevant factors. The purpose of testing and the explicit use of the results must be made known to an examinee prior to testing.

4. In selecting assessment instruments or techniques for use in a given situation or with a particular client, certified counselors must carefully evaluate the specific theoretical bases and characteristics, validity, reliability and appropriateness of the instrument.

5. When making statements to the public about assessment instruments or techniques, certified counselors must provide accurate information and avoid false claims or misconceptions concerning the meaning of the instrument's reliability and validity terms.

6. Counselors must follow all directions and researched procedures for selection, administration and interpretation of all evaluation instruments and use them only within proper contexts.



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7. Certified counselors must be cautious when interpreting the results of instruments that possess insufficient technical data, and must explicitly state to examinees the specific limitations and purposes for the use of such instruments.
8. Certified counselors must proceed with caution when attempting to evaluate and interpret performances of any person who cannot be appropriately compared to the norms for the instrument.
9. Because prior coaching or dissemination of test materials can invalidate test results, certified counselors are professionally obligated to maintain test security.
10. Certified counselors must consider psychometric limitations when selecting and using an instrument, and must be cognizant of the limitations when interpreting the results. When tests are used to classify clients, certified counselors must ensure that periodic review and/or retesting are made to prevent client stereotyping.
11. An examinee's welfare, explicit prior understanding, and consent are the factors used when determining who receives the test results. Certified counselors must see that appropriate interpretation accompanies any release of individual or group test data (e.g., limitations of instrument and norms).
12. Certified counselors must ensure that computer-generated test administration and scoring programs function properly thereby providing clients with accurate test results.
13. Certified counselors who develop computer-based test interpretations to support the assessment process must ensure that the validity of the interpretations is established prior to the commercial distribution of the computer application.
14. Certified counselors recognize that test results may become obsolete, and avoid the misuse of obsolete data.
15. Certified counselors must not appropriate, reproduce, or modify published tests or parts thereof without acknowledgment and permission from the publisher, except as permitted by the fair educational use provisions of the U.S. copyright law.

Section D: Research and Publication

1. Certified counselors will adhere to applicable legal and professional guidelines on research with human subjects.
2. In planning research activities involving human subjects, certified counselors must be aware of and responsive to all pertinent ethical principles and ensure that the research problem, design, and execution are in full compliance with any pertinent institutional or governmental regulations.
3. The ultimate responsibility for ethical research lies with the principal researcher, although others involved in the research activities are ethically obligated and responsible for their own actions.
4. Certified counselors who conduct research with human subjects are responsible for the welfare of the subjects throughout the experiment and must take all reasonable precautions to avoid causing injurious psychological, physical, or social effects on their subjects.



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5. Certified counselors who conduct research must abide by the basic elements of informed consent:
 - a. fair explanation of the procedures to be followed, including an identification of those which are experimental
 - b. description of the attendant discomforts and risks
 - c. description of the benefits to be expected
 - d. disclosure of appropriate alternative procedures that would be advantageous for subjects with an offer to answer any inquiries concerning the procedures
 - e. an instruction that subjects are free to withdraw their consent and to discontinue participation in the project or activity at any time
6. When reporting research results, explicit mention must be made of all the variables and conditions known to the investigator that may have affected the outcome of the study or the interpretation of the data.
7. Certified counselors who conduct and report research investigations must do so in a manner that minimizes the possibility that the results will be misleading.
8. Certified counselors are obligated to make available sufficient original research data to qualified others who may wish to replicate the study.
9. Certified counselors who supply data, aid in the research of another person, report research results, or make original data available, must take due care to disguise the identity of respective subjects in the absence of specific authorization from the subjects to do otherwise.
10. When conducting and reporting research, certified counselors must be familiar with and give recognition to previous work on the topic, must observe all copyright laws, and must follow the principles of giving full credit to those to whom credit is due.
11. Certified counselors must give due credit through joint authorship, acknowledgment, footnote statements, or other appropriate means to those who have contributed to the research and/or publication, in accordance with such contributions.
12. Certified counselors should communicate to other counselors the results of any research judged to be of professional value. Results that reflect unfavorably on institutions, programs, services, or vested interests must not be withheld.
13. Certified counselors who agree to cooperate with another individual in research and/or publication incur an obligation to cooperate as promised in terms of punctuality of performance and with full regard to the completeness and accuracy of the information required.
14. Certified counselors must not submit the same manuscript, or one essentially similar in content, for simultaneous publication consideration by two or more journals. In addition, manuscripts that have been published in whole or substantial part should not be submitted for additional publication without acknowledgment and permission from any previous publisher.



