The University of St. Thomas
Clinical Mental Health Counseling Programs
CMHC 5315A Ethical, Legal & Professional Issues in Counseling
Spring 2016

Instructor: Christie Taylor, EdD, LPC

Office: Classroom

Work Phone: 713-329-7303

Office Hours: prior to class by apt and after class (no appointment needed)

E-mail: taylorcc@stthom.edu

Course Home Page: On Blackboard

Class Meeting: Thursdays 9:00am-11:45am

Prerequisites: None. This course is taken concurrently with CMHC 5300.

Course Description: This course introduces students to the ethical and legal standards of professional organizations and credentialing agencies and supports the application of ethical and legal standards to practice. An overview of the Texas laws that govern the practice of licensed professional counseling will also be provided. A combination of readings, lectures, class discussion, student research, experiential exercises, and videos will be used to advance students’ knowledge and skills. Upon completion of this course, students will have gained further knowledge about professional ethics, relations to other professionals, and the public, as well as liability issues in the counseling profession.

Learning Outcomes: This course is designed to support students in mastery of the following CACREP (Council for Accreditation of Counseling and Related Educational Programs) (2009) competencies and areas:

KNOWLEDGE:

1. PROFESSIONAL ORIENTATION AND ETHICAL PRACTICE—studies that provide an understanding of all of the following aspects of professional functioning:
   a. professional roles, functions, and relationships with other human service providers, including
strategies for interagency/inter-organization collaboration and communications;
b. self-care strategies appropriate to the counselor role;
c. counseling supervision models, practices, and processes;
d. professional credentialing, including certification, licensure, and accreditation practices and standards, and the effects of public policy on these issues;
e. the role and process of the professional counselor advocating on behalf of the profession;
f. advocacy processes needed to address institutional and social barriers that impede access, equity, and success for clients; and
g. ethical standards of professional organizations and credentialing bodies, and applications of ethical and legal considerations in professional counseling.

2. SOCIAL AND CULTURAL DIVERSITY—studies that provide an understanding of the cultural context of relationships, issues, and trends in a multicultural society, including all of the following:
   a. multicultural and pluralistic trends, including characteristics and concerns within and among diverse groups nationally and internationally;
   b. attitudes, beliefs, understandings, and acculturative experiences, including specific experiential learning activities designed to foster students’ understanding of self and culturally diverse clients;
   c. individual, couple, family, group, and community strategies for working with and advocating for diverse populations, including multicultural competencies;
   d. counselors’ roles in developing cultural self-awareness, promoting cultural social justice, advocacy and conflict resolution, and other culturally supported behaviors that promote optimal wellness and growth of the human spirit, mind, or body; and
   e. counselors’ roles in eliminating biases, prejudices, and processes of intentional and unintentional oppression and discrimination.

3. HELPING RELATIONSHIPS—studies that provide an understanding of the counseling process in a multicultural society, including all of the following:
   a. counselor characteristics and behaviors that influence helping processes.

4. ASSESSMENT—studies that provide an understanding of individual and group approaches to assessment and evaluation in a multicultural society, including all of the following:
   a. ethical strategies for selecting, administering, and interpreting assessment and evaluation instruments and techniques in counseling.

CLINICAL MENTAL HEALTH COUNSELING:

FOUNDATIONS
A. Knowledge
   a. Understands the history, philosophy, and trends in clinical mental health counseling.
   b. Understands ethical and legal considerations specifically related to the practice of clinical mental health counseling.
   c. Understands the roles and functions of clinical mental health counselors in various practice settings and the importance of relationships between counselors and other professionals, including interdisciplinary treatment teams.
   d. Knows the professional organizations, preparation standards, and credentials relevant to the practice of clinical mental health counseling.
COUNSELING, PREVENTION, AND INTERVENTION
C. Knowledge
1. Describes the principles of mental health, including prevention, intervention, consultation, education, and advocacy, as well as the operation of programs and networks that promote mental health in a multicultural society.
2. Understands professional issues relevant to the practice of clinical mental health counseling.

DIVERSITY AND ADVOCACY
D. Knowledge
a. 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 clinical mental health counseling.
b. Knows public policies on the local, state, and national levels that affect the quality and accessibility of mental health services.
c. Skills and Practices
d. Advocates for policies, programs, and services that are equitable and responsive to the unique needs of clients.

