

Outline

Overview/Confidentiality of Mental Health Records

- When and to Whom Records Can Be Released
- Mandatory Disclosure Requirements
- Alcohol/Drug and AIDS/HIV Treatment Records
- Necessary Documentation

HIPAA 101 - Federal Confidentiality Regulations

- What Is HIPAA Today?
- How Do I Comply with the Regulations?
- What Are "Psychotherapy Notes"?
- When May I Release Records?
- How Much Paperwork Will This Be for My Office?

Responding to Subpoenas, Court Orders and Law Enforcement

- Subpoenas; Types of Subpoenas; Duty to Respond; Time Limits
- Search Warrants & Court Orders
- Authority to Obtain Information
- Investigations
- Development of Policies and Procedures to Respond

Balance the Rights of Minors & Parents

- Minors' Rights
- Age of Majority
- Access to Records
- Rights of Minors to Refuse/Consent to Medication and Treatment
- Alcohol, Drug Abuse and Treatment Issues for Minors
- Parental Rights
- Custodial and Divorce Factors
- Child Abuse Allegations
- Custodial vs. Non-Custodial Parent's Rights to Records

Voluntary and Involuntary Mental Health Commitments

- Reasons to Use a Voluntary Commitment or an Involuntary Commitment
- Grounds for an Involuntary Commitment: Dangerousness (as Defined by Statute)
- Mental Illness
- Procedures

Professional Ethics and Boundary Issues

- Consent Elements and Competency Issues
- Medication: Right to Refuse
- Restraints and Seclusion
- Individual's Legal Rights
- Informed Consent
- Boundary Issues: Where the Lines Are Blurred
- Prescribing Practices
- Board of Health Professionals Investigation - Disciplinary Proceedings

Legal Liabilities of the Professional

- Duty to Warn Issues
- Professional Obligations and Standards
- Fraud & Abuse Issues
- Billing & Coding Errors
- Documentation
- Compliance with Contradictory Laws



PESI Inc. is proud to offer this seminar (at these locations only) free of charge (on live seminar tuition) for veterans and active duty military personnel. *Limited seats available; advance online registration required.*

6.25 ETHICS CE HOURS

Objectives

1. Establish practices for ensuring HIPAA compliance to protect client's privacy and minimize risk of litigation.
2. Compare the different requirements for release of protected health information via subpoenas and court orders.
3. Explore the legal and ethical considerations for the treatment of minor populations in Maryland with regard to age of consent, confidentiality and custody concerns.
4. Differentiate between the processes for voluntary and involuntary commitment for treatment and determine the clinician's role in each.
5. Develop policies on ethical issues such as restraints, seclusion and informed consent.
6. Designate the treatment provider's responsibilities relating to mental health issues and duty to warn law in Maryland.

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Legal Issues in Behavioral Health in Maryland:

Legal and Ethical Considerations

6 ETHICS CE HOURS

HAGERSTOWN, MD
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Legal Issues in Behavioral Health in Maryland:

Legal and Ethical Considerations

- Court Orders: Must You Appear?
- When Not to Release Your Documentation
- Prevent Liability and Avoid Paying Damages
- Protect Your Credentials/ License
- Do's And Don'ts of Documentation
- Why and When to Call an Attorney
- Avoid the Litigation Hot Seat

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Legal Issues in Behavioral Health in Maryland: Legal and Ethical Considerations

Without the proper legal awareness needed to stay in compliance, you may face grave legal and financial consequences. This seminar will show you how to continue to help the people you've been trained to help while still protecting yourself from many legal pitfalls. If you attend only one seminar this year, make it this one.

Join attorney Lois Fenner for an entertaining and enlightening day and leave with a greater understanding of the latest Maryland laws as they relate to behavioral health. You will take home practical strategies to minimize and manage legal and ethical risks and you will learn how to immediately implement these risk reducing strategies into your practice.

