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## OCTOBER 2022 Newsletter

### In This Issue:

1. Upcoming workshop December 4th "**Avoiding the Slippery Slope in Private Practice: Managing Complex Ethical Issues**"
2. Ethics Matters: Tips for those working with minors whose parents are divorced, divorcing or separated
3. Clinical Social Workers in Private Practice: A Reference Manual



Greetings Colleagues and Friends-

Fall is upon us and as I write this, I have a lovely view of the breathtaking fall foliage outside of my office window. While I miss the warmth of the summer and trips to the beach, I am enjoying the cooler mornings, weekend hikes, gathering around the fire pit and apple and pumpkin picking (I know- I'm late for my Halloween pumpkin). I hope you are all practicing self-care and partaking in activities that feed your souls.



Thank you to those who participated in last week's workshop "**Using Technology in Social Work Practice: Ethical and Legal Implications.**" We were a small, but mighty group which allowed for ample Q and A and for



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covering topics not on the agenda. Stay tuned for information of how to access the recording.

BUT LESLIE, we've been waiting for you to post the videos of your previous workshops! I know, I know. I've made this statement before. We've run into a bit of a glitch, but I'm hopeful that we are on the right track. For now, you can rent "Are You Ready for an Audit? Diagnosing, Documenting, Billing, and Coding in Private Practice" and "Audit Proof Progress Notes."

RENT VIDEOS HERE <https://www.leslietsukroff.com/workshop-videos>



## What's next?

### *Avoiding the Slippery Slope in Private Practice: Managing Complex Ethical Issues"*

You won't want to miss this interactive exploration of the top ethical mistakes that land clinicians in hot water such as:

- ✓ Insufficient informed consent
- ✓ Engaging in dual relationships/boundary crossings
- ✓ Misunderstanding privacy, confidentiality, & release of records
- ✓ Inadequate termination practices

Register: <https://www.leslietsukroff.com/avoiding-the-slippery-slope>



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Participants will have the opportunity to examine common ethical dilemmas in both small and large group format.

Sunday, December 4th

9:00 AM- 2:30 PM, EST

Zoom

\$125.00

5 Ethics CEs for Social Workers in all states except NY and WV

**Course Approval Statement:** *Avoiding the Slippery Slope in Private Practice: Managing Complex Ethical Issues, course #3489 is approved by the Association of Social Work Boards (ASWB) Approved Continuing Education (ACE) program to be offered by Leslie S. Tsukroff, MSW, LCSW as an individual course. Individual courses, not providers, are approved at the course level. State and provincial regulatory boards have the final authority to determine whether an individual course may be accepted for continuing education credit.*

*ACE course approval period: from 02/12/2021 to 02/12/2023. Social workers completing this course receive 5 ethics continuing education credits.*

**REGISTER HERE**

<https://www.leslietsukroff.com/avoiding-the-slippery-slope>

### What previous participants have said after attending

**Avoiding the Slippery Slope in Private Practice: *Managing Complex Ethical Issues***  
“...very engaging presenter. To be honest, I often dread ethics trainings but found this training surprisingly enjoyable!”

“After years of practicing, we can become a little less diligent so this course was extremely helpful in displaying and understanding ethical pitfalls.”



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“Very relevant to the work we do! Leslie really breaks down ethics in an understanding, nonthreatening and nonjudgmental way!!



## Ethics Matters

### Minors and Consent for Treatment

*Case Scenario: Parent A calls Clinician seeking services for their minor child. Parent A mentions that they are divorced from parent B and parent A “has custody”. The clinician schedules the initial appointment during which they meet with parent A and the minor and parent A signs all of the clinician’s paperwork. 6 weeks later, after seeing the minor 5 additional times, parent B sends the clinician a “cease and desist” e-mail, noting that they did not provide their consent to work with their minor child.*

One of the most important factors when working with minors whose parents are divorced, separated or divorcing is determining who has the legal right to provide consent for treatment. Oftentimes mental health professionals, like the clinician in our scenario, mistakenly believe that the parent who makes the initial contact has the right to consent. While other practitioners assert that the parent who pays for treatment, has primary residential custody or who holds the medical insurance is the only one who has the right to consent to treatment. These assumptions are often incorrect.