In addition to addressing the CACREP standards described above, this course is also designed to assist the student in her or his preparation for the National Counselor Examination (NCE) and licensure requirements for Licensed Professional Counselors (LPCs) in Texas (particularly in the area of Professional Orientation).

This course also addresses the following Catholic social justice dimensions:

*The Principle of Human Dignity*: Every human being is invaluable and worthy of respect as a member of the human family.

*The Principle of Preferential Protection for the Poor and Vulnerable*: The good of society as a whole requires us to put the needs of the poor and vulnerable first.

*The Principle of Solidarity*: We are one human family; loving our neighbor has global dimensions in an interdependent world.

**Required Texts:**


In addition to the required texts, course readings will include articles, codes of ethics, and Texas regulations. These readings are listed under the “Required Articles/Readings Posted on Blackboard” section. Please bring these items to each class meeting, or bring a laptop or tablet to access the readings on Blackboard.
Required Articles/Readings Posted on Blackboard:

- ACA Code of Ethics (2014)
- TX Administrative Code, Chapter 681 (effective January 12, 2015)
- A Practitioner’s Guide to Ethical Decision Making (Forester-Miller & Davis, 1996)
- Counselor Ethical Reasoning: Decision-Making Practice Versus Theory (Levitt, Farry, & Mazzarella, 2015)
- Duty to Warn and Protect: Not in Texas (Barbee, Combs, Ekleberry, & Villalobos, 2007)
- Strategies for Understanding & Assessing Suicide Risk in Psychotherapy (Toth, Schwartz, & Kurka, 2007)
- The Ethics of Bias in Counselor Terminology (Dore & Kinnier, 2006)
- Contracting for Safety (Reid, 2005)
- Working with Multiple Clients (Herlihy & Corey, 2006)
- TX Health & Safety Code, Chapter 611
- TX Health & Safety Code, Chapter 81
- TX Health & Safety Code, Chapter 161.132
- TX Civil Practice & Remedies Code, Chapter 81
- TX Human Resources Code, Chapter 48
- TX Family Code, Chapter 32
- TX Family Code, Chapter 153
- TX Family Code, Chapter 261
- TX Occupations Code, Chapter 503
- TX Education Code, Chapter 33
- Advocacy in Action (Meyers, 2014)
- A Living Document of Ethical Guidance (Meyers, 2014)
- AMHCA Code of Ethics
- ALGBTIC Competencies for Counseling LGBQQIA and Transgender Clients
- ASERVIC Competencies for Addressing Spiritual and Religious Issues in Counseling
- NBCC Code of Ethics
- AMCD Multicultural Counseling Competencies
- CSJ Advocacy Competencies
- Ethical Code of the IAMFC
- ASGW Best Practice Guidelines

Recommended Texts:


Method of Instruction and Conduct of the Course:
A combination of readings, lectures, class discussion, student research, experiential exercises, and videos will be used to advance students’ knowledge and skills. Students are expected to use Blackboard to access supplemental readings. Required quizzes, PowerPoint lecture notes, additional required reading, and links to websites that contain legal and ethical information will be posted on the course’s Blackboard site.

Student Responsibilities:

Students are expected to:

b. Complete the assigned readings indicated on the “Schedule of Class Sessions” prior to each class meeting.

c. Complete and submit all assignments prior to class meeting on the deadline date.

d. Attend class regularly and participate actively, on a graduate student level, in all classroom activities (presentations, discussions, etc.). Your regular attendance and active participation in the class are critical to your own learning and to that of your peers, as well as to the overall success of the course.

e. Check university email regularly for information and updates, etc. University email will be the instructor’s primary mode of communication with all students.

f. Communicate effectively and respectfully with instructor and with peers.

An Invitation:

This course is guided by the assumptions of dignity and respect for all persons in the classroom. Please schedule an appointment to speak with the instructor about any concerns related to learning styles and/or abilities, or any other issues that may impact your success in this course.

Attendance Requirements:

This course covers crucial material that directly influences your future as a counselor. Class attendance and punctuality are necessary for you to gain maximum benefit. Students are expected to attend all classes. Please contact the instructor before an absence, if possible, or in case of an emergency, as soon after the absence as possible. Students are responsible for making up any missed work and for obtaining information presented in a missed class.

