

Outline

CONFIDENTIALITY OF MEDICAL & MENTAL HEALTH RECORDS **Robert Landau**
3.0 Ethics

Insurance Coverage
Importance of Documentation
Best Practices/Risk Management: Tips to Avoid Claims and Suits
Importance of Peer, Ethics and Legal Consultation
Informed Consent
Confidentiality and Exceptions
Duty to Warn/Protect
Relevant Statutes and Regulations
Licensing Board Complaints
Responding to Subpoenas
Working with Attorneys
Defending Lawsuits

ETHICAL DILEMMAS: TRENDS, CHALLENGES, & RISKS **Frederic Reamer**
3.0 Ethics

Trends in Malpractice Claims & Ethics Complaints
Ethical Challenges & Risks:

+ Confidentiality	+ Privacy
+ Informed Consent	+ Boundary Issues
+ Conflicts of Interest	+ Digital & Electronic Relationships
+ High-risk Treatment	+ Termination of Services
+ Defamation	+ Documentation
+ Impaired Professionals	+ Privileged Communication

Key Concepts: Malpractice, Negligence, & Ethics Violations

ETHICAL DILEMMAS: DECISION MAKING, RISK MANAGEMENT STRATEGIES

Handling Difficult Ethical Judgments/Decisions
Ethics Consultation & Ethics Committees
Ethical/Legal Standards of Care

Objectives

1. Discuss ethical challenges and risks involving boundary issues from a legal perspective.
2. List risk management tips to avoid licensing board complaints and lawsuits.
3. Consider ethical dilemmas clinicians face surrounding boundary setting with clients in clinical practice
4. Utilize an ethical decision making framework to recognize, analyze, resolve or prevent ethical dilemmas in your clinical practice.
5. Analyze the limits of confidentiality as it relates to duty to warn law in Massachusetts.
6. Articulate ethical/legal standards of care as it relates to clinical practice.

Live Seminar Schedule

8:00 Registration/Morning Coffee & Tea
8:30 Program begins
12:00-1:00 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.

Questions? Call Customer Service: 800-844-8260

Target Audience:
Counselors • Social Workers • Psychologists • Case Managers • Addiction Counselors • Therapists • Marriage & Family Therapists
Other Mental Health Professionals • Nurses

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Join Dr. Reamer and Mr. Landau as they collaborate to deliver a dynamic presentation on ever-changing mental health laws and protocols that can affect your practice. Keeping up-to-date is essential in order to protect your clients and yourself. At this comprehensive, intermediate level, one-day seminar you will gain an understanding of risk management, documentation, informed consent, confidentiality, privilege, and ethical issues from both the legal and psychotherapist point of view, to stay on top of issues that arise in everyday clinical situations.

Speakers

ROBERT LANDAU, JD, is a shareholder at the law firm of Roberts, Carroll, Feldstein & Pierce, Inc. in Providence and was the co-leader of the firm's Healthcare Group from 2012 through 2016. Mr. Landau is a seasoned litigator who focuses his practice on defending mental health professionals, hospitals, physicians, nurses, dentists, and other health care providers in professional malpractice lawsuits and disciplinary proceedings. He has extensive experience representing social workers, mental health counselors, psychologists and other professionals before their licensing boards, frequently obtaining findings of no unprofessional conduct or administratively closing investigations. He has successfully represented clients in the state and federal courts of Rhode Island and Massachusetts.

Mr. Landau has had numerous jury trials with a significant number of defense verdicts. In addition to trying cases to juries, he handles any appellate issues that arise from his matters. He has appeared regularly before the Rhode Island Supreme Court and has a number of reported decisions. In those instances where a trial is not the best course of action, Mr. Landau has extensive experience in alternative dispute resolution. His presentations to mediators and arbitrators help clients resolve cases on favorable terms.

Mr. Landau is a graduate of Duke University, BS, *magna cum laude*, and Boston University School of Law, JD, *cum laude*. He is admitted to practice in both Rhode Island and Massachusetts. Mr. Landau was selected for inclusion on the 2012, 2015, 2016 and 2018 Rhode Island Super Lawyer list.

