

If you make statements that indicate you intend to harm yourself or others, your LPC may report that information to medical or law enforcement.

There are other similar situations that your counselor should discuss with you before or during the initial session. Apart from these rare circumstances, however, you can be assured that the only people who will have access to your records or statements are those for whom you have given written consent. This privacy gives you the freedom to speak openly and honestly with your counselor about your thoughts and feelings. Parents have a right to receive progress reports on their child's counseling. However, personal information shared by a child during an individual session will be kept confidential unless it involves imminent danger to the child or someone else. Young people will not confide in a counselor if they believe that personal information will be revealed to their parents.

You have a right to a copy of your own counseling records. This right is guaranteed under state law (Texas Health and Safety Code, Chapter 611.) You may be charged a reasonable fee for a copy of your records. Certain portions of your record may be withheld from you for a period of time for specific reasons as described in the law. You may read the text of this law through a link at the board's web site.

#### ***No Sexual Activity***

Counseling, by its very nature, often deals with the most private aspects of your life. It is your counselor's responsibility to ensure an atmosphere of safety for you, free from any kind of exploitation. The board does not tolerate sexual misconduct by professional counselors. An LPC is prohibited from engaging in sexual contact, sexual exploitation, or therapeutic deception with a client or a former client. Such misconduct constitutes grounds for revoking a counselor's license.

#### ***Maintaining a Professional Relationship***

Your relationship with your counselor should be strictly professional in nature. For example, an LPC is not allowed to invite you into a business venture, barter with you for counseling services, ask you for personal favors, or subcontract with you to do office work. These examples are called "dual relationships" and are unethical.

If you seek counseling with a personal friend, or someone with whom you already have a business or other type of relationship, the LPC must refer you to another mental health professional. Your LPC may not engage in any working or personal relationship with you without informing you that future counseling will no longer be a possibility.

Even after your counseling has been completed, your LPC may not engage in any working or personal relationship with you without informing you that future counseling will no longer be a possibility.

#### ***More Information***

Visit the board's web site for more information about licensed professional counselors. From this site, you may view or print the state laws and board rules that govern the provision of counseling services in Texas.

#### ***A Final Word***

Much of the success of your counseling experience depends on you. You are most likely to reap benefits from counseling if you are motivated, honest, and willing to work at self-improvement and self-awareness.

If you have a complaint or concern, speak first to your counselor. If you are not able to resolve the problem, you can file a consumer complaint with the board. You may call our toll-free complaint hotline at (800) 942-5540 or contact us in writing or by e-mail at the addresses shown on the front of this brochure.

This brochure is for general informational purposes and does not constitute a legal agreement between any person and The Texas State Board of Examiners of Professional Counselors (the board). All of the information provided is believed to be accurate and reliable; however, the board assumes no responsibility for any errors. This information is not copyrighted; you are welcome to copy and distribute this brochure.

Complaints should be directed by phone to the LPC Board Office 512-834-6658.

Complaint Hotline: 1-800-942-5540



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## *Texas State Board of Examiners of Professional Counselors*

# **What to Expect from your Licensed Professional Counselor**

Your name and address here

## **Texas State Board of Examiners of Professional Counselors**

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Licensed Professional Counselors (LPCs) are regulated by the Texas State Board of Examiners of Professional Counselors, (the board) a state board whose members are appointed by the Texas Governor to carry out the general oversight of professional counselors in Texas. LPCs provide counseling services in accordance with state law and the board's rules. This includes following the code of ethics that the board has established for the counseling profession. This brochure is intended to inform you of the ethical conduct that you may expect from your professional counselor. Your counseling is for you. Everything about the process should focus on enhancing your personal growth and your ability to cope with life's problems. You should expect to be treated with dignity in a professional manner. When you invest yourself in the counseling process, you can experience the satisfaction of working successfully at some of the most important issues in your life. The guidelines established by the Texas State Board of Examiners of Professional Counselors (the board) are aimed at promoting a positive counseling experience.

### ***Valid License***

You may visit the board's web page to view a roster of counselors to determine if a counselor is currently licensed. The web page also contains information about disciplinary actions taken against counselors. The roster is updated at least every two weeks; however, if a person's name does not appear on the roster, you should call the board office. Since licenses must be renewed annually, and every month a certain number of licenses expire, it is possible that your counselor's name may not appear on a roster that is posted while your counselor is in the process of license renewal.

### ***Truthful Advertising***

An LPC is required to be truthful when advertising counseling services to the public. You should receive accurate information regarding your counselor's training and credentials, as well as the scope of what may be accomplished in counseling.

### ***Practicing within the Scope of the Counseling Profession***

Your LPC has been trained to provide counseling services. This means assisting you through a therapeutic relationship, using a combination of mental health and human development principles and techniques, including the use of psychotherapy, to achieve your mental, emotional, physical, social, educational, spiritual, or career-related development and adjustment. An LPC may prevent, assess, evaluate, and treat mental, emotional, or behavioral disorders and distresses that interfere with mental health. An LPC may also implement and evaluate treatment plans using interventions that include counseling, assessment, consulting, and referral. You may have occasion to ask questions that require legal, medical, or other specialized knowledge. If so, you should seek advice from your attorney or primary care physician or ask your counselor for a referral to a specialist in your area of concern.

### ***Information at Initial Session***

At or before your first counseling session, you and your counselor should discuss general information relating to your counseling relationship, such as:

- fees for counseling and scheduling, cancellation, and payment policies
- goals that will guide the counseling process and methods or techniques that will be used during counseling
- any restrictions under which your LPC may be practicing (for example, whether or not the LPC is under the supervision of another mental health professional)
- confidentiality aspects of counseling and the circumstances under which something you say would not remain confidential
- other persons that may be included in the counseling process (for example, a team approach in the counseling office or the involvement of a local minister)

### ***Accurate Record Keeping and Billing***

Your LPC is required to keep records of your counseling sessions for a period of seven years, or seven years beyond the age of eighteen in the case of a child. These records include dates of treatment, case notes, correspondence, progress reports, and billing information. Billing to you or your insurance company must be only for services rendered according to your agreement with your counselor. You cannot be billed for appointments that never existed, although you may be billed for appointments that were not cancelled in accordance with your counselor's cancellation policy.

If you are the parent or guardian of a minor who is in counseling, you are entitled to a written summary and explanation of charges.

### ***Confidentiality***

Everything you discuss with your counselor remains confidential, with only a few exceptions. You must give signed permission before your LPC can share information with anyone about any aspect of your counseling. If you do give permission, you will have an opportunity to specify who should receive information from your file, what information they are allowed to receive, the purpose for which they may use the information, and the period of time during which you are granting the permission. Be sure to read carefully any "Release of Information" or "Consent" form that you may be asked to sign. Be sure to ask any questions that you may have.

The common situations requiring a release of information include certain inquiries from insurance companies, a new counselor wanting to use records from a previous counselor to provide continuing care, and collaboration with another agency or professional in your treatment. Sometimes, certain situations override your confidentiality. For example, if you are involved in a criminal case, the judge can order your file to be turned over to the court. If you make statements that a child or an elderly or disabled person has been abused or neglected, your counselor is required by law to report that information to the appropriate authorities.