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The legal right to consent may be determined by a variety of factors including but not limited to state law, the age and status of the minor, or the parents' legal custody arrangements as outlined in the divorce decree or through a separate court order. Many courts differentiate between residential and legal custody. Residential custody refers to the child's address of record, while legal custody refers to the person(s) who holds the right to make legal (including medical) decisions concerning the minor child. When working with minors, it is risky to assume that only one parent has the right to provide consent for treatment or that only parents have the right to consent. In circumstances in which both parents share joint legal custody, both parents may retain the right to consent to or to oppose mental health treatment for their minor child. Additionally, grandparents, guardians, the state or the minor themselves may hold the legal right to consent to treatment.

***Tips for those working with minors whose parents are divorced, divorcing or separated***

Since it is the clinician's responsibility to verify who holds the legal right to consent to treatment, it is best practice for clinicians to:

**Ask** about the parents' marital status and custody arrangements during the initial contact.

**Request** written documentation (divorce decree, court order, custody declaration) before meeting with the minor.

**Determine** who holds the legal right to consent

**Obtain** written consent of all parties who have the right to provide consent



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**Research** state laws regarding minor's rights, including age of majority (which varies widely and is state specific)

**Weigh** the clinical, ethical and legal impact of providing services to minors without the written consent of all parties who have the right to provide consent.

**Document** your rationale for beginning/continuing services without consent from all parties

To learn more about this, as well as other common ethical potential pitfalls and how to avoid them, join me for

"Avoiding the Slippery Slope in Private Practice: Managing Complex Ethical Issues."

#### **COURSE DESCRIPTION**

<https://www.leslietsukroff.com/avoiding-the-slippery-slope>



#### **Clinical Social Workers in Private Practice: A Reference Manual**

It was truly an honor to serve on the Task Force and to be a part of developing this long-awaited, comprehensive document, now entitled, "Clinical Social Workers in Private Practice: A Reference Manual," which is sure to become the standard of care for all private practitioners, not just social workers. Being invited to share my expertise on issues impacting private practitioners through the lens of social work ethics is my passion. I never dreamed that I would have been given the opportunity to collaborate with such knowledgeable and committed clinical social work co-authors from across the country.





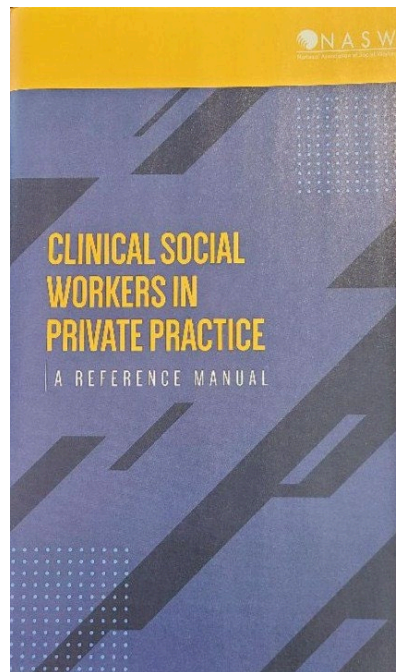
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In addition to providing input on the entire document, I authored sections on the subjects of advanced planning, minor's rights and working with minors, sliding scale, client-social worker practice agreements, informed consent standards and suggested case record forms. Copies of "Clinical Social Workers in Private Practice: A Reference Manual" can be purchased\* from NASW Press @ <https://naswpress.org/product/53563/clinical-social-workers-in-private-practice>

*\*Leslie S. Tsukroff, MSW, LCSW does not benefit financially from the sale of "Clinical Social Workers in Private Practice: A Reference Manual," nor was she compensated for serving on the Task Force.*

**LEARN MORE ABOUT SERVICES OFFERED**

<https://www.leslietsukroff.com/mental-health-practitioners>





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