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Section E: Consulting

Consultation refers to a voluntary relationship between a professional helper and a help-needing individual, group, or social unit in which the consultant is providing help to the client(s) in defining and solving a work-related problem or potential work-related problem with a client or client system.

1. Certified counselors, acting as consultants, must have a high degree of self awareness of their own values, knowledge, skills, limitations, and needs in entering a helping relationship that involves human and/or organizational change. The focus of the consulting relationship must be on the issues to be resolved and not on the person(s) presenting the problem.
2. In the consulting relationship, the certified counselor and client must understand and agree upon the problem definition, subsequent goals, and predicted consequences of interventions selected.
3. Certified counselors acting as consultants must be reasonably certain that they, or the organization represented, have the necessary competencies and resources for giving the kind of help that is needed or that may develop later, and that appropriate referral resources are available.
4. Certified counselors in a consulting relationship must encourage and cultivate client adaptability and growth toward self-direction. Certified counselors must maintain this role consistently and not become a decision maker for clients or create a future dependency on the consultant.

Section F: Private Practice

1. In advertising services as a private practitioner, certified counselors must advertise in a manner that accurately informs the public of the professional services, expertise, and techniques of counseling available.
2. Certified counselors who assume an executive leadership role in a private practice organization do not permit their names to be used in professional notices during periods of time when they are not actively engaged in the private practice of counseling unless their executive roles are clearly stated.
3. Certified counselors must make available their highest degree (described by discipline), type and level of certification and/or license, address, telephone number, office hours, type and/or description of services, and other relevant information. Listed information must not contain false, inaccurate, misleading, partial, out-of-context, or otherwise deceptive material or statements.
4. Certified counselors who are involved in a partnership/corporation with other certified counselors and/or other professionals, must clearly specify all relevant specialties of each member of the partnership or corporation.



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BIBLIOGRAPHY AND SUGGESTED ADDITIONAL RESOURCES

- Bissell, LeClair and Royce, James E., *Ethics for Addiction Professionals (Second Edition)*. Minnesota: Hazelden Foundation, 1994.

ACKNOWLEDGEMENTS

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CONTINUING EDUCATION (CE) EXAMINATION QUESTIONS

Course No. CE1204P3 – Professional Ethics and Confidentiality: NBCC Code of Ethics

You are encouraged to refer to the Course Material when answering these questions. Choose the best answer based upon the information contained within the Course Material. Answers which are not consistent with the information provided within the Course Material will be marked incorrect. A score of 70% correct answers is required to receive Continuing Education credit. GOOD LUCK!

QUESTIONS

1. Certified counselors have a responsibility:
 - a. To the clients that they serve.
 - b. To the institution within which they perform services.
 - c. Neither A nor B above.
 - d. Both A and B above.

2. Certified counselors:
 - a. Must refuse remuneration for consultation or counseling with persons who are entitled to these services through the certified counselor's employing institution or agency.
 - b. Must not divert to their private practices, without the mutual consent of the institution and the client, legitimate clients in their primary agencies or the institutions with which they are affiliated.
 - c. Neither A nor B above.
 - d. Both A and B above.

