

Ethical Standards - Conflict with the Law

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... Some practitioners have learned the hard way that they need to distinguish between ethical standards and laws. While a conflict between the two can occur in any number of areas of practice, I have seen a striking example in the area of confidentiality. If state laws require that confidentiality be kept, but ethical standards allow a breaking of confidentiality, therapists would, in my view, be wise to follow state law. In fact, many associations' ethical standards provide that when there is a conflict, state law shall govern. With respect to the issue of AIDS/HIV, for example, does your state's law require confidentiality even where the patient reveals that he or she is sexually active? Are there any exceptions? What about the ethical standards of your professional association – are they consistent with the law? Check this out now, before a serious mistake is made.

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