Speaker Disclosures:
Financial: Robert Landau is a shareholder at Roberts, Carroll, Feldstein & Pierce, Inc. He receives a speaking honorarium from PESI, Inc.
Non-financial: Robert Landau has no relevant non-financial relationship to disclose.

FREDERIC G. REAMER, PH.D., has been a professor in the graduate program of the School of Social Work, Rhode Island College, Providence, Rhode Island, for over 30 years. Dr. Reamer received his PhD from the University of Chicago and has served as a social worker in correctional and mental health settings. He chaired the national task force that wrote the current *National Association of Social Workers Code of Ethics*. Dr. Reamer lectures both nationally and internationally on the subjects of professional ethics and professional malpractice and liability. In addition to ethics, his research and teaching have addressed a wide range of human service issues, including mental health, health care, criminal justice, and public welfare. Dr. Reamer has conducted extensive research on professional ethics and has been involved in several national research projects sponsored by The Hastings Center, Carnegie Corporation, Haas Foundation, and Center for Bioethics of the University of Pennsylvania. He is the author of chapters on professional ethics in the *Encyclopedia of Social Work*, the *Encyclopedia of Bioethics*, and the *Encyclopedia of Applied Ethics* and is the author of many books, including: *Risk Management in Social Work: Preventing Professional Malpractice, Liability, and Disciplinary Action*; *Boundary Issues and Dual Relationships in the Human Services*; and *The Social Work Ethics Audit: A Risk Management Tool*.

Speaker Disclosures:
Financial: Frederic Reamer is a Professor, School of Social Work, for Rhode Island College.
Non-financial: Frederic Reamer is a member of the National Association of Social Workers.



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.

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 Lindblad at jlindblad@pesi.com or call 715-855-5234.

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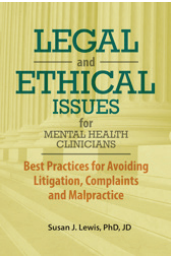
MENTAL HEALTH & THE LAW 2019



Eat Right, Feel Right: *Over 80 Recipes and Tips to Improve Mood, Sleep, Attention & Focus*

By Leslie Korn, PhD, MPH, LMHC

Improve mood, sleep and focus with these nutrient-rich recipes and handy tips. Eat Right, Feel Right teaches you the do's and don'ts of using ingredients in entrees, snacks, soups, smoothies and dressings to make you an at-home mental health chef.



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

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

This go-to resource goes beyond the what and why, focusing on how to protect you and your clients in an increasingly litigious society. Presented in 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 that arise in your practice. Topics include risk management, contracts, HIPPA, privileged communication, licensing complaints, supervision pitfalls, rights of minors and technology.

Live Seminar Continuing Education Credit Information

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.

Ethics: This seminar includes 6.0 hours of state specific ethics instruction. If ethics is not specified within your licensing board's approval statement below, please contact your board to determine the applicability and amount of ethics allowed.

Addiction 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 6.0 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.

Massachusetts Counselors: Application for MaMHCA/MMCEP continuing education credits has been submitted. Please contact us at 800-844-8260 or info@pesi.com for the status of LMHC CE certification.

Marriage & Family Therapists: This activity consists of 360 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.

Massachusetts Marriage & Family Therapists: This course has been submitted for review for continuing education approval. Credit is pending.

Nurses, Nurse Practitioners, and Clinical Nurse Specialists: PESI, Inc. is accredited as a provider of continuing nursing education by the American Nurses Credentialing Center's Commission on Accreditation.

Nurses in full attendance will earn 6.3 contact hours. Partial contact hours will be awarded for partial attendance.

Psychologists: PESI, Inc. is approved by the American Psychological Association to sponsor continuing education for psychologists. PESI maintains responsibility for this program and its content. PESI is offering this activity for 6.0 hours of continuing education credit. Full attendance is required; no partial credits will be offered for partial attendance. Course Level: Intermediate.

Social Workers: 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 this course. ACE provider approval period: January 27, 2017 - January 27, 2020. Social Workers completing this course receive 6.0 Ethics continuing education credits. Course Level: Intermediate. Full attendance is required; no partial credits will be offered for partial attendance. A certificate of attendance will be awarded at the end of the program to social workers who complete the program evaluation.

Other Professions: This activity qualifies for 360 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.



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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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