## **Outline**

#### **Understand the Legal System**

Statutes Rules and regulations Case law Finding the law

#### **Legal Exposure**

Criminal liability Civil liability Licensing complaints Organization complaints

#### **Establish the Treatment** Relationship

The professional relationship The legal and ethical principle of informed consent Informed consent as part of the treatment modality Use of and reliance upon written consent forms

#### **Record-Keeping Practices**

Record-keeping regulations Items which constitute the record, persona notes vs. charting, raw data, computer printouts and third-party records Access to records by written requests, subpoenas and court orders

Review of specific Virginia case law governing danger to others A clinical approach to the duty to protect

Age of majority Clinical implications in the treatment of the older adolescent Treatment of minors in situations of family separation and divorce

#### Non-Sexual Boundary Violations

Email correspondence and cell phone contacts Treatment vs. advocacy for patients Professional contacts with attorneys and the legal profession In-court expert testimony

## (Times in Eastern)

8:00 Registration/Morning Coffee & Tea 8:30 Program begins **11:50-1:00** Lunch (on your own) **4:30** Program ends

here will be two 15-min breaks (mid-morning & mid-afternoon). actual lunch and break start times are at the discretion of the speake

- 1. Determine specific state and administrative laws that are pertinent to establishing and maintaining an ethical clinical practice.
- 4. Evaluate your current record-keeping practices in order to ensure compliance
- 5. Designate the treatment provider's responsibilities relating to mental health issues and duty to warn law in Virginia.
- custody concerns.

The Ethics of Duty to Warn

Duty to warn potential third-party victims

#### Treatment of Minors

Consent to treatment and access to records

## **Live Seminar and Webcast Schedule**

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# Objectives

- 2. Develop policies on ethical issues such as restraints, seclusion and informed consent.
- 3. Determine which notes, documents, reports, forms, and clinical data constitute an official medical record in the state of Virginia.
- with ethical and legal requirements in the state of Virginia.
- 6. Explore the legal and ethical considerations for the treatment of minor populations in Virginia with regard to age of consent, confidentiality and

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Many continuing education ethics programs are generic in nature. Many continuing education ethics programs stress risk management strategies to the detriment of the attendees, especially if an attorney presenter is involved.

"This was an extremely relevant program provided by a very knowledgeable presenter who provided very clear and thorough explanations. The fact that the presentation was state-specific was its most valuable aspect."

This program is different. Rather than avoiding clinical issues, this program explores the manner by which clinical and ethical issues effect the everyday practice of the mental health professional in Virginia. This unique blend of clinical and ethical concerns allows for a more meaningful understanding and interpretation of the rules that govern mental health practice.

These goals are reached through the experience and the interactive style of the presenter, Allan M. Tepper, J.D., Psy.D. Different from other individuals who possess joint degrees in

psychology and law, Dr. Tepper actually maintains an active psychology practice and an active law practice. He functions as a clinician, and he represents mental health professionals who experience legal difficulties. In this regard, Dr. Tepper brings an extremely unique perspective to the practical understanding of ethics.

These goals also are reached through the manual utilized in the seminar. The manual materials are not generic in nature. All of the written materials are state specific to Virginia.

When interacting with an attorney, it sometimes is difficult to hear the words, "Trust me." For this seminar, however, we do say, "Trust us!!" We guarantee, you won't walk away disappointed.

## Speaker

Allan M. Tepper, J.D., Psy.D., is engaged in the private practice of both law and psychology in Philadelphia, Pennsylvania. As a psychologist, he specializes in forensic matters and has testified on numerous occasions in cases involving civil, criminal, domestic relations, and death penalty issues. As an attorney, he has extensive trial experience, including the representation of mental health professionals in ethics and licensing board proceedings. He has been an adjunct faculty member at Widener University in the Institute for Graduate Clinical Psychology, and at the Philadelphia Chapter of Great Lakes Colleges Association, and an adjunct assistant professor at Immaculate College, Graduate School. Dr. Tepper conducts ethical training for mental health professionals throughout the United States and is wellknown for his engaging style. He publishes frequently in the areas of law and psychology. He is co-author of Pennsylvania Law and Psychology - Third Edition, and Pennsylvania Law, Ethics, and Psychology - Fourth Edition. He received his J.D. degree from Albany Law School and received M.S. and Psy.D. degrees in clinical psychology from Hahnemann University in Pennsylvania. Visit his website at www.allanmtepper.com.

Speaker Disclosure:

Financial: Allan Tepper is in private practice. He receives a speaking honorarium from PESI, Inc. Non-financial: Allan Tepper has no relevant non-financial relationship to disclose.

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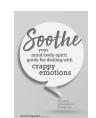
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