Digital Ethics

Webinar
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Therapeutic Boundaries

- Gifts
- Touch
- Self disclosure
- Home office
- Fees & Bartering
- Dual/Multiple Relationships
- Time & length of sessions
- Out of Office Experiences (home visits)
- Proximity, Clothing & Language
- Digital Boundaries
Digital Boundaries

- Online self disclosure & Transparency
- Clients Googling therapists
- Therapists Googling clients
- Texting during sessions
- Communication between sessions via cell phone, e-mail, chats, Skype, etc.
- Social Networking with clients
- Telehealth, TeleMentalHealth, E-Therapy
- Digital harassment by clients
Boundary Violations

When therapists cross the line of decency, violate or exploit their clients, or intentionally harm them.
Boundary Crossings

• Neutral, appropriate, ethical, benign or clinically effective Interventions
Boundary Crossings

- Appropriate self-disclosure
- Home visits
- Non-sexual, comforting touch
- Appropriate gifts
- Ethical bartering
- Escorting client to an important medical app.
- Adventure therapy—Out of Office Experiences
- Appropriate e-mails/texts between sessions
- Googling clients for safety reasons
- Clients as Fan’s on Facebook Page
Self-Disclosure

Self-disclosure is the revelation of personal rather than professional Information from the therapist to the client
Types Of Self-Disclosure Transparency

- Verbal vs. Non-Verbal
- Deliberate - Intentional
- In-Person - Online
- Unavoidable
- Accidental
- Result of Client’s Actions
Self-Disclosure

• **Result of Therapists’ Actions**
  – Intentional
  – Unintentional (office, Web, small communities)

• **Result of Clients’ Actions**
  – Online search
  – Stalking
  – Gossip in the community
Unavoidable Self-Disclosure

- Rural Communities
- Small ethnic, spiritual, LGBT, disabled communities
- Military bases
- Sports Psychology
- 12 Step & Self Help Programs
- Organizational Development
- Psychiatric hospitals & Inpatient settings
- Online – On the Web
Self-Disclosure Can Increase

- Familiarity
- Trust
- Positive therapeutic alliance
- Essential to establish credibility in the digital age
Therapists Can Expect:

- Modern-informed “consumers” to Google their therapists
  - Before, during and after therapy
- Clients to post evaluations on Yelp.com
- All your Web postings to stay online for ever!
- Privacy Settings on Facebook to be perfectly imperfect
Therapists’ Transparency In the Digital Age

- Clients Googling Therapists
- Online Evaluations www.Yelp.com, RateMDs.com
- Social Networking Facebook, LinkedIn, Twitter
- Licensing Boards Sites
- www.complaintsboard.com
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A Personal Reflection
On Boundaries & Meaning
by Ofer Zur

TABLE OF CONTENTS
Boundaries - Kilimanjaro - Pondering On Death - Kilimanjaro Photos - Alaska - Malaysia - China

This page presents what my dear friend, Sam Keen, calls personal mythology. My personal sense of calling, that which gives me joy and provides meaning in my life, is often related to critical thinking and challenging commonly accepted truths and unquestioned beliefs. As this page portrays, my journey has led me to challenge, confront and face intellectual, spiritual, interpersonal, physical, emotional and other boundaries.

As a paratrooper in the Israeli Army, I experienced and challenged the boundaries of space and gravity.

As a lieutenant and combat officer, I have stood on the boundary of life and death.

As an oceanographer and a deep-sea diver, I passed through the boundary between air and water.

After my military service I checked out the life of a sailor on a large ship. It was a fascinating anthropological journey into the life of sailors that landed me with a broken nose among other things.

As a young officer I served on a remote and small island in the Red Sea. Wondering about the boundaries between day and night, to the dismay of my soldiers, I experimented with reversing the daily routines, sleep during the day, eat breakfast at sunset, lunch at midnight and dinner at sunrise.

My time attending Hebrew University in Jerusalem, studying chemistry and oceanography, was one of my most profound and powerful spiritual awakenings, as Jerusalem embodied the convergence of three major spiritual traditions.
Watching the movie Motorcycle Diaries threw me deeper into an "existential funk" and further into questioning my calling. Upon reflection (see sacrifice paper) I came up with two responses: The first is to go (part time) back to my old stomping grounds in Africa and see how I can apply myself for the good of humanity. Secondly, to challenge the boundary of air and oxygen by daring to climb with my son, age 14, and our very close family friend Sarah, 24, the awesome 19,300 feet of Mount Kilimanjaro in Tanzania, also known as the "Roof of Africa."

