



# Pennsylvania Association for Marriage and Family Therapy

#2701

550 Pinetown Road, Suite 301A, Ft. Washington, PA 19034 215-274-4340

June 24, 2008

Sandra Matter, Administrative Assistant  
State Board of Social Workers, Marriage and Family Therapists  
and Professional Counselors  
Department of State  
PO Box 2649  
Harrisburg, PA 17105-2649

Re: Regulation ID #16A-6911 (#2701)

Dear Ms Matter:

The Pennsylvania Association for Marriage and Family Therapy (PAMFT) is pleased to see the publication of the proposed regulation #16A-6911, Code of Ethical Practice and Standards of Professional Conduct, State Board of Social Workers, Marriage and Family Therapists and Professional Counselors. Moving forward in setting and enforcing a high professional standard for our three professional groups is important in protecting the citizens of Pennsylvania.

The proposed ethics regulations are well written and comprehensive. PAMFT does urge reconsideration of three points:

1. Section 48.71(a)(3) – The professional code of ethics applicable to Licensed Marriage and Family Therapists is the one promulgated by The American Association for Marriage and Family Therapy (AAMFT). The other groups listed in this section are professional counseling groups and we ask that they be deleted from this section.
2. Section 48.71(b)(4)(iii) – The American Association of Marriage and Family Therapy (AAMFT) Code of Ethics includes a requirement unique to marriage and family therapists which helps protect the confidentiality of couple and family clients. All couple or family members who are included in sessions are considered a part of the client group and all must agree to the release of any records for their treatment. The importance of this requirement comes up when

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couples/families who have been in treatment decide to seek a divorce. One partner sometimes requests treatment information to bolster their divorce or custody case. When both partners have been involved in treatment, it is impossible for the therapist to release treatment information for one partner while still maintaining the confidentiality of the other partner. It is important to Pennsylvania marriage and family therapists that this protection be included in our regulations. PAMFT would suggest adding the following to this section:

*When providing couple or family treatment, the therapist may not disclose information outside the treatment context without a written authorization from each individual competent to execute a waiver.*

3. Section 48.71(h)(1) and Section 49.71(h)(1) – PAMFT is concerned about protecting client confidentiality with a mandatory requirement to report incompetent, impaired or unethical practitioners. Often therapists only reason to “suspect a colleague” is from information shared by a client who may not be willing to report their experience or have their therapist report it. PAMFT suggests adding the following:

*This standard does not apply when such a report would violate a client’s right to confidentiality.*

There is also an editorial omission at the beginning of Chapter 47. The professional group the chapter covers, Licensure of Social Workers, is not included as it is in Chapters 48 and 49.

The Pennsylvania Association for Marriage and Family Therapy urges the adoption of the proposed ethics regulation with the aforementioned changes.

Sincerely yours,

Sally J. Tice, Ph.D., LMFT  
PAMFT Legislative Consultant

Joan Sherman, LMFT  
PAMFT President

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cc: IRRC  
House/Senate PL Committee