You are permitted to miss one class during the semester. Each absence thereafter will result in a two-percent (2%) deduction from your final grade. Two percent will also be deducted for students who consistently arrive to class late or leave class early (by 5 or more minutes). Two late arrivals or early departures will constitute one absence, i.e., a two-percent deduction.
Course Assignments:

**Participation & Preparation (10%)**: Attend class regularly, arrive on time, and stay for the duration of the class. Prepare for class through assigned readings and videos and contemplation of topics. During class, actively participate in discussions and activities. The richness of the class will depend on the unique life experiences, career plans, and contributions you bring. Empathy, active listening, open exploration, respectful dialogue, and multicultural competence are counseling skills that can be included in all courses. Show evidence of your highest effort on all assignments and hand in assignments on time.

**Quizzes (10%)**: You will have eight (8) quizzes, consisting of ten (10) questions per quiz and one (1) point per question. Questions will be in multiple choice, true/false, and fill-in-the-blank format. Your totals from all quizzes combined will constitute 10% of your final grade. Unless otherwise indicated by the instructor, all quizzes will be completed in class on the date specified in the “Schedule of Class Sessions” section.

**Ethical Dilemma Project (20%)**: As a group, you will create a 20-minute presentation describing a hypothetical ethical dilemma concerning a client or a work situation. Please review the counseling literature to investigate how other counseling professionals have managed dilemmas similar to yours, and organize your presentation according to the following outline:

- Description of the hypothetical work setting, the ethical dilemma, and the people involved (e.g., counselor, client, supervisor, agency administrator, etc.). If the dilemma involves a client, be sure to include the client’s presenting problem.
- Explanation of the ethical dilemma (What is the issue, and what ethical and legal codes can you apply to each aspect of the issue? Be as specific as possible.).
- Description of how you applied the counseling literature and an ethical decision making model to the dilemma (provide key information from the literature that helped you make your decision, and walk the class through the process used to make the decision).
- Description of the ethical decision you made and its impact on you, the client, your workplace, and the profession.

Each group member will review at least one peer-reviewed journal article from the counseling literature that pertains to your hypothetical ethical dilemma. All articles should be published within the last five years, preferably in American Counseling Association (ACA) journals. Additional information obtained from the Internet should be from reputable sources, such as government agencies, professional organizations, and highly regarded non-profit organizations. You will supply the instructor with a list of references used in developing the presentation.

The following are ACA journals:

*Journal of Counseling and Development*
*Adultspan Journal*
*Measurement and Evaluation in Counseling and Development*
*Counselor Education and Supervision*
*Journal of Humanistic Counseling Education and Development*
Advocacy Project (15%): This assignment is an opportunity for you to identify a social justice or contemporary advocacy issue related to the counseling field or potential counseling clients. This may include a) social issues that negatively impact clients, b) systems that perpetuate discrimination, or c) issues related to the promotion or expansion of the role of professional counselors. Please read at least one article related to the identified problem or issue, and take action to advocate for current or potential counseling clients or the counseling profession as a whole. Some suggestions are available at www.counseling.org. After you have taken your advocacy action, please write a one- to two-page paper describing the issue (using information from your reading), the advocacy action you took, and a brief description of what you learned by completing the project. Your grade will be based on your ability to gather important information and to effectively communicate your ideas, the importance of the issue, and the relevance of the advocacy action taken. Be sure to provide evidence of the action. For example, if you wrote a letter to a public official, include a copy of the letter with your paper.

Midterm Exam (20%): The midterm exam will assess your comprehension of the material covered in the first half of the course. Exam questions will consist of multiple choice, true/false, and fill-in-the-blank questions, short answer questions, and a short essay, taken from the readings, class activities and discussions, handouts, and lecture notes. Unless otherwise indicated by the instructor, the midterm exam will be completed in class on the date specified in the “Schedule of Class Sessions” section.

Final Exam (25%): The final exam will assess your comprehension of the material covered throughout the duration of the course. Exam questions will consist of multiple choice, true/false, and fill-in-the-blank questions, short answer questions, and a short essay, taken from the readings, class activities and discussions, handouts, and lecture notes. Unless otherwise indicated by the instructor, the final exam will be completed in class on the date specified in the “Schedule of Class Sessions” section.

