

Ethics and the Use of Technology in Rehabilitation Counseling

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Standards for technology ethics were first introduced into the *Code of Professional Ethics for Rehabilitation Counselors* in 2002. Since that time, the proliferation of technology has enhanced practice, changed the American vernacular, and become infused in the delivery of services to and teaching of individuals, families, and groups. The 2010 revision to the Code updates and reinforces standards involving behavior, accessibility, confidentiality, informed consent, security, assessment, records, legal issues, advertising, research and publication, counseling unavailability, disclosure, and distance counseling. However, it introduces new standards that are absent from the literature in the counseling and helping professions specific to technology ethics involving consultative and distance group counseling as well as in teaching, supervision, and training.

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According to NetLingo (n.d.), when describing technology a “cookie” is not something that is eaten but a noun that describes information about a person, a “hot spot” is not the latest and best college hangout but a place where someone can connect a laptop to wireless Internet, and the “dead-tree version” is what you are reading if this article is in printed hard copy format. Clearly, the American lexicon has been greatly affected by high technology, and particularly the Internet. These terms are infused into public, private, and professional conversations, reflecting the use and integration of technology. The purpose of this article is to discuss and describe technology ethics, but more specifically the provisions within the revised *Code of Professional Ethics for Rehabilitation Counselors* (herein the Code; Commission on Rehabilitation Counselor Certification [CRCC], 2010) guiding the certified rehabilitation counselor in ethical practice.

Technology Ethics History in Rehabilitation Counseling

Computers, smart phones, the Internet, and other electronic media are convenient, yet they present rehabilitation counselors with ethical dilemmas ranging from the creation and storage of electronic records to

the impact of their use on the counseling relationship. Kennedy (2008) cited the advantages of using technology in the counseling relationship, among them including (a) access to clients, (b) time flexibility, and (c) proven effectiveness with cognitive behavioral therapy. However, she also posited the disadvantages of the use of the media in professional practice involving (a) limited research regarding the effectiveness of other counseling approaches, (b) the potential for counselor bias, (c) questionable therapeutic alliance, and (d) cost of technology. Despite the advantages and disadvantages of technology in professional practice, it is clear not only that its use is present, but also that emerging technologies continue to affect practice.

In 1996, the National Board of Certified Counselors (NBCC) led the field of counseling by introducing the *Standards for the Ethical Practice of WebCounseling* to provide guidance to counselors confronted with dilemmas in the use of emerging technologies. All predominant professional and certifying bodies have since adopted provisions into their codes of ethics for the use of technology (American Counseling Association, 2001, 2005; American Psychological Association, 1997, 2002; CRCC, 2002; NBCC, 2001).

Since the introduction of the NBCC guidelines for the use of technology in counseling, the media have con-

tinued to become a part of the practitioner–client relationship (Barros-Bailey, 2001, 2007; Hampton & Houser, 2000; Patterson, 2000, 2002; Patterson & Groble, 2003; Peterson, Hautamaki, & Walton, 2007; Riemer-Reiss, 2000). Indeed, the use of technology in rehabilitation counseling is projected to increase in the future (Barros-Bailey, 2007; Barros-Bailey, Benshoff, & Fischer, 2008, 2009).

Although technology ethics in rehabilitation counseling was integrated into the Code as an independent section with the 2002 revision, there has not been much written in the professional literature in rehabilitation counseling about it. In 2002, Patterson reported the outcome of a study about the attitudes of rehabilitation counselors in the state/federal agency toward the use of the Internet in service provision. Results of the study suggested that rehabilitation counselors held strong positive views toward the use of the technology in the delivery of services to their clients. Next, Patterson and Groble (2003) described the 21 computer or Internet standards added in 2002 that thematically fell into three categories—confidentiality, informed consent, and professional responsibilities. Reflecting the integration of technology into many aspects of professional life, the article further describes the standards infused into the 2002 revision providing guidance to rehabilitation counselors specific to privacy, disclosure, security, evaluation, identifying imposters, ethical versus legal issues, records preservation, contacts with counselor during times of crisis, inappropriate use of the media, technical failure, effects on the client–counselor relationship, and communication with other parties. When studying dilemmas posed by the use of the technology to rehabilitation counselors within the state/federal agency, those dilemmas were found with confidentiality, in the client–counselor relationship, with practice issues, and in advocacy with clients, with members of the professional team, with the agency, with client supporters and advocates, with employers, and finally within cyberspace.

