

Tales from the Licensing Board

Home Study Course

Informed Consent

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Informed Consent

A mental health practitioner is required to discuss, at the outset:

- The licensing of the therapist and restrictions on the license, if any.
- Supervision and restrictions
- Information about the services to be provided.
- Purposes, goal, and techniques of treatment.
- Confidentiality and its exceptions. Note that federal law requires specific privacy information be furnished to clients in an Notice of Privacy Practices (HIPPA).
- The therapist's death or incapacity plan for client records
- Fees and payment.
- Consent for treatment

Hartsell Jr, Thomas, JD and Bernstein, Barton, JD, LMSW; The Portable Lawyer for Mental Health Professionals; John Wiley and Sons;, Hoboken, NJ; 2013; P. 44

An intake and consent form should include:

1. A description of yourself and your credentials
2. A description of the Services you provide
3. Procedures for appointments
4. Length and number of sessions
5. Group Therapy if offered
6. Relationship between the therapist and client
7. Goals, purposes and techniques of therapy
8. Fees/payment
9. Confidentiality and the duty to warn
10. Addresses /phone numbers for communication
11. Risks of therapy/counseling
12. After hours emergency protocols and contacting the therapist
13. Social Media
14. Therapists death/incapacity
15. Marital or joint therapy protocols and record keeping
16. Audi or video recording (if applicable)
17. Consent to disclose information to defend reputation
18. Consent to treat
19. Waiver of rights to child's records/information (esp. for adolescents) as allowed by HIPPA
20. Signature lines
21. HIPPA

Hartsell Jr, Thomas L., JD and Bernstein, Barton E., JD, LMSW; The Portable Lawyer for Mental Health Professionals; John Wiley and Sons;, Hoboken, NJ; 2013; P. 45-51