

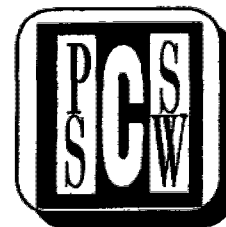
**PENNSYLVANIA SOCIETY FOR
CLINICAL SOCIAL WORK**

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#2701 .

July 31, 2008

RECEIVED
2008 AUG -4 AM 9:42
INDEPENDENT REGULATORY
REVIEW COMMISSION

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

Dear Ms. Matter:

The Pennsylvania Society for Clinical Social Work [PSCSW] wishes to provide the following comments on the Proposed Regulation #16A-6911 (#2701) Code of Ethical Practice and Standards of Professional Conduct, State Board of Social Workers, Marriage and Family Therapists and Professional Counselors.

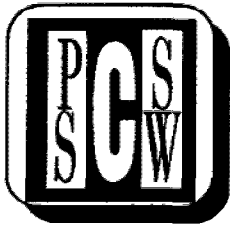
The Pennsylvania Society for Clinical Social Work welcomes the ethical standards of the regulations and finds them to be clear and acceptable practice. We applaud the State Board's use of the many organizations' codes of conduct.

PSCSW would like to make two suggestions regarding confidentiality.

The first suggestions is regarding 47.71(f)(4)(ii) the use of collection agencies for nonpayment of services. Since confidentiality is only protected if the client(s) sign permission to reveal their therapy to an outside party and the client may not be available when the clinical social worker is seeking help through a collection agency, the client needs to *sign* an informed consent that states the policy to seek redress of funds through the use of a collection agency at the beginning of the therapy. Therefore, we think that needs to be included in the informed consent section: (2)(ii). A sentence such as: *In the event of nonpayment of fees, a collection agency may be used.* should be added.

Secondly, we whole heartedly support the suggested change by PAMFT, in 47. (h) Mandatory Reporting (1) protecting client confidentiality with a mandatory requirement to report "incompetent, impaired or unethical, the licensee shall report that practitioner to the Board" with an additional caveat that *This standard does not apply when such a report would violate a client's right to confidentiality.* It is true that there are times when client(s) are unwilling to report their experience or have their therapist report it.

We also strongly support NASW-PA's suggestion that the enforcement mechanism and the prosecution of a violation of the code of ethical practice and professional conduct should be ultimately



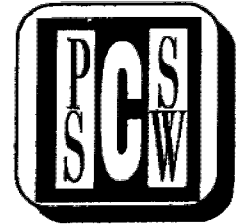
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done by peer review not by another profession. Certainly if there is a criminal charge, we would support a court hearing. But in the case of a therapeutic ethical laps or disregard entirely, a jury of ones' peers is more appropriate and responsible. NASW-PA's suggestion that "violations of this section of the regulations be reviewed by a committee of same licensed professionals who are trained on the code of ethical practice and professional conduct" should be earnestly considered and activated.

Thank you for your consideration of these comments.

Sincerely Yours,

A handwritten signature in cursive script that reads "Virginia C. McIntosh".

Virginia C. McIntosh, LCSW, BCD
Legislative Chair and Past president
215-844-1995 or gmacapple@earthlink.net

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Philadelphia, PA 19119

cc. IRRIC Attn. John H. Jewett