

## NOTEBOOK ON ETHICS, LEGAL ISSUES, AND STANDARDS FOR COUNSELLORS

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### Scope of Practice for Counsellors

For this Notebook I thought that it might be useful to continue with the regulatory theme from the last issue. You will remember that I presented a number of definitions of professional counselling. I hope that you found them interesting and engaging. With activity in a number of provinces taking us towards the possibility of the statutory regulation of counselling we need to be developing an inventory of practices that might serve to inform any such statutes. For example, what is our preferred title for counsellors in a regulated profession? Should it be licensed professional counsellor (LPC), registered professional counsellor (RPC), certified professional counsellor (CPC), or maybe the title currently being proposed by the BC Task Group on regulation, licensed or registered counselling therapist? Also, any statute will need to include a Scope of Practice provision that sets out the scope of professional activities permitted under the legislation. Since virtually all the states in the United States have professional counsellors regulated by legislative statute I thought that it might be useful to sample a few of the scope of practice statements found in their statutes or in the administrative rules established under the authority of their acts.

I have the generous permission of the American Counseling Association (ACA) to share with you the following examples taken from a 1997 ACA publication entitled: ***Licensing Requirements: Counselors, Marriage and Family Therapists, Psychiatric Nurses, Psychologists, and Social Workers, 2nd Edition.***

#### Arkansas:

“Practice of counseling shall mean... any service involving the application of principles, methods, or procedures of the counseling profession which include, but are not restricted to: (1) Counseling which means... assisting... to develop understandings of personal problems to define goals, and to plan action reflecting his or her interests, abilities, aptitudes, and needs as these are related to personal-social concerns, educational progress, and occupations and careers; (2) Appraisal... selecting, administering, scoring, and interpreting instruments designed to assess an individual’s aptitudes, attitudes, abilities, achievements, interests, and personal characteristics, but shall not include the use of projective techniques in the assessment of personality; (3) Consulting... (4) Referral... (5) Research...” See 17-27-102 (5) for complete citation.

#### Florida:

“The practice of mental health counseling is the use of scientific and applied behavioral science theories, methods, and techniques for the purpose of describing, preventing, and treating undesired behavior and enhancing mental health and human development. Such practice includes the use of methods of a psychological nature to evaluate, assess, diagnose, and treat emotional and mental dysfunctions or disorders, whether cognitive, affective or behavioral; behavioural disorders; interpersonal relationships; sexual dysfunction; alcoholism: and substance abuse... may include clinical research. Mental health counseling treatment includes, but is not limited to counseling, psychotherapy, behavior modification, hypnotherapy, sex therapy, consultation, client advocacy, crisis intervention, providing needed information and education to clients... The terms “diagnose” and “treat” as used in this chapter, when considered in isolation or in conjunction with any provision of the rules of the board, shall not be construed to permit the performance of any act which mental health counselors are not educated and trained to perform..” See Chapter 491.003 (9) for complete citation.

**Kansas:**

“Professional counseling’ means to assist an individual or group to develop understanding of personal strengths and weaknesses, to restructure concepts and feelings, to define goals and to plan actions as these are related to personal, social, educational and career development and adjustment. ‘Assessment’ means selecting, administering, scoring and interpreting instruments designed to describe an individual’s aptitudes, abilities, achievements, interests and personal characteristics. ‘Consultation’ means the application of principles, methods and techniques of the practice of counseling to assist in solving current or potential problems of individuals or groups in relation to a third party. ‘Referral’ means the evaluation of information to identify problems and to determine the advisability of referral to other practitioners.” K.S.A. 65-5802 (c) (d) (e) (f)

**Michigan:**

“Practice of counseling or counseling means... the application of clinical counseling principles, methods, or procedures for the purpose of achieving social, personal, career, and emotional development and with the goal of promoting and enhancing healthy self actualizing and satisfying lifestyles whether the services are rendered in an educational, business, health, private practice, or human services setting. The counseling techniques, or behavior modification techniques for which the licensed professional counselor or limited licensed counselor has been specifically trained...” “Counseling principles, methods, or procedures means a developmental approach that systematically assists an individual through the application of any of the following procedures: (i) evaluation and appraisal techniques. As used in this subparagraph, “appraisal techniques” means selecting, administering, scoring, and interpreting instruments and procedures designed to assess an individual’s aptitudes, interests, attitudes, abilities, achievements, and personal characteristics for developmental purposes and not for psychodiagnostic purposes, (ii) exploring alternative solutions, (iii) developing and providing a counseling plan for mental and emotional development, (iv) guidance, (v) psychoeducational consulting, (vi) learning theory, (vii) individual and group techniques emphasizing prevention, (viii) counseling techniques, (ix) behavioral modification techniques, (x) referral...” See M.C.L.A.333.18101 (a) (d) for complete citations.

**North Carolina:**

“The ‘practice of counseling’ means holding oneself out to the public as a professional counselor offering counseling services that include, but are not limited to, the following: (a) Counseling - Assisting individuals, groups, and families through the counseling relationship, using a combination of clinical mental health and human development principles, methods, diagnostic procedures, treatment plans, and other psychotherapeutic techniques, to develop an understanding of personal problems, to define goals, and to plan action reflecting the client’s interests, abilities, aptitudes, and mental health needs as these are related to personal-social-emotional concerns, educational progress, and occupations and careers, (b) Appraisal Activities - Administering and interpreting tests for assessment of personal characteristics, (c) Consulting - Interpreting scientific data and providing guidance and personnel services to individuals, groups, or organizations, (d) Referral Activities - Identifying problems requiring referral to other specialists, (e) Research Activities - Designing, conducting, and interpreting research with human subjects.” 90-330 (3)

**South Carolina:**

“...The procedures of counseling include, but are not limited to, the following; (A) ‘counseling’, which means assisting children, adolescents, and adults, either individually, in groups, or in organizations, through the counseling and psychotherapeutic relationship to develop an understanding of and to explore possible solutions to interpersonal and personal problems and conflicts, to define goals, to make decisions, and to plan a course of action reflecting an individual’s or a group’s Interests, abilities, and mental and emotional needs which include, but are not limited to personal- social concerns, psychotherapeutic progress, sexual adjustment, developmental difficulties, educational achievement, and occupational and career development. (B) ‘appraisal’, which means selecting, administering, scoring, and interpreting instruments designed to assess an individual’s aptitudes, abilities, achievements, interests, and personal characteristics, and the use of nonstandardized methods and techniques for understanding human behavior in relationship to coping with, adapting to, or changing life situations. (C) ‘consulting’, which means conferring with other professional colleagues, groups, or organizations for the purpose of assisting them in their work with persons who are experiencing personal problems. (D) ‘referral’, which means the evaluation of data to identify problems and to determine the advisability of referral to other specialists.” 40-75-80

**Wyoming:**

“‘Practice of counseling’ means... a service that integrates a wellness, pathology and multicultural model of human behavior, This model applies a combination of mental health, psychotherapeutic, and human development principles and procedures to help clients achieve effective mental, emotional, physical, social, moral, educational, spiritual or career development and adjustment throughout the life span, and includes the diagnostic description and treatment of mental disorders or disabilities within the range of the professional’s preparation. ‘Psychotherapy’ means the treatment, diagnosis, testing, assessment or counseling in a professional relationship to assist individuals or groups to alleviate mental disorders, understand unconscious or conscious motivation, resolve emotional relationships or attitudinal conflicts, or modify behaviors which interfere with effective emotional, social or intellectual functioning.” WS 33-38-102 (vi) (viii)