

## Digital Dilemmas: Ethical Considerations in Telehealth & Substance Use Disorders

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## Pros & Cons of telehealth

### PROS

- increased access to therapy, service flexibility
- therapy felt safer to initiate online enhanced communication
- convenience, satisfaction, acceptance, and increased demand
- economic advantages
- increased retention and reduced no-shows

### CONS

- privacy, confidentiality, and security issues
- therapist competence and need for special training
- communication issues specific to technology
- lack of accountability in substance use
- emergency issues

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## Relevant Laws And Regulations



- Comply with HIPAA regulations
- Follow relevant and applicable state laws, licensing board rules and therapists' state and national professional association guidelines and code of ethics.
- Giving special, serious consideration to issues of practicing across state lines. Generally, the laws of the state or country where the client lives have jurisdiction over treatment.
- The issue of residency on the part of the client is relevant to whether a therapist can treat a client. Be familiar with relevant laws in each client's jurisdiction and the relevant law in the state you are licensed, such as mandatory reporting requirements. Comply with the relevant legal requirements.

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## The ever-changing Telehealth landscape



Telehealth activities may include:

- Providing clinical services by phone, text, email, video chat, virtual reality (VR) or other digital means, to an individual in a different geographical area.
- Using the telephone for crisis intervention or other contacts between in-person sessions.
- Conducting telephone sessions with patients who are not able to attend in-person sessions for a period of time.
- Using e-mail, chats, video-conferencing and other digital means for in-between in-person session contacts with clients.
- Using e-mail, video-conferencing, virtual reality or other digital means to provide offline counseling services with no in-person contact.

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## Privacy considerations



- Verify the client's identity
- Screen for digital literacy
- Policy regarding video taping, recording etc.
- Family members in the room/home
- Mandatory reporting
- Have a crisis intervention plan in place, including emergency contacts
- No surprise guests!
- No driving while in counseling!

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## Confidentiality Considerations



- HIPAA compliance
- Password protections
- Screen sharing
- Online reviews
- Recording sessions
- Emergency contacts
- Clinicians have limited control over the environment

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- Smart home devices
- Make clear the specific limits to confidentiality that exist in online communication.
- Inform clients of the possibilities of interruption of service due to dropped calls.
- Wi-Fi & printing records
- Inform clients of the potential limitations of telehealth when it comes to crisis interventions and dealing with dangerous situations.



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## Artificial Intelligence



What is it and how is it being used in the profession?

*Artificial intelligence (AI) is any technology that mimics human cognition and behavior, including decision-making, problem-solving, and learning. It is technology designed to function in a way that's similar to the human mind.*

Increasingly used due to lack of provider availability:

- Chatbots such as ChatGPT
- Apps such as WYSA
- AI for assessment
- Apps that provide mental health advice

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## Security issues

- Be astute and thorough with regard to online security and backups.
- Use appropriate safeguards, such as virus and firewall protection, as well as passwords and encryption to help preserve confidentiality.
- When doing assessments via the Internet, be especially cautious about test security issues, the absence of behavioral observations, and possibly not knowing who actually completes the materials and if they are completed independently.



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## Internet Addiction & Dopamine

Social media provides an endless amount of immediate rewards in the form of attention from others for relatively minimal effort.

E.g. When a person posts a picture they may receive positive social feedback, which stimulates the brain to release dopamine, rewarding that behavior and perpetuating the social media habit.



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## Foundational Principles of Ethical Decision-Making



- Autonomy
- Justice
- Beneficence
- Nonmaleficence
- Fidelity

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## The Ethical Decision-Making Model at a Glance



- 1. Identify the problem.
- 2. Apply the Code of Ethics.
- 3. Determine the nature and dimensions of the dilemma.
- 4. Generate potential courses of action.
- 5. Consider the potential consequences of all options and determine a course of action.
- 6. Evaluate the selected course of action.
- 7. Implement the course of action.

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