Late Assignments:

All assignments are due at the beginning of class on the date identified in “Schedule of Class Sessions” section. Twenty percent (20%) of your grade for the assignment will be deducted for each calendar day that an assignment is late. Exceptions to this policy will be made at the instructor’s discretion based on extenuating factors reported by the student. Requests for extra time on an assignment should be made at least one week prior to the assignment due date or immediately after the due date in the case of a documented emergency that could not be anticipated.

Final Grade Distribution:

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<tr>
<th>Component</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Participation and Preparation</td>
<td>10%</td>
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<tr>
<td>Quizzes</td>
<td>10%</td>
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<tr>
<td>Ethical Dilemma Project</td>
<td>20%</td>
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</tbody>
</table>
Advocacy Project 15%
Midterm Exam 20%
Final Exam 25%

Grading Scale:

<table>
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<tr>
<th>Percentage</th>
<th>Grade</th>
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<tr>
<td>94% - 100%</td>
<td>A</td>
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<tr>
<td>90% - 93%</td>
<td>A-</td>
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<tr>
<td>87% - 89%</td>
<td>B+</td>
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<tr>
<td>84% - 86%</td>
<td>B</td>
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<td>74% - 76%</td>
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<td>60% - 66%</td>
<td>D</td>
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<td>0% - 59%</td>
<td>F</td>
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<tr>
<th>Assignment</th>
<th>Rating Criteria</th>
<th>Points Assigned</th>
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| Participation & Preparation | • Regular class attendance  
                             | • Arrives on time and does not leave early  
                             | • Knowledge of readings  
                             | • Active participation in class discussion and other activities  
                             | • Evidence of effort in all assignments  
                             | • Completion of assignments on time  
                             | CMHC A. 1., 2., 3., & 4. | 10 |
| Quizzes             | • Multiple choice, true/false, & fill-in-the-blank questions  
                             | • 8 in-class quizzes, 10 questions per quiz, 1 point per question  
<pre><code>                         | CACREP I. AA. 4. | 80 |
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<tr>
<th>Assignment</th>
<th>Rating Criteria</th>
<th>Points Assigned</th>
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<tr>
<td>Ethical Dilemma Group Project &amp; Presentation</td>
<td>• Clear description of hypothetical work setting, ethical dilemma, and people involved (2 pts.)&lt;br&gt;• Accurate identification of codes of ethics and legal codes (and applicable sections) that relate to the ethical dilemma (4 pts.)&lt;br&gt;• Accurate and effective use of professional literature to better understand the ethical dilemma, its possible impacts, and your decision options (4 pts.)&lt;br&gt;• Accurate and effective application of the ethical decision making model to your ethical dilemma (4 pts.)&lt;br&gt;• Ethical decision made seemed to be developed through the ethical decision making process (2 pts.)&lt;br&gt;• Thoughtful presentation, adequate width and depth of impact of the ethical dilemma on yourself, the client, your workplace, and the profession (2 pts.)&lt;br&gt;• Ability to work as a team to evaluate your ethical dilemma and decide on an appropriate course of action (2 pts.)&lt;br&gt;<strong>CACREP II. G. 1. b &amp; i; CMHC A. 2., C. 1. &amp; 9</strong></td>
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<td>Assignment</td>
<td>Rating Criteria</td>
<td>Points Assigned</td>
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| Advocacy Project | • Demonstrated understanding of an commitment to advocacy through identification of an advocacy issue (4 pts)  
• Accurate and effective use of the professional literature to better understand the identified issue (4 pts).  
• Appropriate use of APA 2010 style in a one-to two page paper describing the issue, advocacy action taken, and brief description of what you learned (4 pts.)  
• Relevance of advocacy issue to counseling profession. (3 pts)  
CMHC A.1., C.1., E.4.&6., & F.2. | 15              |
| Midterm Exam     | • Includes material covered in first half of course  
• Multiple choice, true/ false, and fill-in-the-blank questions (12 pts.)  
• Short answer questions (7 pts)  
CACREP. AA.4. |                                                             |
|                  | • Includes material covered throughout course duration  
• Multiple choice, true/false, & fill-in-the-blank questions (15 pts.)  
• Short answer questions (7 pts.)  
• Short essay (3 pts.)  

