

Confidentiality

All clients receiving services from the CHS Community Wellbeing and Support Clinic have a right to confidentiality and informed consent as clients. During the initial appointment, clients are presented with an intake packet including the a) Informed Consent form, which outlines the process of counseling services and limits of confidentiality; b) Telemental Health Services Informed Consent form; c) self-assessment, which details the student's needs and presenting concerns for counseling; c) the 7-item Generalized Anxiety Disorder-7 (GAD-7); and d) the Patient Health Questionnaire-9 (PHQ-9). Additional assessments may be administered based on the client's presenting concerns and goals for treatment. The client's signature on the Informed Consent document signifies that they have read, understood, and agreed to Clinic policies and procedures (See Appendix A). As part of informed consent, counselor trainees must inform clients about the nature and the anticipated course of counseling, involvement of third parties, the limits of confidentiality, and provide sufficient opportunity for the client to ask questions and to receive answers before providing services.

The Family Educational Rights and Privacy Act of 1974 (FERPA) provides that student records maintained by physicians, psychologists, psychiatrists, or other recognized professionals and paraprofessionals are not educational records. Therefore, student files do not become part of any permanent record at the university but are the property of the CHS Community Wellbeing and Support Clinic.

Students may review their records, in the presence of a Clinic staff member, upon written request. The request and the fact that a review occurred will be entered in the student's record. Students may receive copies of the record. The request and the fact that a copy of the records were provided will be documented in the student's file. Students do not have a right to review psychotherapy notes (process notes).

Privileged Communication

Privileged communication refers to communications between mental health professionals and their clients as privileged and, therefore, are protected from forced disclosure in cases arising under federal law. Virginia law recognizes the privilege that attaches to the counselor-client relationship and the privilege is typically extended to licensed counselors and psychologists (VA code, 8.01-400.2.). Although counseling services at the CHS Community Wellbeing and Support Clinic are primarily provided by graduate students enrolled in the ODU Counseling program, all counselor trainees, human services trainees, and Clinic staff will adhere to the policy of privileged communication.

Limits to Confidentiality

When the CHS Community Wellbeing and Support Clinic staff believe a student or client poses a clear and present danger to themselves and/or to others, the Clinic may selectively release information, without the student's consent, to aid in the care and protection of the student or the endangered others (VA code, 12VAC35-115-80).

When Clinic staff have reasonable cause to suspect that a child (a person under 18 years of age) has been subjected to child maltreatment, which may involve physical abuse, sexual abuse, neglect, sexual exploitation or abandonment, as defined by Virginia code, 12VAC35-115-80. Clinic staff may selectively release information, without the student or client's consent, to aid in the care and protection of that child. Clinic staff are further required by Virginia law to report this information to Child and Protective Services. Clinic staff are also required to report elderly abuse and abuse of a vulnerable adult (VA code, 54.1-2969).

Should the Clinic receive a subpoena for client records, the university legal counsel will be consulted prior to taking any action. Students will be notified in advance, if at all possible, of any compliance with a court order, state, or federal law that might require disclosure of client records.

Authorization for Release of Information

The Authorization for Release of Information (ROI) form will be used when a client desires for counseling information to be shared with a third party (See Appendix E). Examples of a client signing an ROI include but are not limited to a) releasing information to another provider to coordinate care (e.g., primary care physician, psychiatrist, another counselor); b) releasing information to the Office of Counseling Services to coordinate care; and c) releasing information to a family member whom the client would like involved in their care; d) releasing information to ODU faculty and/or department to confirm services.

Video Taping of Counseling and Case Management Sessions

Regularly taping of sessions is a requirement of the graduate Counseling Program at Old Dominion University for all counselor trainees who are in practicum and/or internship sites. Tapes will periodically be reviewed by site supervisors, university supervisors, and peers who are participating in the same supervision group as the counselor trainee. All counselor trainees, students, faculty, and staff will abide to the confidentiality policies outlined in this handbook. Tapes are stored electronically on Supervision Assist, a HIPPA-compliant platform, and will be erased upon the completion of each semester.