Speaker

LOIS FENNER, R.N., M.S., Attorney at Law, is an honor graduate of the University of Maryland Graduate School of Nursing, Undergraduate School of Nursing and University of Maryland Law School. She is an attorney admitted to practice before the United States Supreme Court, a Registered Nurse and a Certified Clinical Specialist. Ms. Fenner is a founding member of The American Nurse Attorneys Association, past president of the Monumental Bar Association, member of the Women's Bar Association, Phi Kappa Phi and Sigma Theta Tau Honor Societies and the National Exchange Club. She has been recognized by the Alliance of Black Women Attorneys with the Distinguished Women in Law Award; the Baltimore Marketing Association Harold Young Leadership Award, and the Baltimore County Diversity Award. Additionally, she is a three-time recipient of the *Daily Record's* Top 100 Women in Maryland award and was inducted into the Circle of Excellence. Attorney Fenner has been recognized as a *Baltimore Business Journals* Who's Who in Law and was selected as one of the Super Lawyers twice. Her practice focuses on medical litigation and health care including medical malpractice, personal injury, accreditation, wrongful death, Professional Board and licensure issues. She is a recognized educator and lecturer throughout the country providing realistic and current information in dynamic presentations.

Speaker Disclosures:

Financial: Lois A. Fenner is in private practice. She receives a speaking honorarium from PESI, Inc.

Non-financial: Lois A. Fenner has no relevant non-financial relationships to disclose.

This program has been developed for:

Social Workers • Counselors • Psychologists • Marriage & Family Therapists • AODA Professionals
Health Information Managers • Medical Records Professionals • Nurses



Hassle-Free Cancellation Policy: If you contact us before the seminar date, you can exchange for a DVD or CD/digital manual package on the subject (self-study continuing education credit may be available), a certificate to attend another seminar, or receive a tuition refund less a \$30 cancel fee. Substitutions are permitted at any time.



Have a seminar idea? A manuscript to publish?

The nation's top speakers and authors contact PESI first. If you are interested in becoming a speaker or have a new topic idea, please contact Josh Lindbald at jlindbald@pesi.com or call 715-855-5234.



*SAVE BY INCLUDING THESE BOOKS WITH SEMINAR REGISTRATION!

Legal and Ethical Issues for Mental Health Clinicians: Best Practices for Avoiding Litigation, Complaints and Malpractice

By Susan J. Lewis, Ph.D., J.D.

Guidance, strategies, solutions and up-to-date information to help keep you out of court and jail. Easy-to-understand language to step you through the legalese, highlighted by 30 engaging case examples to illustrate how you can overcome legal and ethical challenges, including risk management, contracts, HIPAA privileged communication, licensing complaints, supervision pitfalls, rights of minors and technology.



Digital Detox Card Deck

56 Practices to Help You Detox, De-Stress, Distract and Discover

By Goali Saedi Bocci, PhD

Buzzing, pinging and grasping for our attention, our phones and screens can cause significant distress, as we lose touch with reality and the importance of self-care and emotional well-being. Take advantage of the 56 practices inside to detox from your devices, feel rejuvenated, find healthier coping skills, and embrace the present moment.

Live Seminar Schedule

7:30 Registration/Morning Coffee & Tea

8:00 Program begins

11:50-1:00 Lunch (on your own)

4:00 Program ends

There will be two 15-min breaks (mid-morning & mid-afternoon).
Actual lunch and break start times are at the discretion of the speaker.
A more detailed schedule is available upon request.

Seminar on DVD or CD Package:

You can purchase a self-study package on the subject. You will receive a set of CDs or DVDs that include a digital copy of the seminar manual and post-test/evaluation. You and your colleagues can receive CE hours for a nominal fee. To determine if homestudy credits are available for your profession go to www.pesi.com or call 800-844-8260. Check with your licensing board to verify acceptance of self-study credits for license renewal. Order today by using the order form on this brochure or by calling 800-844-8260.