Methodology of the Update of Technology Ethics in the 2010 Code

A code of ethics is a living document reflective of professional issues and dilemmas confronting practitioners and provides guidance for ethical behaviors. To maintain the Code as a reflection of current practice, in 2006 the CRCC Ethics Committee established a policy to review the Code at 5-year intervals to study it vis-à-vis current and emerging practice. The Code Revision Taskforce was established in 2007. A Technology Ethics workgroup consisting of three members explored ethical issues specific to that theme. The three workgroup members came from the private sector, the state/federal agency, and academia and had studied,

lectured, or taught on ethics specific to the workgroup topic. Their methodology consisted of reviewing guidance provided by other codes of ethics, the literature within and outside rehabilitation counseling concerning technology ethics, the CRCC advisory opinions and complaints, and the results of the CRCC Ethics Survey (Tarvydas & Barros-Bailey, 2010).

What Is New or Different About Technology Ethics in the 2010 Code?

Research by the workgroup found that, in general, the provisions of the 2002 Code seemed to offer adequate guidance to the rehabilitation counselor for ethical behavior with the use of technology and were consistent with the provisions in other professional codes for its use. However, the emerging literature since the last revision also documented the awareness and study of online and technology behaviors as different than when the same communication is held face to face or is mitigated by other visual or auditory means that offer a mitigating factor to impulsivity; this has become known as the “online disinhibition effect” (Suler, 2004). Indeed, counselors often do not even perceive their behavior with the use of technology as constituting “counseling,” although when the behavior is explored vis-à-vis delivery through traditional counseling means, it is clearly defined as a counseling behavior (Patterson, 1999). To capture the awareness that behavior with the use of technology is materially and substantially different and this could have a potentially detrimental impact on the client–counselor relationship and all areas of professional practice, the workgroup recommended starting the Technology and Distance Counseling section of the Code with standards specific to that behavior.

The limited literature within rehabilitation counseling regarding the use of technology is consistent with most research in ethics that identifies confidentiality issues as being of the greatest concern in counseling practice. When communication can be easily captured, copied, transferred, disseminated, and stored in written text (e.g., email, text messaging), through picture or video means (e.g., smart phone cameras, VoIP technology such as Skype), or verbally (e.g., recording devices in all sorts of portable media from cell phones to MP3 players or recorders), the danger for a breach of confidentiality substantially increases. Commensurately, the need for disclosure and informed consent likewise increases at the beginning and throughout the counseling process.

Further refinement of standards as they apply to technological accessibility, assessment, records maintenance and storage, legal issues, advertising, research, and publication provides rehabilitation counselors with guidance within these practical and applied areas of practice. However, there were two areas specific

to the use of technology in practice that were found lacking in all professional and credentialing codes of ethics—guidance with the use of technology in consultative and counseling groups and with teaching, training, and supervision. To the knowledge of the workgroup and taskforce, the 2010 Code provides for the first standards within the counseling and human service fields assisting practitioners and academics with behavioral guidance in the use of technology in these areas.

Section J: Technology and Distance Counseling includes 15 sections and is dramatically more encompassing than its predecessor in the 2002 Code, with just 2 sections. The two areas that are completely new to the Technology Ethics section are those involving groups and distance education and training. Although it appears that the technology section has grown considerably since the 2002 revision, the enlargement is partially because of the inclusion of other areas of the previous Code into this section (e.g., records) to acknowledge that these tasks and activities are now delivered with increasing frequency using technology that brings to them potentially added ethical risks and a need for guidance to practitioners.

