

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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