CACREP I. AA. 4.
Formatting and Submission of Assignments:
All assignments required for this course are your personal and professional responsibility, and should reflect your highest effort and finest work. Correct spelling, proper grammar, and proper formatting are expected. Unless otherwise noted, all assignments should include a cover page and should be formatted in 12-point font with 1-inch margins following APA Style.

Unless otherwise indicated, please submit all assignments electronically on Blackboard. No assignments will be accepted through email or by hard copy unless specified by the instructor. All assignments should be submitted by the due date, by class meeting time.

Academic Integrity and Standards of Conduct:

Academic Integrity
As a Catholic, Basilian university, integrity and honesty are integral components of UST’s core values. We support open, civil discourse and careful, respectful listening where freedom of thought and expression are valued and protected. The University also supports honesty and integrity by striving in various ways to foster respect for oneself and one’s own work, as well as respect for others, their work, and their basic human rights.

Students are expected to conduct themselves honestly on all academic assignments. University-wide information about academic integrity as well as procedures for addressing alleged violations can be found in the Graduate Catalog. Violations of academic integrity include, but are not limited to, cheating, stealing, lying, forgery, and plagiarism. Ignorance of any of these offenses is not a valid reason for committing an act of academic dishonesty.

Blackboard
Course materials are placed on UST’s content management system, Blackboard.

Recording Class Lectures
With the instructor’s permission, students may record class lectures for their private use only. No clinical case presentations or case studies offered in class may be recorded. The materials may not be given, loaned, or sold to others without the consent of the instructor. In addition, class lectures must be appropriately cited when used (see APA Manual).

Weather-Related Cancellations or Changes to Schedule
When UST closes due to a weather event, the University will place this information on local television and radio channels, and the university’s website. Missed classes will be made up, either through the rescheduling of the class time, or through a supplemental academic activity.

Learning Disabilities or Differences
To request academic accommodations due to a disability or difference, contact Counseling and Disability Services (713-525-2169). If you have a letter from Counseling and Disability Services indicating that you are eligible for academic accommodations, please present the letter to the instructor to arrange for the use of your accommodations. To ensure fairness to all students and maintain appropriate professional boundaries, instructors follow the guidance of the Counseling and Disability Services office in the provision of accommodations.
**Writing Center**
To request assistance with writing papers, contact UST’s Tutorial Services office, located on the second floor of Crooker Center.

**Communication Devices**
To avoid distracting the instructor and other students from their class work, please turn off all cell phones or other communication devices during class time. Please refrain from text messaging, e-mailing, or surfing the web in class.

**Incomplete Grades**
Incomplete grades will only be given for extreme emergencies, at the discretion of the instructor. A death in your family, extreme illness (not colds and flu), military activation, or other significant events outside of your control may be grounds for an Incomplete grade.

**Withdrawal from Course**
To withdraw from the course with a grade of ‘W’, the student must withdraw by the date reflected in the University’s academic calendar. Please consult the graduate catalog for more information.

**Course Evaluation at the End of the Semester**
Students are asked to evaluate the course and instructor at the end of each semester. This evaluation is extremely helpful in the improvement of our courses. Please participate in this important process.

**Key:**
CCC: Corey, Corey, & Callanan textbook
HC: Herlihy & Corey textbook
BB: On Blackboard
PPT: PowerPoint presentation/slides