Behavior and Identification

Standards J.1.a. to J.1.c. clarify that those using technology in their role as a counselor are held to the same standard as those practicing face-to-face counseling (J.1.a., Application and Competence), must be aware of the impact of potential pitfalls of using technology (J.1.b., Problematic Use of the Internet), and must educate clients in regard to preventing and addressing misunderstanding that may arise from the use of technology (J.1.c., Potential Misunderstandings). As noted earlier, behavioral issues with the use of technology need to have a focus on awareness. Consequently, these issues lead this section of the 2010 Code.

Accessibility

J.2.a., Determining Client Capabilities, highlights the importance of ensuring clients are functionally and linguistically capable of using specific applications and that the technology is appropriate for the needs of the client. This standard also brings to light the importance of verifying client understanding of the purpose and operation of specific technologies.

Confidentiality, Informed Consent, and Security

This section includes standards (J.3.a. to J.3.d.) addressing confidentiality, informed consent, transmitting confidential information, security, and imposters. Confidentiality and Informed Consent (J.3.a.) includes ensuring that clients have adequate informa-

tion and the ability to understand and address the limits of the technology, threats to complete confidentiality, the possibility of technology failure, and crisis contact procedures. Standard J.3.d. is a standard that addresses the fact that one concern that must be addressed is the potential for imposters and the importance of establishing a method or methods for verifying identities. These standards highlight the need for awareness of the ease of ethical breaches with electronic media and the usefulness of instituting traditional methods to safeguard against those risks.

Technology-Assisted Assessment and Consultation Groups

These two sections each have one standard. Technology-Assisted Assessment (J.4.) emphasizes the ethical use of technology-assisted assessments, whereas Consultation Groups (J.5.) deals with the importance of “adhering to behavior that is consistent with ethical standards” and limits the “disclosure of confidential information” when participating in electronic forms of professional consultation or groups such as social networks, online courses, supervision, listservers, blogs, and interdisciplinary teams.

Records, Data Storage, and Disposal

This section (J.6.) includes three standards that outline appropriate steps to ensure that electronic information (e.g., records, messages) is managed, recorded, stored, and disposed of appropriately. Obtaining permission prior to recording, reviewing transcripts of, listening to, or viewing recordings of counseling sessions or supervision within the training environment is also addressed. With the access, use, and ease of audio and visual records devices (e.g., smart phones with cameras, audio and visual recording features), this area of potential ethical conflict and breach increases, and greater awareness of these issues becomes important.

Legal

This section highlights the importance of reviewing pertinent legal and ethical codes “for possible violations emanating from the practice of distance counseling and/or supervision” (J.7.a.). A standard ensuring that the use of technology does not violate the law is also included (J.7.b.). Examples of legal issues are those involving telecounseling across state lines and state licensing acts and those practice settings where the Health Insurance Portability and Accountability Act may be enforceable.

Advertising

This section (J.8.) outlines the importance of maintaining and having an online presence on one’s Internet site consistent within the advertising, acces-

sibility, and cultural provisions of the Code (J.8.a.). The importance of assisting clients in determining the veracity of information obtained on the Internet or via other forms of technology is presented in J.8.b. This section assumes a certain level of competency that the counselor possesses or the responsibility of the counselor to refer the client to appropriate services if the counselor does not possess these competencies.

Research and Publication

Being aware of and informing research participants of the limits of technology-based research are addressed in J.9.a. An example may be students in an online class that has a counterpart face-to-face section of the class and the educator's research regarding the effectiveness of one method of instruction over another. The second and last standard in J.9. involves intellectual property and the protection of that property (J.9.b.). Acknowledging the existence of electronic media (e.g., picture, video, recording of a participant) and protecting that intellectual property (e.g., encrypting or password protecting the file) exemplify the protection of that property assumed by this standard.

