

Online Counseling & Staying Protected

Technology is quickly changing many aspects of both our personal and professional lives, especially when it comes to ways of communicating with one another. With the growing popularity and rapidly-improving technology of video conferencing, many therapists and doctors are turning towards the computer to access an entirely new client base.

In regards to online counseling, there is no specific exclusion within [CPH and Associates](#) policies for this practice, so it is covered under policy as long as the services being provided are authorized or allowable under the scope of the policyholder's license. However, given the new terrain, regulatory boards and professional ethics codes are just beginning to tackle this issue. Be cautioned that the way this service is being handled varies greatly from state to state.

We strongly recommend that policyholders contact their state directly to clarify and understand how the laws interpret the practice of online counseling in your practicing state. This is especially important if the practitioner is intending to offer online therapy or tele-therapy to patients that may reside in a different state. A regulatory board may find that a practitioner is operating without a license if they are treating a patient in a different state than where the policyholder is licensed.

To be safe, practitioners should check the regulations of any state in which they are considering treating patients, even if treating them from their home computer.

Practitioners must also be aware that not all video conferencing software is created equally. When online counseling first emerged, many therapists were using Skype to conduct sessions. However, Skype does not have a securely encrypted connection and puts patient privacy at risk since confidentiality could be breached; thus making Skype an unacceptable medium to use for online counseling purposes.

For more information on this practice, and other potentially ambiguous professional liability questions affecting the Allied and Mental Health professions, check out the CPH and Associate's [Avoiding Liability Bulletin](#) where we further discuss implications of specific practices.

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