**Schedule of Class Sessions:**

<table>
<thead>
<tr>
<th>Week</th>
<th>Date</th>
<th>Session Topics</th>
<th>Reading Required Prior to Class Meeting</th>
<th>Assignment Due by Class Time</th>
<th>CACREP Competencies</th>
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</table>
| 1    | 1/19/16 | • Welcome, introductions, course overview  
  • Laws vs ethics  
  • Introduction to codes of ethics  
  • Syllabus review  
  • Questions about assignments & expectations | • Syllabus (in class)                  | Student inform form (in class)           | CACREP CMHC A.1.    |
<table>
<thead>
<tr>
<th>Week</th>
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<th>Required Reading Prior to Class Meeting</th>
<th>Assignment Due by Class Time</th>
<th>CACREP Competencies</th>
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<tr>
<td>2</td>
<td>1/28/16</td>
<td>• An ethical decision making model</td>
<td>• Ch. 1 (CCC)</td>
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<td>CACREP 11.G.1.g. 11.G.1.h. 11.G.1.j.</td>
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<td>• Codes of ethics that apply to counseling profession</td>
<td>• Part I (HC)</td>
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<td></td>
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<td>• Scope of laws vs. ethics</td>
<td>• Part II (HC) (Scan content)</td>
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<td></td>
<td>• Dealing with suspected unethical behavior of colleagues</td>
<td>• Part III, Ch. 12 (HC)</td>
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<td></td>
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<td>• Discussion</td>
<td>• A Practitioner’s Guide to Ethical Decision Making (Forester-Miller &amp; Davis, 1996) (BB)</td>
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<td>• Counselor Ethical Reasoning: Decision-Making Practice Versus Theory (Levitt, Farry, &amp; Mazzarella, 2015)</td>
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<td>• TX Administrative Code, Ch. 681, effective Jan. 12, 2015 (BB) (Read subchapter C, section 681.46; subchapters K, L, &amp; M; scan rest of document)</td>
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<td>• TX Civil Practice &amp; Remedies Code, Ch. 81 (BB)</td>
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<td>• TX Health &amp; Safety Code, Ch 161.132</td>
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<td>• A Living Document (BB)</td>
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<td>• AMHCA Code of Ethics (BB) (Scan content)</td>
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<td>• NBCC Code of Ethics (BB) (Scan content)</td>
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<td>3</td>
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<td>• Client Rights and Informed Consent</td>
<td>• Ch. 5 (CCC)</td>
<td></td>
<td>CACREP CMHC.E.6</td>
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<td>• Discussion</td>
<td>• Part III, Ch. 1, 6, &amp; 9 (HC)</td>
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<td>• Review ACA Code of Ethics statements about client rights &amp; informed consent</td>
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<td>• TX Family Code, Ch. 32 (BB)</td>
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<td>• TX Family Code, Ch. 153 (BB)</td>
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| 4    | 2/11/16 | • Confidentiality  
• Suicide & Homicide Assessment  
• Video: Legal and Ethical Issues for Mental Health Professionals, Vol 1: Confidentiality, Privilege, Reporting, & Duty to Warn  
• Discussion | • Ch. 6 (CCC)  
• Part III, Ch. 3 & 8 (HC)  
• Duty to Warn and Protect: Not in Texas (Barbee, Combs, Ekleberry, & Villalobos, 2007) (BB)  
• Strategies for Understanding and Assessing Suicide Risk in Psychotherapy (Toth, Schwartz, & Kurka, 2007) (BB)  
• Contracting for Safety (Reid, 2005) (BB)  
• Review ACA Code of Ethics statements about confidentiality  
• TX Administrative Code of Ethics statements about confidentiality  
• TX Administrative Code 681.41.n & 681.45(BB)  
• TX Health & Safety Code, Ch 81 (BB)  
• TX Health & Safety Code, 611 (BB)  
• TX Code Ch 261 (BB)  
• TX Human Resources Code, Ch. 48 (BB) | Quiz 1 (in class) | CACREP CMHC.E.5. |
| 5    | 2/18/16 | • Values and ethics  
• Multicultural & diversity issues (begin)  
• Discussion | • Ch. 3 (CCC)  
• The Ethics of Bias in Counselor Terminology (Dore & Kinnier, 2006) (BB)  
• Review TX regulations and ACA Code of Ethics statements about counselor values  
• ALGBTIC Competencies for Counseling LGBQQIA Individuals and Transgender | Quiz 2 (in class) | CACREP II. G. 2. a.  
II. G. 2. b.  
II. G. 2. e.  
II. G. 2. f.  
II. G. 5. b |
Clients (BB)
- ASERVIC Competencies for Addressing Spiritual and Religious Issues in Counseling (BB)
- AMCD Multicultural Counseling Competencies (BB)
- CSJ Advocacy in Action (BB)

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<td>7</td>
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<td>• Review ACA Code of Ethics statements about competence, research, &amp; publishing</td>
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<td>• Video: Legal &amp; Ethical Issues for For mental health professionals, Vol. II. Dual Relationships Boundaries, Standards of Care &amp; Termination</td>
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<td>• Ethical Code of the IAMFC (BB)</td>
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