Rehabilitation Counselor Unavailability

Section J.10. identifies the necessary steps to be taken in case of technological failure, in case of counselor unavailability, and in a crisis situation. The importance of disclosure as to the risk of technology failure and subsequently establishing an alternative means of communication are emphasized.

Distance Counseling Credential Disclosure

In the interest of appropriate disclosure, J.11. mandates that "rehabilitation counselors practicing through Internet sites provide information to clients regarding applicable certification boards and/or licensure bodies to facilitate client rights and protection and to address ethical concerns." Several methods could be employed to adhere to this standard, including the use of professional disclosure statements at the beginning of the professional relationship as well as integrating language into the electronic signature or documents.

Relationships

Three standards revolve around the distance counseling relationship. Disclosure in regard to the benefits and limitations of a distance counseling relationship is outlined in J.12.a. The Inappropriate Applications standard (J.12.b.) states that other approaches must be pursued if technology-assisted services are deemed inappropriate by the counselor or client. The last standard in this section (J.12.c.) addresses boundaries within the distance counseling relationship and describes the importance of discussing and establishing

boundaries with "clients, family members, service providers and/or team members." Boundaries may be as simple as asking clients not to pass on urban legends or not befriending each other on social networking sites.

Security and Business Practices

Accuracy in self-description (J.13.a.), obtaining appropriate consent for clients who are minors or are legally incompetent, and providing translation and interpretation capabilities for clients who have a different primary language are areas outlined in J.13.a. and J.13.b. The last standard in J.13. (J.13.c.) establishes the need for education and discussion regarding time zone differences, local customs, cultural or language differences, and other variables that might affect service delivery, in addition to the fact that certain technology-assisted services may not be covered by insurance.

Distance Group Counseling

Standard J.14. addresses participation in group counseling utilizing distance technology. The standard states that when participating in distance group counseling, rehabilitation counselors (a) establish and/or adhere to the group's norms, promoting behavior that is consistent with ethical standards, and (b) limit disclosure of confidential information. Like the standards used with consultative groups in the 2010 Code, these basic standards are recognizable as coming from general guidelines to the ethical practice of group counseling.

Teaching, Supervision, and Training at a Distance

Standard J.15. presents information regarding the importance of "rehabilitation counselors, educators, supervisors or trainers working with trainees or supervisees at a distance [disclosing] to trainees or supervisees the limits of technology in conducting distance teaching, supervision, and training." This is another new section to the 2010 Code and acknowledges the infusion of technology in education and training.

Discussion, Implications, and Areas for Further Research

In nearly a decade since the Code was last revised, such commonly used technologies as podcasts, YouTube, and text messaging have become manners by which counselors communicate, store information, and even learn and teach one on one, with a family, or in a group. Often, new technology masks behaviors that become greatly accentuated and problematic in professional practice. These behaviors have potentially greater ethical consequences because they can

be captured, memorialized, altered, or broadcasted thus limiting their security. The sanctity of the client-counselor relationship has the prospect to be threatened through lack of technical knowledge of both parties but, more importantly, through limited awareness that behaviors are different when using technology (Suler, 2004) or that the communication can be altered.

The 2010 Code revision updates, enhances, and reinforces ethical guidelines introduced in 2002 with the use of technology in rehabilitation counseling practice. More importantly, as online group usage fills our professional lives (e.g., social networking, professional listservers, discussion groups) and our pedagogy (e.g., distance education, Webinars), the Code provides additional standards to bring guidance to these areas that have previously been lacking. Areas that were in other sections of the Code that have been greatly affected by technology (e.g., records) are reiterated in the technology section for emphasis and guidance to the rehabilitation counselor. The implications for research and practice are multiple, starting with the definition of what constitutes counseling in an online environment, the use of technology as a mitigating factor in the client-counselor relationship, the effects of the online disinhibition effect on ethical practice, ethics with online groups, and technology ethics issues in distance education.

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