Using Videoconferencing to Deliver SUD Treatment & Recovery Services

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Disclaimer

Ethical Considerations In Telebehavioral Health Practice

Ethical Learning Objectives

- Understanding of Ethical Professional Preparation for Practice of Tele-Behavioral Health

- Discern Through Practice On-line Ethical Considerations

Introduction

Why it's different? What's the big deal?

- Different from person-to-person face-to-face
- Barriers to attending treatment overcome by Telebehavioral Health (Transportation/Child care/weather/disease)
- Reducing no-show rates and increasing counselor productivity
- Engaging new clientele familiar with technology
- Current COVID-19 precautions increased use of Telebehavioral Health

Telebehavioral Health- What is it?

A **METHOD** of service delivery

Services can include:

- Supervision
- Fidelity monitoring
- Visitation
- Staffing
- Training

Some helpful resources

- **Technology-Based Clinical Supervision Guidelines**

National Frontier & Rural ATTC www.nfarattc.org

- **Telehealth Capacity Assessment Tool TCAT-Is your Agency ready for Telehealth?**

National Frontier & Rural ATTC www.nfarattc.org

Defined by SAMHSA as

- ✓ Use of electronic media and information technologies to provide services
- ✓ Used by Skilled & Knowledgeable professionals
- ✓ Services: screening, assessment, primary treatment and after-care
- ✓ More accessible modes
- ✓ Help people access treatment services
- ✓ Sole treatment modality or combination with other modalities

Ethics – What Is It?

- The discipline dealing with what is good and bad and with moral duty and obligation – Webster Dictionary

Ethical Considerations

Assessing Appropriateness

- Not every competent clinician is a good candidate for online practice

- Not every client with a computer should be an Behavioral Tele-Health client

Ethics and Tele-Behavioral Health

Is Tele-Behavioral Health Ethical?

OR

Is Denying On-Line Services Unethical?

Ethical Considerations

Assessing Appropriateness

- The Clinician
  - Foundation of Clinical Skills
  - Experience
  - Supervision
  - Clinicians will be called on for skills and information typically not asked in F2F treatment

Ethical Considerations

Assessing Appropriateness

- The Client
  - Their feelings about Behavioral Tele-Health
  - Computer
  - High-Speed Internet Access
  - Motivation to participate in Behavioral Tele-Health
  - Safety of self and others
  - Ability to participate

Ethics – Industry Self-Regulation

Organizations that have developed Ethical Codes and Standards:

www.EthicsCode.com (Guidelines for Mental Health and Healthcare Practice online)

www.ISMHO.org (International Society for Mental Health Online)

www.ihealthcoalition.org (Internet Healthcare Coalition)

www.ama-assn.org/ama (American Medical Association)

"Hi-Ethics Alliance" (Health-Internet Ethics Alliance)- several online health providers - such as WebMD - created consensus on code of ethics for the medical e-health sector. (2000)

Ethics – the Top 10 List

EthicsCode.com
Guidelines for Professional Practice Online

10. Understanding and Informing

(a) Online clinicians educate themselves about the uses and limits of online care, they advise potential clients about them in accordance with current research and practice.

(b) Online practitioners inform potential clients of any relevant research and available data about online therapy, including the potential effectiveness or limits for a specific problem.

9. Online and In-office Service Arrangements

- Online clinicians assess the suitability of potential clients for online care. Online care may be insufficient for clients in crisis or life threatening situations, where in-person assessment and care is the better alternative. If an online practitioner foresees that a potential client may require in-office care at some point, the practitioner informs the client of such an eventuality. The clinician accepts the client into his/her care only if:

    (a) both parties agree that the therapist is within a reasonable geographical distance of the client and can thus provide in-office care if such is needed; or

    (b) a contingency referral arrangement for such cases is mutually agreed upon by the clinician and client

8. Emergency Contact

Online clinicians verify the client's identity to the extent possible and establish some means, other than e-mail, of communicating both with clients and emergency contacts.

7. Limits of License and Insurance

- Online clinicians provide professional care only to those clients who reside in the state or province in which the practitioner is licensed or certified. Online clinicians explain the limits of out-of-state practice and lack of insurance coverage in such cases to clients who must always sign an Informed Consent form.

6. Understanding Confidentiality and Security Online

- Online clinicians educate themselves about, and advise clients of, the potential risks to confidentiality in regard to Internet transmissions.

5. Privacy Measures

- Online clinicians provide care only through "secure" web sites, using current protective procedure

4. Reimbursement and Payment for Services

- Online clinicians advise potential clients of the current limitations of online care with regard to third-party involvement, payments or reimbursement for online professional services.

3. Regulating and Supervising Entities

- Online clinicians provide links to information web sites of those bodies that license, certify or supervise the practitioner, and to whom clients have recourse in case a dispute arises between the therapist and client.

2. Professional Standards

- Online clinicians safeguard the privacy of client records using standard office procedures, e.g., of such level and detail as are required and kept in the non-virtual office.

1. Mastery of the Modality

- Online clinicians seek technical consultation, or other means of understanding technical issues, prior to providing online professional services.

