

**Psychotherapy During the Pandemic:  
Legal & Ethical Implications**

Advanced Topics in Supervision

Taught by Debra Manchester, LCSW

Saturday November 7, 2020

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# SYLLABUS

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## | EDUCATIONAL GOALS & LEARNING OBJECTIVES

### **Goals:**

The goals of this course are the following:

1. To inform participants of the laws and ethics surrounding telehealth services.
2. To give mental health practitioners a pragmatic approach for morally sound decision-making as complex ethical challenges arise daily in our professional and personal roles due to the pandemic.

### **Learning Objectives:**

Upon completion of this course, the participants will be able to:

1. Participants will be able to discuss core competencies and ethical guidelines for practicing telehealth.
2. Participants will be able to name some of the benefits and risks of telehealth and understand the necessity for informed consent.
3. Participants will be able to explain the impact of COVID19 on mental health.
4. Participants will be able to explain the purpose of The Georgetown Paradigm and other decision-making models.
5. Participants will be able to state 2 of the ethical principles at the core of moral reasoning in health care.
6. Participants will be able to apply ethical principles to current clinical dilemmas arising from the pandemic.

## | COURSE OUTLINE

1. OVERVIEW OF TODAY'S WORKSHOP
  
2. THE ETHICAL PRACTICE OF TELEHEALTH & CORE COMPETENCIES
  - a. Informed consent
  - b. Scope of practice
  - c. When to refer
  
3. UNIQUE CHALLENGES OF COVID-19 ERA
  - a. The impact on mental health
  
4. ETHICAL DECISION-MAKING
  - a. The Georgetown Principles
  - b. Applying ethical principles to ethical dilemmas
  - c. Case studies with ethical dilemmas

## | REFERENCES & BIBLIOGRAPHY

### **REFERENCES ON TELEHEALTH**

“New Changes to California Telehealth Regulations” by Ben Caldwell, Feb 25, 2020.  
<https://www.simplepractice.com/blog/california-telehealth-regulations/>

“Notification of Enforcement Discretion for Telehealth Remote Communications During the COVID-19 Nationwide Public Health Emergency” in US Dept. of Health & Human Services, Content created by Office for Civil Rights (OCR); last reviewed on March 30, 2020  
<https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html>

“Can I Provide Teletherapy Across State Lines During the Pandemic?”  
<https://blog.zencare.co/teletherapy-across-state-lines-coronavirus/>

Leatherberry et al. “Telehealth: Core Competencies for Psychologists in the Wake of COVID-19” in *The California Psychologist*, Fall 2020.

“Guidelines for the Practice of Telepsychology” in American Psychological Association website.  
<https://www.apa.org/practice/guidelines/telepsychology>

New regulations in Division 18 of Title 16 of the CA Code of Regulations, adopted by BBSE.  
[https://www.bbs.ca.gov/pdf/regulation/2016/1815\\_oaa.pdf](https://www.bbs.ca.gov/pdf/regulation/2016/1815_oaa.pdf)

### **REFERENCES ON COVID AND MENTAL HEALTH**

“Substantial investment needed to avert mental health crisis” in WHO news release, May 14, 2020.  
<https://www.who.int/news/item/14-05-2020-substantial-investment-needed-to-avert-mental-health-crisis>

“COVID-19 disrupting mental health services in most countries” World Health Organization news release, October 5, 2020.  
<https://www.who.int/news/item/05-10-2020-covid-19-disrupting-mental-health-services-in-most-countries-who-survey>

COVID-19 and Mental Health: A Growing Crisis. A report by Mental Health America.  
[https://mhanational.org/sites/default/files/Spotlight%202021%20-%20COVID-19%20and%20Mental%20Health.pdf?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=newsletter\\_axiosam&stream=top](https://mhanational.org/sites/default/files/Spotlight%202021%20-%20COVID-19%20and%20Mental%20Health.pdf?utm_source=newsletter&utm_medium=email&utm_campaign=newsletter_axiosam&stream=top)

<https://www.mhanational.org/covid19>

Patuck, Helen. My Hero is You, Storybook for Children on COVID-19, ©IASC, 2020.  
Download book: <https://interagencystandingcommittee.org/system/files/2020-04/My%20Hero%20is%20You%2C%20Storybook%20for%20Children%20on%20COVID-19.pdf>

### **References on Ethical Decision Making**

Part I: “Our New Ethical Standards: A Closer Look at the Revised CAMFT Code of Ethics” by M. Griffin. In *The Therapist*, May/June 2020.

Part II: “A Closer Look at the Revised CAMFT Code of Ethics” by Griffin, M. in *The Therapist*, Sept/Oct 2020.

Beauchamp, T. & Childress, J. *Principles of Biomedical Ethics*, 8<sup>th</sup> Edition, Oxford University Press, 2019.

References on COVID in CA:

COVID19.ca.gov

<https://covid19.ca.gov/essential-workforce/>

State of CA- Health and Human Services. CA Dept of Public Health

[https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings\\_06-18-2020.pdf](https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings_06-18-2020.pdf)

County of Santa Barbara

Public Information Portal includes daily status of COVID-19, press releases and latest information from our Public Health Dept.

<https://www.countyofsb.org>

“Seven Guidelines for Parents who are divorced/separated and sharing custody of children during the COVID19 Pandemic” by Patricia Bernstein

<https://www.afccnet.org/Portals/0/COVID19Guidelinesfordivorcedparents.FINAL.pdf?ver=2020-03-17-202849-133>

Hamilton, S. “Co-Parenting in a Pandemic” published online by California Lawyers Association.

<https://calawyers.org/covid-19-public-resources/>