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Credits listed below are for full attendance at the live event only. After attendance has been verified, pre-registered attendees will receive an email from PESI Customer Service with the subject line, "Evaluation and Certificate" within one week. This email will contain a link to complete the seminar evaluation and allow attendees to print, email or download a certificate of completion if in full attendance. For those in partial attendance (arrived late or left early), a letter of attendance is available through that link and an adjusted certificate of completion reflecting partial credit will be issued within 30 days (if your board allows). Please see "LIVE SEMINAR SCHEDULE" on this brochure for full attendance start and end times. NOTE: Boards do not allow credit for breaks or lunch.

If your profession is not listed, please contact your licensing board to determine your continuing education requirements and check for reciprocal approval. For other credit inquiries not specified below, or questions on home study credit availability, please contact cepesi@pesi.com or 800-844-8260 before the event.

Materials that are included in this course may include interventions and modalities that are beyond the authorized practice of mental health professionals. As a licensed professional, you are responsible for reviewing the scope of practice, including activities that are defined in law as beyond the boundaries of practice in accordance with and in compliance with your profession's standards.

PESI, Inc. offers continuing education programs and products under the brand names PESI, PESI Healthcare, PESI Rehab and Psychotherapy Networker.

ADDITION COUNSELORS: This course has been approved by PESI, Inc., as a NAADAC Approved Education Provider, for 6.0 CE in the Legal, Ethical and Professional Development skill group. NAADAC Provider #77553. PESI, Inc. is responsible for all aspects of their programming. Full attendance is required; no partial credit will be awarded for partial attendance.

COUNSELORS: This intermediate activity consists of 6.25 clock hours of continuing education instruction. Credit requirements and approvals vary per state board regulations. Please save the course outline, the certificate of completion you receive from the activity and contact your state board or organization to determine specific filing requirements.

MARYLAND COUNSELORS: This intermediate activity is approved for 6.25 clock hours of continuing education instruction. The Maryland Board of Professional Counselors recognizes courses and providers that are approved by the NAADAC. A certificate of attendance will be awarded at the end of the program to counselors who complete the program evaluation, to submit to their state board.

MARRIAGE & FAMILY THERAPISTS: This activity consists of 380 minutes of continuing education instruction. Credit requirements and approvals vary per state board regulations. You should save this course outline, the certificate of completion you receive from the activity and contact your state board or organization to determine specific filing requirements.

NURSES/NURSE PRACTITIONER/CLINICAL NURSE SPECIALISTS: PESI, Inc. is accredited as a provider of continuing nursing education by the American Nurses Credentialing Center's Commission on Accreditation.

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SOCIAL WORKERS ETHICS: PESI, Inc., #1062, is approved to offer social work continuing education by the Association of Social Work Boards (ASWB) Approved Continuing Education (ACE) program. Organizations, not individual courses, are approved as ACE providers. State and provincial regulatory boards have the final authority to determine whether an individual course may be accepted for continuing education credit. PESI, Inc. maintains responsibility for the course. ACE provider approval period: January 27, 2017 - January 27, 2020. Social Workers completing this course receive 6.25 Ethics continuing education credits for completing this course. Course Level: Intermediate. A certificate of attendance will be awarded at the end of the program to social workers who complete the program evaluation. Full attendance is required; no partial credits will be offered for partial attendance.

OTHER PROFESSIONS: This activity qualifies for 380 minutes of instructional content as required by many national, state and local licensing boards and professional organizations. Save your course outline and certificate of completion, and contact your own board or organization for specific requirements.

QUESTIONS? Call 800-844-8260 or e-mail us at info@pesi.com.

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LEGAL ISSUES IN BEHAVIORAL HEALTH IN MARYLAND: LEGAL AND ETHICAL CONSIDERATIONS

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ADA NEEDS

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TUITION OPTIONS

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• **\$30 Tuition:** If you are interested in being our registration coordinator for the day, go to: www.pesi.com/coord for availability and job description, or call our Customer Service Dept. at 800-844-8260.

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