Legal Issues to Consider

- Therapist/Counselor Liability insurance to cover Telebheavioral Health
- Fee Structure
- Pre-screening of clients
- Truth in advertising
- Social Media Policy
- Competence-What are the counselor's qualifications?

HIPAA Compliance in Telebehavioral Health

- How does the platform secure the Virtual Environment? BAA
- Zoom Security Measures-Zoom.us
- Vsee-vsee.com

Sites that provide comparison-cost, ease of use, security, etc.

Virtual Private Network (VPN) licenses- work from home. Emergency licenses.

Informed Consent

What are the risks and benefits
Of Telebehavioral Health?

SAMHSA TIP 60 Chapter 1

Essential Elements of Informed Consent

In addition to traditional, face-to-face services, when it is appropriate Operation PAR also offers counseling through the internet, web-based video, and hand-held devices such as tablets and smart phones.

Informed Consent
-Nature of Treatment
-Risks
-Benefits
-Alternatives
-Opportunity for Questions

Due Diligence

- Professional Codes of Conduct -Telebehavioral Health
- State Laws
- Billing

- **SAMHSA COVID-19 Public Health Emergency Response and 42 CFR Part 2 Guidance**

https://www.samhsa.gov/coronavirus

Questions?

Clinical Principles and Standards

Clinical Learning Objectives

- Understand the vast use of Telebehavioral Health in the continuum of clinical services.

- Explore the differences in counseling techniques conducting Telebehavioral Health counseling sessions as opposed to in-office sessions.

What do we Know?

- Different skills for Building Rapport in a virtual world
- Special Challenges
- Confidentiality
- Balancing-Clinical Skills/Technology
- Use of "different" communication style-

Increased use of verbalizations. Explaining

Your moves on the computer.

The Nuts and Bolts of a Session

- Make sure it fits the client
- Preparation for the Session
- Moving to a Relationship
- On-line Ground Rules
- Signatures and payment online
- Termination of Session and Treatment

Make sure it fits-considerations

- The I <3 technology
- To the inappropriate: SI/HI, Thought D/O, Need of medication, medication is not stable, etc.

Assessments

- It is not everything, explore and find the rest of the story
- On-line life/technology experience-digital native or digital immigrant
- Obtain background information/collateral data

Lights-Camera-Video

- Camera placement
- Limit distractions in the background
- Lighting-Key Light
- Center yourself on the screen
- Be ready to connect with folks

At the Click of a Button

Can leave the session – Maintaining the client's commitment to participate

Be Prepared

Because the client is not within the walls of an office – client could increase verbalization of negativity, more easily distracted, etc.

Expect the Unexpected!

Safety Checklist

BEFORE STARTING A SESSION

1. Let others in your office space know you are entering a Telebehavioral Health session.

a. Ensure you are in a private area. No family members/roommates around if working from home. Ensure your family/roommates understands the importance of no interruptions during Your session. Ensure your family/roommate is not able to hear or see your computer. (work from home approval to HR)

    a. Have a specific person in your office identified to contact you via phone or by knocking on your door if an emergency occurs and you need assistance. Zoom chat safety protocol.

2. Place a sign on your door stating, "Do not disturb in a Telebehavioral Health session" do not disturb from _____ to _____.

Safety Checklist 1

3. Silence your phone and turn off e-mail.

4. Make sure you are able to see a clock.

5. If you are going to share your screen or share from the electronic health record (EHR), open and make sure only your client's information is visible (minimize on screen).

Safety Checklist 2

6. Adjust your camera to a position which is appealing.

    a. Make sure lighting is good.

    b. Test your microphone and sound.

7. When the client logs on.

    a. Make sure your client can hear you and you can hear your client.

b. Problem solve and make any needed adjustments.

Safety Checklist 3

CONDUCTING THE SESSION

1. Where are you today (address/location)? If we should get disconnected, what number should I use to reach you?

2. Is anyone else there with you?

      a. If no, begin session.

      b. If yes, who is there with you today?

Safety Checklist 5

3. Do you want to continue the session with_____ there with you?

a. If no, end session.

b. If yes, can we identify a word you can say to me that means to end the conversation "safe word"?

Safety Checklist 4

ENDING THE SESSION

1. Take off and unplug headset (if applicable).

2. Remove "Do not disturb" sign from your door.

3. Let others in your office space/home know you are no longer in session.

Structure of Treatment Services

- Resembles F2F

- And then add a dash of:
  - Confidentiality
  - Rights & Responsibilities
  - Commitment to treatment
  - Boundaries