Climbing Kilimanjaro with my older son has a special meaning - it is a metaphor for our lives as it involves:

- **Envisioning the goal:** Quite a high goal in this case. Kilimanjaro is the tallest free-standing mountain and the largest volcano in the world.
- **Understanding or constructing the meaning of the challenge and the metaphor or symbolism of the journey:** Kilimanjaro provides several metaphors and symbols for us to ponder. It was created by fire and is crowned with ice. Perhaps the most awesome metaphor for the perspective that the mountain provides is that one can see the curvature of the world from the top.
- **Evaluating the Goal:** Appraising its merit, meaning and how attainable it is.
- **Planning how to reach it:** Big steps, small steps, sequence and much more.
- **Considering different options and outcomes:** My son and I remind ourselves repeatedly that "Life is a series of plan Bs".
- **Training:** While physical training is obviously important, emotional, relational and spiritual aspects of the training are much more important.
- **Executing:** This phase involves doing our super best to reach the peak and, at the same time, surrendering and being present to how things will unfold.

**Pondering on Kilimanjaro, Death and Preciousness of Life**

Many people have asked me whether the Kilimanjaro trip was a "once in a lifetime" experience.
The “Google Factor”
5 Levels/Types of Searches

- **Level 1**: Curiosity (‘Google light’)
- **Level 2**: Due diligence-Thorough search
- **Level 3**: Intrusive search to listserves
- **Level 4**: Deceitful:FB friend pseudo name
- **Level 5**: Illegal search - Cyber-stalking
• Digital evidence increasingly plays a critical role in criminal law proceedings.
• Courts have allowed the introduction of material from Internet social networking profiles in criminal and civil cases.
• Youths have been prosecuted for violent behavior posted on video-sharing websites like YouTube.
From Facebook to . . . Prison
Cyber Trail:
Consider anything you post online as tattooed on your forehead:
Stay Informed:

- Google yourself regularly
- Use different combinations
  - Dr. Ofer Zur + Ofer Zur + Dr. Zur
  - Ofer Zur, Ph.D. + O. Zur + O. Zur, Ph.D.
- Sign up **right now** for “Google Alerts” at [http://www.google.com/alerts](http://www.google.com/alerts)
To Google or not to Google Our Clients?
• Is it ethical?
• Do we need to tell clients?
• Is it ethical if it might save lives?
• Do we need an informed consent?
• Should we a section to Office Policies?
• What is the standard of care?
To Google or not to Google
Our Clients

- Suicidal client in coma
- Single woman working from a home office
- Home visit to an unknown neighborhood
- Is a client delusional or Fortune-500 executive?
- More . . .
To Google or not to Google Our Clients?

It depends on the

• Client
• Therapist
• Setting
• Therapy
• Relationships
Sample of Informed Consent

At times Dr. xx might conduct a web search on a client before the beginning of therapy or during therapy. If you have concerns or questions regarding this practice, please discuss it with Dr. xx.

Source: 61 Clinical Forms:
http://www.zurinstitute.com/forms.html
10% Discount Code UCP88
Generational Divide
Digital Natives
Young Generations: Under 40
(Net Generation – Web Generation)

Vs.

Digital Immigrants
Older Generation: 50+
Not All Digital Immigrants Were Created Equal

Types:
1. Avoiders
2. Minimalists
3. Eager Adopters
4. Innovators
Passive vs. Active

**Older Generation** vs. **Younger Generation**

- TV vs. 2nd life
- Britannica vs. Wikipedia
- Watching movies vs. Creating movies
- Viewing photos vs. Manipulating photos
- Traditional classrooms vs. Online Games
- Looking at photo albums vs. Creating albums
Generations are different:

- Communicate
- Play
- Socialize
- Learn
- Create

* Work place
* Read
* Privacy
* Multitask - Hop
* Sense of Self
Phones or Texting During Sessions

Clients

Receiving & sending:
- Texts
- Phone calls
- E-mails

Clients watch Videos on Cell phones or Ipads during session
Clients Texting During Sessions

• Minimally disruptive
• Significantly disruptive (& rude)
• Can be ‘telling’: Giving therapists additional perspective and a new understanding
• A different way to join clients
E-Mail & Therapy

- Are E-mails considered psychotherapy?
- If I give my E-M must I check it often?
- HIPAA Compliance
- Encryption
- E-M signature?
- E-M & Tele-health
- Are E-M part of the clinical record?
E-Mail in Therapy

