

NAVIGATING THE ETHICAL QUAGMIRE OF MULTIPLE RELATIONSHIPS AND BOUNDARY EXTENSIONS WITH CLIENTS

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INTRODUCTION

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PROFESSIONAL AND PERSONAL BOUNDARIES



THE IMPORTANCE OF PROFESSIONAL BOUNDARIES (WHEELER & BERTRAM, 2015)

- Mental health professionals have an ethical and legal responsibility to manage the line between counselor and client.
- Boundary blurring, boundary extending, or boundary violations can be potentially harmful to clients along with legal and ethical consequences.
 - These consequences can include ethics complaints, licensing board disciplinary proceedings, malpractice lawsuits, and possible felony charges.
- Professional boundaries also apply to the relationships between graduate faculty and students, clinical supervisors and interns, and researchers and research subjects.



CONCEPTS AND TERMS

- *Dual/multiple relationships*: sexual or nonsexual relationships in which a counselor assumes more than one role (simultaneously or sequentially) with a client (Corey, 2017).
- *Boundary blurring*: happenstance, the counselor and client are in a social situation and cross paths (Wheeler & Bertram, 2015).
- *Boundary crossing/extension*: an additional connection with a client, intended to help, and has evidence-based research to support (Welfel, 2016).
 - Boundary extensions typically occur at the request of the client.
- *Boundary violation*: an intentional boundary crossing that will likely harm the counseling relationship and/or the client (Wheeler & Bertram).
 - Boundary violations are typically initiated by the counselor with self-serving or exploitive aims (not always, though)

TYPES OF DAMAGE (WHEELER & BERTRAM, 2015)

- Loss of objectivity or clarity
- Potential for misunderstanding
- Conflict of interest
- Breach of confidentiality and privacy
- Exploitation

Ultimately, the vulnerable person (who has less power) will suffer harm.

LAWS AND ETHICS



BOUNDARY VIOLATIONS AND SEXUAL MISCONDUCT (WHEELER & BERTRAM, 2015)

- The most common allegation for professional liability continues to be sexual misconduct
- Even in cases where the counselor claims client consent, lack of harm, or that the sexual relationship began after treatment ended, if an attorney can persuade the court that sexual intimacy occurred, negligence along with a large settlement is usually decided.
 - Sexual intimacy does not require intercourse.

THE AMERICAN COUNSELING ASSOCIATION (ACA) CODE OF ETHICS (2014)

A.5. Prohibited Noncounseling Roles and Relationships

- A.5.a. Sexual and/or Romantic Relationships Prohibited
- A.5.b. Previous Sexual and/or Romantic Relationships
- A.5.c. Sexual and/or Romantic Relationships with Former Clients
 - Former clients, their romantic partners, or their family members are prohibited for a period of 5 years following the last professional contact.
 - Must document whether the relationship can be viewed as exploitive in any way or potential of harm to the former client. If so, the counselor must not enter into the relationship.
- A.5.d. Friends or Family Members
- A.5.e. Personal Virtual Relationships with Current Clients
 - Social and other media

THE AMERICAN COUNSELING ASSOCIATION (ACA) CODE OF ETHICS (2014)

- A.6.a. Previous Relationships
 - Casual, distant (non-romantic) relationships may be acceptable if the counselor takes appropriate precautions (informed consent, consultation, supervision, documentation)
- A.6.b. Extending Counseling Boundaries
 - Examples included attending a client's formal ceremony, purchasing a service or product, and visiting a client's ill family member. (Again, following appropriate precautions).
- A.6.c. Documenting Boundary Extensions
- A.6.d. Role Changes in the Professional Relationship
 - Examples include changing from individual to relationship or family counseling or vice versa, changing from evaluative to therapeutic role or vice versa, and changing from a counselor to a mediator role or vice versa.
- A.6.e. Nonprofessional Interactions or Relationship
 - "Counselors avoid entering into nonprofessional relationships with former clients, their romantic partners, or their family members when the interaction is potentially harmful to the client. This applies to both in person and electronic interactions or relationships."

COUNSELORS ARE LEADERS (CLOUD, 2013)

Leaders are held to higher personal and professional standards.

- Leaders
 - Open themselves to outside input and identify where they need help (consultation)
 - Are hungry for feedback (supervision)
 - Recognize their own distorted patterns of thinking and weaknesses (insight)
 - Have limits on their time and energy (boundaries)
- Bottom line: You are not just in charge of others (power), but yourself.



TECHNOLOGICAL BOUNDARIES

- Social media apps present many ethical considerations for counselors regarding boundaries and confidentiality. Recommendations include:
 - Having two different accounts (personal and professional)
 - Limit what is shared
 - Include social media policies in the informed consent process
 - Update and monitor security settings with social media providers (Corey, 2017).

ETHICAL DECISION-MAKING



ETHICAL THEORY UNDERLYING DECISION-MAKING MODELS

- Virtue ethics focus not only on the laws and guidelines, but also on the person.
- Counselors are not to pursue the minimum (mandatory ethics) but, rather, seek the best interests of the client (aspirational ethics). In doing good for their client (positive ethics), they should commit to a *concern-based* ethic as opposed to a *fear-based* ethic (Tan, 2022).
- A counselor's ethical decision-making model must bear public scrutiny and demonstrate consultation, consideration of ethical and state standards, potential courses of action, risks and benefits, and selection of a decision based on the circumstances of everyone involved (ACA, 2014; Wheeler & Bertram, 2015).

WHEN ARE BOUNDARY EXTENSIONS APPROPRIATE? (WHEELER & BERTRAM, 2015)

Some boundary extensions are unavoidable and not always bad. Some situations exist where co-occurring roles are in the best interests of the client.

1. Begin by asking “Is the dual relationship avoidable?”
 - If unavoidable or you believe that the benefit outweighs the potential risks...
2. Check that it aligns with your state licensure laws
3. Discuss the benefits and risks with the client
4. Secure informed consent
5. Document your decision making in the client’s record
6. Engage in ongoing discussion with the client to manage the relationship appropriately
7. Obtain regular consultation and/or supervision
8. Self-monitor

CASE STUDIES



ALBERTO AND PETER (WELFEL, 2016)

Alberto, a psychologist, is married to Sandra, an engineer for a software company. Peter is Sandra's boss and asks her if Alberto can counsel his son (16), who has been suffering from panic attacks. Alberto phones Peter and suggests that the family come in for a consultation the next day.

- What is your initial intuition about the ethics of this situation?
- Would this be a boundary blurring, extension, or violation?
- What seems possibly problematic?
- What additional information would be helpful before making a decision?

BENNY AND JEFFERSON (WELFEL, 2016)

Benny has been Jefferson's counselor for eight months (since Jefferson lost his partner to a house fire). Jefferson's family refused all contact with him years ago when Jefferson told them he is gay. Benny decides to invite Jefferson to share Christmas dinner with him and his family at their home.

- What is your initial intuition about the ethics of this situation?
- Would this be a boundary blurring, extension, or violation?
- What seems possibly problematic?
- What additional information would be helpful before making a decision?

CONCLUSION

- Counselors have special skills and should not be afraid to be responsive and helpful to others in need (occupational hazard).

“It is completely appropriate for a counselor to spend some time with a person in his or her circle who is troubled as long as the intent is to de-escalate a crisis or provide short-term support”
(Wheeler & Bertram, 2015, p. 190).

- When the support becomes long-term and a treatment relationship has begun, then problems are likely to follow.

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REFERENCES

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