Utilize

- Description
- Feedback
- Reflective listening

Ground Rules

- Review - Review- Review
- Time
- Session after use?
- Client Responsibility
- Unscheduled chats
- Session requests
- Emails
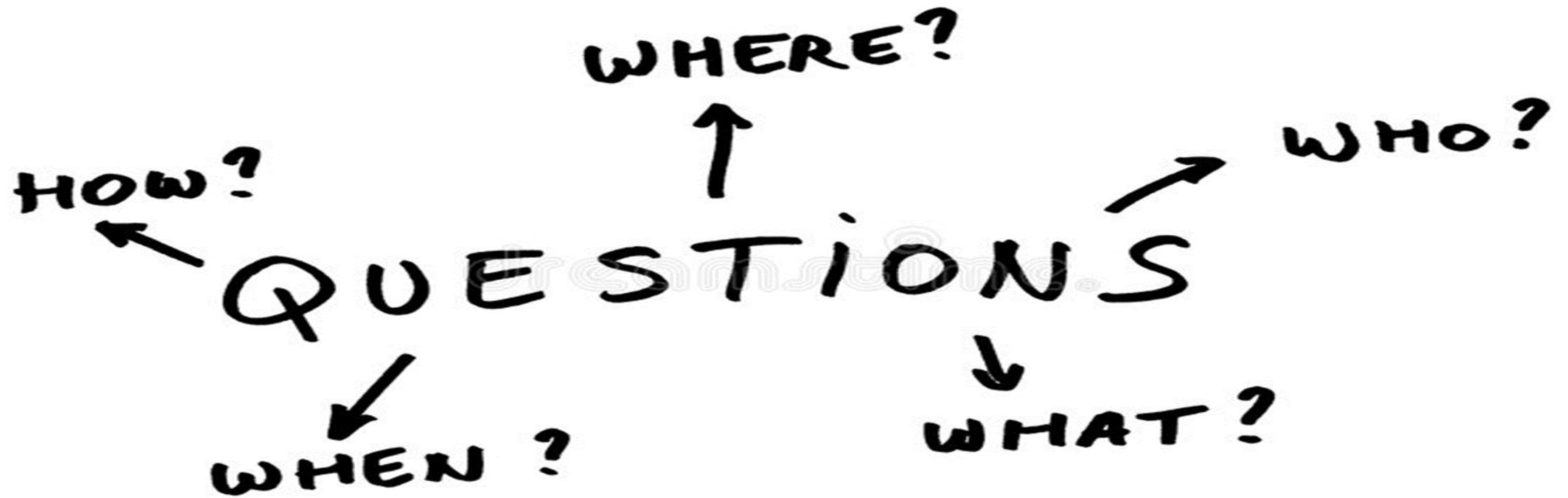- When/how communicate

Termination

- Start talking about discharging at ADMISSION
- Emphasize termination is a process
- Importance of closure
- Opening the door to allow discussion on desires to leave

And other online resources…

Questions

Resources

- **Telehealth Resource Center**
- https://www.telehealthresourcecenter.org/resources/

- **ATA Practice Guidelines for VIDEO-BASED ONLINE MENTAL HEALTH SERVICES**
- https://www.integration.samhsa.gov/operations-administration/practice-guidelines-for-video-based-online-mental-health-services_ata_5_29_13.pdf

- **International Society for Mental Health Online**
- www.ISMHO.org

- **Internet Healthcare Coalition**
- www.ihealthcoalition.org

- **American Medical Association**
- www.ama-assn.org/ama

Resources continued

- **Telebehavioral Health Institute**
- https://telehealth.org/ethical-statements/

- **Zoom Help Center-Lighting Concepts**
- https://support.zoom.us/hc/en-us/articles/360028862512-Lighting-Concepts

- **VSee-Don't Forget Lighting! Part 1**
- https://vsee.com/blog/video-conference-lighting-tips-part-1/

- **Using Technology-Based Therapeutic Tools in Behavioral Health Settings TIP 60**
- https://store.samhsa.gov/product/TIP-60-Using-Technology-Based-Therapeutic-Tools-in-Behavioral-Health-Services/SMA15-4924

Resources Continued 1

- **Epstein Becker Green survey covers all 50 states and the District of Columbia. Updated 2019 and offers a free Telemental Health Laws App is available iPhone, iPad and Android.**

- **https://www.ebglaw.com/content/uploads/2017/10/EPSTEIN-BECKER-GREEN-2017-APPENDIX-50-STATE-TELEMENTAL-HEALTH-SURVEY.pdf**

- **CMS.gov-List of Telehealth Services**

- https://www.cms.gov/medicare/medicare-general-information/telehealth/telehealth-codes.html

- **Centers for Medicare & Medicaid Services. Telehealth Services for Medicare Fee For Service Providers. Updated January 2019.**

- https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/downloads/TelehealthSrvcsfctsht.pdf

- **U.S. Department of Health & Human Services**

- https://www.hhs.gov/hipaa/for-professionals/privacy/laws-regulations/index.html

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Resources Continued 2

- **SAMHSA Substance Abuse Confidentiality Regulations**
- https://www.samhsa.gov/about-us/who-we-are/laws-regulations/confidentiality-regulations-faqs

- **ASAM Confidentiality (42 CFR Part 2)**
- https://www.asam.org/advocacy/advocacy-principles/standardize-it/confidentiality-(42-cfr-part-2)-new

- http://www.telehealthresourcecenter.org/toolbox-module/cross-state-licensure

Resources Continued 3

- https://www.healthit.gov/providers-professionals/faqs/are-there-state-licensing-issues-related-telehealth