3. Certified counselors:
 - a. Should offer only professional services for which they are trained or have supervised experience.
 - b. Are responsible for correcting any misrepresentations of their qualifications by others.
 - c. Neither A nor B above.
 - d. Both A and B above.

4. When a client's condition indicates that there is a clear and imminent danger to the client or others, the certified counselor:
 - a. Must take reasonable action to inform potential victims and/or inform responsible authorities.
 - b. Is prohibited, because of confidentiality rules, from disclosing this information to anyone, including law enforcement.
 - c. Neither A nor B above.
 - d. Both A and B above.

5. Which of the following statements relating to counseling records is true:
 - a. The physical records are property of the certified counselors or their employers.
 - b. The information contained in the records belongs to the client.
 - c. Neither A nor B above.
 - d. Both A and B above.



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6. When certified counselors determine an inability to be of professional assistance to a potential or existing client, they must:
 - a. Not initiate the counseling relationship or immediately terminate the relationship.
 - b. Suggest appropriate alternatives.
 - c. Be knowledgeable about referral resources so that a satisfactory referral can be initiated.
 - d. All of the above.

7. Certified counselors recognize that test results:
 - a. Will never become obsolete.
 - b. May someday become obsolete.
 - c. Neither A nor B above.
 - d. Both A and B above.

8. Certified counselors who conduct research must abide by the basic elements of informed consent, which includes which of the following:
 - a. A fair explanation of the procedures to be followed, including an identification of those which are experimental.
 - b. Disclosure of appropriate alternative procedures that would be advantageous for subjects with an offer to answer any inquiries concerning the procedures.
 - c. An instruction that subjects are free to withdraw their consent and to discontinue participation in the project or activity at any time.
 - d. All of the above.

9. Regarding research and/or publication, Certified counselors:
 - a. Should communicate to other counselors only those favorable results of any research judged to be of professional value.
 - b. Should withhold research results that reflect unfavorably on institutions, programs, services, or vested interests.
 - c. Neither A nor B above.
 - d. Both A and B above.

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 - a. It cannot be distributed or reproduced without permission from NBCC.
 - b. Can be freely copied and distributed because it is available on the Internet.
 - c. Neither A nor B above.
 - d. Both A and B above.

This is a ten-question examination. Answer Questions 1 through 10 for full CE credit in this course. Questions 11 through 21 have been omitted.



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CONTINUING EDUCATION (CE) ANSWER SHEET

SECTION 1. Please type or print your information clearly. This information is required for CE Course credit.

First Name																								
Middle Name																								
Last Name																								
Address (Number, Street, Apt or Suite No.)																								
City																								
State (or Province)															USA Zip Code									
Country (other than USA)															Country Code									
Primary Telephone Number (including Area Code)										Facsimile Number (including Area Code)														
E-mail Address																								

SECTION 2. Credit Card Payment Information (if paying by credit card): Circle type of card: **VISA** or **MasterCard**

Credit Card Number															Expiration Date									
Full Name on Credit Card																								

Authorized Signature **Breining Institute is authorized to charge Twenty-nine dollars (\$29.00) to this card.**

SECTION 3.

- Course Title: **CE-1204P3 / PROFESSIONAL ETHICS AND CONFIDENTIALITY: NBCC Code of Ethics**
 Answers (circle correct answer):
- | | | |
|------------|-------------|-------------|
| 1. A B C D | 8. A B C D | 15. A B C D |
| 2. A B C D | 9. A B C D | 16. A B C D |
| 3. A B C D | 10. A B C D | 17. A B C D |
| 4. A B C D | 11. A B C D | 18. A B C D |
| 5. A B C D | 12. A B C D | 19. A B C D |
| 6. A B C D | 13. A B C D | 20. A B C D |
| 7. A B C D | 14. A B C D | 21. A B C D |

Signature: _____ Date: _____

Return Answer Sheet, with \$29 Continuing Education examination fee, by mail or facsimile to:
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