

Outline

Responding to Subpoenas, Court Orders and Law Enforcement

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

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 New Regulations of Expansions of Privacy and Security?
- Enforcement of HIPAA Privacy Rules

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 and Involuntary Commitment
- Grounds for an Involuntary Commitment
- 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

Proposed Legislation Regarding Military Mental Health Issues

Live Seminar Schedule

- 7:30 Registration/Morning Coffee & Tea
- 8:00 Program begins
- 11:50 - 1:00 Lunch (on your own)
- 3:45 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.



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.

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Legal and Ethical Issues in Behavioral Health in Tennessee

MEMPHIS, TN
Friday
December 13, 2019

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Legal and Ethical Issues in Behavioral Health in Tennessee

Without the proper legal awareness needed to stay in compliance, many mental health providers 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 James E. Looper for an entertaining & enlightening day and leave with a greater understanding of the latest Tennessee laws as they relate to behavioral health. You will learn practical strategies to minimize and manage legal and ethical risks and you will be shown how to immediately reduce those risks in your practice.

Speaker

JAMES E. LOOPER, JR., is the co-managing partner of Hall Booth Smith, P.C.’s Memphis, TN office. He practices in the areas of medical malpractice defense, professional liability defense, licensing issues and healthcare. Mr. Looper received his B.S. degree in biology and his B.A. degree in history from Furman University. He attended the University of South Carolina Graduate School in Pharmacology and the Medical University of South Carolina College of Medicine. He received his J.D. degree from Mercer University. Mr. Looper has spoken at a number of conferences regarding medical record confidentiality, medical liability and behavioral health issues. He is licensed to practice law in Georgia, Tennessee and Kentucky and admitted to all courts of record in those states, as well as the United States Supreme Court. In addition, he is a member of several professional organizations.

Speaker Disclosure:
Financial: James Looper Jr. is a partner for Hall Booth Smith, P.C. He receives a speaking honorarium from PESI, Inc. Non-financial: James Looper Jr. is a member of the Tennessee Bar Association; Nashville Bar Association; and the State Bar of Georgia.

Objectives

- 1. Compare the different requirements for release of protected health information via subpoenas and court orders.
- 2. Discuss access to patient records relating to confidentiality.
- 3. Explore the legal and ethical considerations for the treatment of minor populations in Tennessee 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 Tennessee.

This program has been developed for: Social Workers • Counselors • Psychologists • Marriage & Family Therapists AODA Professionals • Health Information Managers • Medical Records Professionals Nurses

Questions?
Call customer service at 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 jllindblad@pesi.com or call 715-855-5234.

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Somatic Psychotherapy Toolbox
125 Worksheets and Exercises to Treat Trauma & Stress

By Manuela Mischke-Reeds, MA, MFT
From over 25 years of clinical experience, Manuela Mischke- Reeds, MA, LMFT, has created the go-to resource for mental health therapists who want to incorporate somatic techniques into their daily practice. Highly-effective for clients dealing with trauma and stress disorders, somatic psychotherapy is the future of healing the entire person-body and mind.

Live 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.

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.

ARKANSAS COUNSELORS: This intermediate activity consists of 6.0 clock hours of continuing education instruction. Credit requirements and approvals vary per state board regulations. Please contact your licensing board to determine if they accept programs or providers approved by other national or state licensing boards. A certificate of attendance will be awarded at the end of the program to participants who are in full attendance and who complete the program evaluation.

TENNESSEE COUNSELORS: This intermediate activity consists of 6.0 clock hours of continuing education instruction. Credit requirements and approvals vary per state board regulations. Please contact your licensing board to determine if they accept programs or providers approved by other national or state licensing boards. A certificate of attendance will be awarded at the end of the program to participants who are in full attendance and who complete the program evaluation.

MARRIAGE & FAMILY THERAPISTS: This activity consists of 365 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.

MISSISSIPPI MARRIAGE & FAMILY THERAPISTS: PESI, Inc. has submitted an application for credit approval to the Mississippi Board of Examiners for Marriage & Family Therapists. 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 6.0 contact hours. Partial contact hours will be awarded for partial attendance.

PSYCHOLOGISTS: This live 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 and the certificate of completion you receive from this live activity. Contact us for more information on your state board or organization specific filing requirements. American Psychological Association credits are not available.

KENTUCKY PSYCHOLOGISTS: PESI, Inc. is approved by the Kentucky Board of Examiners of Psychology to offer continuing education for psychologists. PESI maintains responsibility for this program and its content. This activity will qualify for 6.0 contact hours.

TENNESSEE PSYCHOLOGISTS: This course is designed to meet Type II CE of the Tennessee Board of Examiners of Psychology. The Board accepts approvals by any recognized national credentialing body. Please retain all documents to provide to your board should this be requested of you. This activity consists of 6.0 clock hours of continuing education instruction.

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 365 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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1 Please complete entire form (to notify you of seminar changes): please print; staple duplicate forms.

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3 Check tuition: TUITION WITH SEMINAR MANUAL \$219.99 – choose one of the options below:

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