

c) Scope of Practice/Professional Responsibility

- 1) Performing, or pretending to be able to perform, professional services beyond one's scope of practice and one's competency, as defined by education, training, supervised experience, State and national professional credentials, and appropriate professional experience.
- 2) Abandoning or neglecting clients and/or failing to refer and/or make appropriate arrangements for the continuation of treatment, when necessary, during interruptions, such as vacations or illness, and following termination.
- 3) Failing to use techniques/procedures/modalities that are grounded in professionally accepted theory and/or have an empirical or scientific foundation. Counselors who do not use these tools, must define the techniques/procedures as "unproven" or "developing" and explain the potential risk and ethical considerations of using the techniques/procedures and take steps to protect clients from possible harm.
- 4) Failing to establish and maintain client records and case notes, including failing to inform clients of issues related to the difficulty of maintaining the confidentiality of electronically transmitted communication. Records must be maintained for at least 7 years. In the case of a minor, records must be maintained 7 years after the minor turns 18.
- 5) Failing to inform clients of the benefits and limitations of using information technology applications in the counseling process and in business/billing procedures. These technologies include but are not limited to computer hardware and software, telephone, the internet, online assessment instruments, and other communication devices.
- 6) Advertising shall not be deceptive, misleading or false. Counselors should claim or imply only professional credentials possessed and are responsible for correcting any misrepresentations of their credentials by

others. Professional credentials include highest relevant degrees, accreditation of graduate programs, national voluntary certifications, government-issued certifications or licenses, professional membership, or any other credential that might indicate to the public specialized knowledge or expertise in professional counseling.

- 7) Submission of fraudulent claims for services to any person or entity including, but not limited to, health insurance companies or health service plans or third party payors.

- 8) Knowingly offering or providing services to a client when the counselor's ability to practice is impaired. Failing to seek assistance for problems that reach the level of professional impairment, and, if necessary, limiting, suspending or terminating his or her professional responsibilities until such time it is determined that it is safe to resume work. Causes of impairment may include, but are not limited to, the abuse of mood altering chemicals and physical or mental problems; offering professional services when the counselor's personal problems or conflicts may harm a client or others.