- Clarify your own thoughts regarding e-mails
- Discuss with clients
- Office Policies on e-mails
- Notify client that e-mails are part of the clinical records
- E-mail includes an electronic signature
- If you are conducting tele-health, follow state laws, and relevant codes of ethics
Texting With Clients In Between Sessions

- Txting is vry effective way 2 talk w young clients
- Clarify your own thoughts regarding texting
- Agency/department policies
- Discuss with clients
- Office Policies on texts & cell phones
- Notify client that texts are part of the clinical records
Texting in Between Sessions

- Can be very effective
- Convenient
- Immediate
- Anytime – Any place
- Clients can view it repeatedly
Texting in Between Sessions

- Appointment reminder
- Rescheduling
- Regulate emotions
- Continuity of connection
- Info
- Much more . . .
Office Policies

E-MAILS, CELL PHONES, COMPUTERS AND FAXES: It is very important to know that computers and e-mail communication can be relatively easily accessed by unauthorized people and hence can compromise the privacy and confidentiality of such communication. Additionally, Dr.xx’s e-mails and data on his computers are not encrypted. It is always a possibility that faxes can be sent erroneously to the wrong address and computers, including laptops, may be stolen. Dr.xx’s computer is equipped with a firewall, a virus protection and a password, and he backs up all confidential information from his computer on a regular basis. Please notify Dr. xx if you decide to avoid or limit, in any way, the use of e-mail, text, cell phones or e-faxes. If you communicate confidential or private information via e-mail, text, fax, etc, Dr. xx will assume that you have made an informed decision, will view it as your agreement to take the risk that such communication may be intercepted, and he will honor your desire to communicate on such matters via these methods. Please do not use e-mail, text, or faxes for emergencies. Due to computer or network problems, e-mails or e-faxes may not be deliverable, and Drxx may not check his e-mails, texts or faxes daily or weekly, when he travels.
The Skype Dilemma

Skype is free, easy to use, popular
But . . .

• Is Skype Secure?
• What about Skype’s encryption level?
• Is Skype HIPAA Compliant?
Facebook & Therapy
Is it ethical to have a client as a Facebook friend?

- FB Page vs. Profile
- Confidentiality!!!
- Who is the client?
- What is on your Facebook profile?
- Privacy settings
- Public access
- Social Media Policies - Office Policies
- Does it constitute Dual Relationships?
Clients as Facebook Friends?

It depends on the Context:

- What is on the FB
- Client
- Therapist
- Setting
- Therapy
- Relationships
What kind of dual or multiple relationships are being established when a therapist accepts a FB friend request from a client?
Sample of Informed Consent

SOCIAL NETWORKING:
Dr. xx does not friend requests from current or former clients on social networking sites, such as Facebook due to the fact that these sites can compromise clients’ confidentiality and privacy. For the same reason, Dr. xx requests that clients do not communicate with him via any interactive or social networking web sites.

Source: Clinical Forms
www.zurinstitute.com/forms.html
Consider Adding to your Biographical Questionnaire

ESTIMATE HOW MANY HOURS A DAY YOU SPEND ONLINE:

Facebook _____ YouTube _____ Gaming ______

Browsing _____ Texting ______

Work/School ______ Other ______

DO YOU FEEL YOUR TECHNOLOGY USE IS BALANCED AND HEALTHY, OR COULD IT BE IMPROVED? Please explain:
Mental Health Apps: Like A 'Therapist In Your Pocket’

- Stress reduction. Progressive Relaxation
- Eating disorders
- Cognitive Therapy & CBT
- Meds
- Mood or Sleep Logs/Charts
- ‘Mobile mood diary’
- Homework
- Thousands more . . .
Digital Harassment

- Clients put multiple Internet negative posting on their therapists
- Clients post their online comments under many pseudo names on many different sites
- Clients post special web sites, detailing their negative evaluation
Negative Online Evaluations:

- Do NOT impulsively protest!!!
- Consult with experts
- Try to resolve it amicably
- Contact person, web-maser, or server
- Bury unsavory content with new publications
- Contact www.reputation.com Electronic Frontier Foundation at www.eff.org
- Carefully evaluate your options
- . . . Surrender
Ethical Issues in Telehealth:

- Use of Skype in Telehealth: Is Skype HIPAA compliant
- Across states’ lines
- Confidentiality
- Cloud storage
- Record Keeping
- Competence & Scope of practice
- Emergencies
- Informed Consent
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