

California Law and Ethics Social Work LCSW ASW

Exam CA L&E

Confidentiality falls into what three types of issues? - Therapeutic, legal & ethical issues

What is a leading cause of ethical complaints? Litigation for malpractice? - Confidentiality

4th most frequent basis of disciplinary action

According to the NASW Code of Ethics, social workers should protect confidentiality of all info except for when? - Compelling professional reasons

As necessary to prevent "serious, foreseeable, and imminent harm" to a client or other identifiable person.

To what level of detail should confidentiality be broken when necessary? - In these instances, professionals should disclose the least amount of confidential information necessary to achieve the desired purpose; only information that is directly relevant to the purpose for which the disclosure is made should be revealed.

What type of consent is required in order for mental health professionals to disclose to third parties? - Written

Verbal - in emergency situations only

What are the exceptions to confidentiality? - Under California law, there are several exceptions to the confidentiality of psychotherapy. The primary exceptions to confidentiality concern harm to self or others:

Where there is a reasonable suspicion that a client is likely to harm him or herself unless protective measures are taken.

Where there is a reasonable suspicion of child abuse or elder adult physical abuse (see Mandated Reporting section);

Where there is a reasonable suspicion of the potential for danger of violence to others (see Duty to Warn section);

What is reasonable suspicion according to Lowenthal Child Abuse Reporting guidelines? - 1. Reasonable suspicion does not require certainty that child abuse or neglect has occurred;
2. Reasonable suspicion does not require a specific medical indication of child abuse or neglect; any reasonable suspicion is sufficient; and
3. Reasonable suspicion may be based on any information considered credible by the reporter, including statements from other individuals.

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Table of Contents Calif Law Exam Study Guide

1. Understanding the eBook Calif Law Exam Study Guide
 - The Rise of Digital Reading Calif Law Exam Study Guide
 - Advantages of eBooks Over Traditional Books
2. Identifying Calif Law Exam Study Guide
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Calif Law Exam Study Guide
 - User-Friendly Interface
4. Exploring eBook Recommendations from Calif Law Exam Study Guide
 - Personalized Recommendations
 - Calif Law Exam Study Guide User Reviews and Ratings
 - Calif Law Exam Study Guide and Bestseller Lists
5. Accessing Calif Law Exam Study Guide Free and Paid eBooks
 - Calif Law Exam Study Guide Public Domain eBooks
 - Calif Law Exam Study Guide eBook Subscription Services
 - Calif Law Exam Study Guide Budget-Friendly Options
6. Navigating Calif Law Exam Study Guide eBook Formats

- eBook, PDF, MOBI, and More
- Calif Law Exam Study Guide Compatibility with Devices
- Calif Law Exam Study Guide Enhanced eBook Features

7. Enhancing Your Reading Experience

- Adjustable Fonts and Text Sizes of Calif Law Exam Study Guide
- Highlighting and Note-Taking Calif Law Exam Study Guide
- Interactive Elements Calif Law Exam Study Guide

8. Staying Engaged with Calif Law Exam Study Guide

- Joining Online Reading Communities
- Participating in Virtual Book Clubs
- Following Authors and Publishers Calif Law Exam Study Guide

9. Balancing eBooks and Physical Books Calif Law Exam Study Guide

- Benefits of a Digital Library
- Creating a Diverse Reading Collection Calif Law Exam Study Guide

10. Overcoming Reading Challenges

- Dealing with Digital Eye Strain
- Minimizing Distractions
- Managing Screen Time

11. Cultivating a Reading Routine Calif Law Exam Study Guide

- Setting Reading Goals Calif Law Exam Study Guide
- Carving Out Dedicated Reading Time

12. Sourcing Reliable Information of Calif Law Exam Study Guide

- Fact-Checking eBook Content of Calif Law Exam Study Guide
- Distinguishing Credible Sources

13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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