

## West Virginia Board of Examiners in Counseling

### Guidance on Technology-Assisted Counseling or Therapy and Technology-Assisted Supervision

#### Technology-Assisted Counseling or Therapy

**Technology-Assisted Counseling or Therapy is defined as** any counseling or marriage and family therapy that is facilitated by the use of technology including, but not limited to, interactive audio, video or other telecommunications or electronic media, when the counselor or therapist and the client are not located in the same place at the time of service delivery.

- I. **For the Out-of-State Licensed Professional Counselor (LPC) or Licensed Marriage & Family Therapist (LMFT) who wishes to provide technology-assisted counseling or therapy to the client physically present in WV:** All persons providing counseling or marriage and family therapy via technology-assisted delivery to persons (clients) physically present in the State of West Virginia shall be licensed in West Virginia.
  
- II. **For the licensee of this Board that uses technology-assisted counseling or therapy as the delivery method,** the WV Board of Counseling recommends the following:
  - 1) The licensee should be reminded the *standards* of counseling and marriage and family therapy practice set forth in W. Va. Code § 30-31-1 et seq., Board rules, and professional code(s) of ethics as per W. Va. Code § 27-1-11 and §27-8-10, also apply to technology-assisted counseling and therapy. Technology-Assisted counseling or therapy shall be held to the same standards of appropriate practice as those in-person settings.
  - 2) The licensee should be aware of the potential problems unique to technology-assisted counseling or therapy in that the counseling relationship, client identity, and other counseling related matters may be compromised.
  - 3) The licensee should limit the practice of technology-assisted counseling or therapy to the *areas of competence* in which proficiency has been gained through education, training, and experience. Additionally, the licensee should continually assess both their professional and technical competence when providing technology-assisted counseling or therapy.
  - 4) The licensee should understand and inform their clients of the *limits to confidentiality and risks* to the possible access or disclosure of confidential data and information that may occur during electronic service delivery.
  - 5) The licensee shall take reasonable steps to ensure that security measures are in place for *obtaining, protecting, verifying, and controlling access* to client data.

6.a.) **For the WV Licensed Professional Counselor (LPC) providing distance counseling to a client physically present in WV, the licensee shall adhere to "Section H - Distance Counseling, Technology, and Social Media" of the current version of the ACA Code of Ethics. In addition, the board recommends the LPC review the NBCC Policy Regarding the Provision of Distance Professional Services to provide further guidance and ethical considerations when providing technology assisted counseling.**

6.b.) **For the WV Licensed Marriage and Family Therapist (LMFT) providing distance therapy to a client physically present in WV, the licensee shall adhere to "Standard VI - Technology Assisted Professional Services" of the current version of the AAMFT Code of Ethics. In addition, the LMFT will also benefit from referencing the Association of Marital and Family Therapy Regulatory Boards – Teletherapy Guidelines (September 2016).**

**III. For the licensees of this Board providing technology-assisted counseling or therapy to persons (clients) physically located outside of the State of West Virginia:**

The licensee is advised to check the regulations of the licensing board for the state in which the client is located to ensure compliance with the laws and rules of that jurisdiction, as certain states prohibit counseling/therapy by an individual who is unlicensed by that state.

### **Technology-Assisted Supervision**

**Technology-assisted Supervision is defined as** any supervision of counseling or marriage and family therapy that is facilitated by the use of technology including, but not limited to, interactive audio, video or other telecommunications or electronic media, when the supervisor and the supervisee are not located in the same place at the time of service delivery.

- I. **For the Out-of-State Licensed Professional Counselor (LPC) who wishes to provide technology-assisted supervision to the supervisee physically present in WV:** All persons providing supervision for counseling via technology-assisted delivery to supervisees physically present in the State of West Virginia shall be an Approved Licensed Professional Supervisor (ALPS) with this Board.

**For the Out-of-State Licensed Marriage & Family Therapist (LMFT) who wishes to provide technology-assisted supervision to the supervisee physically present in WV:** All persons providing supervision for marriage and family therapy via technology-assisted delivery to supervisees physically present in the State of West Virginia shall be an Approved Licensed Professional Supervisor (ALPS) with this Board or has obtained the designation as an approved supervisor by the American Association for Marriage and Family Therapy (AAMFT).

- II. **For the Approved Licensed Professional Supervisor (ALPS) of this Board, the licensee with the designation as an approved supervisor by the American Association for Marriage and Family Therapy (AAMFT), and the supervisee that uses technology-assisted supervision as the delivery method, the WV Board of Counseling recommends the following:**

### The ALPS, AAMFT supervisor, and supervisee:

1) Should be reminded the *standards* of supervision set forth in W. Va. Code § 30-31-1 et seq., Board rules, and professional code(s) of ethics as per W. Va. Code §27-1-11 and §27-8-10, also apply to technology-assisted supervision. Technology-Assisted supervision shall be held to the same standards of appropriate practice as those in-person settings.

2) Should be aware of the potential problems unique to technology-assisted counseling or therapy supervision in that the counseling relationship, client identity, and other supervision related matters may be compromised.

3) Should limit the practice of technology-assisted supervision to the *areas of competence* in which proficiency has been gained through education, training, and experience. Additionally, the supervisor and supervisee should continually assess both their professional and technical competence when utilizing technology-assisted supervision.

4) Should understand the *limits to confidentiality and risks* to the possible access or disclosure of confidential data and information that may occur during electronic service delivery. Supervisees should inform their client(s) of the limits of confidentiality and risks through their own informed consent documentation.

5) Shall take reasonable steps to ensure that security measures are in place for *obtaining, protecting, verifying, and controlling access* to the supervisee's client's data.

6.a.) **For the WV Licensed Professional Counselor (LPC) with the ALPS credential, that is providing technology-assisted supervision to the supervisee physically present in WV, the licensee and supervisee shall adhere to** "Section H - Distance Counseling, Technology, and Social Media" of the current version of the ACA Code of Ethics. In addition, the board recommends the supervisor and supervisee review the NBCC Policy Regarding the Provision of Distance Professional Services to provide further guidance and ethical considerations when utilizing technology-assisted counseling supervision.

6.b.) **For the WV Licensed Marriage and Family Therapist (LMFT) with the ALPS credential, or the AAMFT designation, that is providing technology-assisted supervision to the supervisee physically present in WV, the licensee and supervisee shall adhere to** "Standard VI - Technology Assisted Professional Services" of the current version of the AAMFT Code of Ethics. The supervisor and supervisee will also benefit from referencing the current version of the Association of Marital and Family Therapy Regulatory Boards – Teletherapy Guidelines.

III. **For any licensee of this Board providing technology-assisted supervision to supervisee(s) physically located outside of the State of West Virginia, the Board recommends the following:**

The licensee is advised to check the regulations of the licensing board for the state in which the supervisee is located to ensure compliance with the laws and rules of that jurisdiction, as certain states prohibit supervision by an individual who is unlicensed by that state.