



**Mindful**  
Continuing Education

# Ethics for Professionals Counselors



# CODE OF ETHICS

## PREAMBLE

The National Board for Certified Counselors (NBCC) provides national certifications that recognize individuals who have voluntarily met standards for general and specialty areas of counseling practice. Counselors certified by NBCC may also identify with different professional associations and are often licensed by jurisdictions that promulgate standards of behavior. Regardless of any other affiliation, this *Code of Ethics* is applicable to all NBCC applicants and National Certified Counselors (NCCs).

This *Code* establishes the minimum ethical behaviors and provides an expectation of and assurance for the ethical practice for all who use the professional services of NCCs. Furthermore, it provides an enforceable set of directives and assures a resource for those served in the case of a perceived violation.

NCCs are required to adhere to all of the directives.

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## DIRECTIVES

*NCCs take appropriate action to prevent harm.*

1. NCCs, recognizing the potential for harm, shall not share information that is obtained through the counseling process without specific written consent by the client or legal guardian except to prevent clear, imminent danger to the client or others or when required to do so by a court order.
2. NCCs shall respect client's privacy and shall solicit only information that contributes to the identified counseling goals.
3. NCCs generally shall not accept goods or services from clients in return for counseling services in recognition of the possible negative effects, including perceived exploitation. NCCs may accept goods, services or other nonmonetary compensation from clients only in cases where no referrals are possible or appropriate and if the arrangement is discussed with the client in advance, is an exchange of a reasonable equivalent value, does not place the counselor in an unfair advantage, is not harmful to the client or their treatment and is documented in the counseling services agreement.
4. NCCs shall not accept gifts from clients except in cases when it is culturally appropriate or therapeutically relevant because of the potential confusion that may arise. NCCs shall consider the value of the gift and the effect on the therapeutic relationship when contemplating acceptance. This consideration shall be documented in the client's record.
5. NCCs shall not engage in harmful multiple relationships with clients. In the event that a harmful multiple relationship develops in an unforeseen manner, the NCC shall discuss the potential effects with the client and

shall take reasonable steps to resolve the situation, including the provision of referrals. This discussion shall be documented in the client's record.

6. NCCs shall discuss important considerations to avoid exploitation before entering into a non-counseling relationship with a former client. Important considerations to be discussed include amount of time since counseling service termination, duration of counseling, nature and circumstances of client's counseling, the likelihood that the client will want to resume counseling at some time in the future; circumstances of service termination and possible negative effects or outcomes.
7. NCCs shall not engage in any form of sexual or romantic intimacy with clients or with former clients for two years from the date of counseling service termination.
8. NCCs shall not engage in sexual harassment, which is defined as a single act or multiple occurrences of verbal, nonverbal or physical actions that are known to be unwelcome or that are of the severity to be perceived as harassment by a reasonable person.
9. NCCs shall take proactive measures to avoid interruptions of counseling services due to illness, vacations or unforeseen circumstances. To prevent the harm that may occur if clients are unable to access professional assistance, such measures shall identify other professionals with whom the NCC has a working agreement or local emergency service agencies that can respond to clients in a mental health crisis.
10. NCCs shall create written procedures regarding the handling of client records in the event of their unexpected death or incapacitation. In recognition of the harm that may occur if clients are unable to access professional assistance in these cases, these procedures shall ensure that the confidentiality of client records is maintained and shall include the identification of individual(s) who are familiar with ethical and legal requirements regarding the counseling profession and who shall assist clients in locating other professional mental health providers as well as ensure the appropriate transfer of client records. These written procedures shall be provided to the client, and the NCC shall provide an opportunity for the client to discuss concerns regarding the process as it pertains to the transfer of his or her record.
11. NCCs who act as counselor educators, field placement or clinical supervisors shall not engage in sexual or romantic intimacy with current students or supervisees. They shall not engage in any form of sexual or romantic intimacy with former students or supervisees for two years from the date of last supervision contact.
12. NCCs who provide clinical supervision services shall keep accurate records of supervision goals and progress and consider all information gained in supervision as confidential except to prevent clear, imminent danger to the client or others or when legally required to do so by a court or government agency order. In cases in which the supervisor receives a court or governmental agency order requiring the production of supervision records, the NCC shall make reasonable attempts to promptly notify the supervisee. In cases in which the supervisee is a student of a counselor education program, the supervisor shall release supervision records consistent with the terms of the arrangement with the counselor education program.
13. NCCs who provide clinical supervision services shall intervene in situations where supervisees are impaired or incompetent and thus place client(s) at risk.
14. NCCs who provide clinical supervision services shall not have multiple relationships with supervisees that may interfere with supervisors' professional judgment or exploit supervisees. Supervisors shall not supervise relatives.
15. NCCs who seek consultation (i.e., consultees) shall protect client's confidentiality and unnecessary invasion of privacy by providing only the information relevant to the consultation and in a manner that protects the client's identity.

16. NCCs shall not release the results of tests and assessments to individuals other than the client without prior written consent except as required to prevent clear, imminent danger to the client or others; by written agreement with the client; or when legally required to do so by a court order or governmental agency.
17. NCCs shall protect the welfare of research participants by taking reasonable precautions to prevent negative psychological or physical effects.
18. NCCs shall protect the identities of research participants by appropriately disguising data except when there is a detailed written authorization.
19. NCCs shall recognize the potential harm of informal uses of social media and other related technology with clients, former clients and their families and personal friends. After carefully considering all of the ethical implications, including confidentiality, privacy and multiple relationships, NCCs shall develop written practice procedures in regard to social media and digital technology, and these shall be incorporated with the information provided to clients before or during the initial session. At a minimum, these social media procedures shall specify that personal accounts will be separate and isolated from any used for professional counseling purposes including those used with prospective or current clients. These procedures shall also address “friending” and responding to material posted.
20. NCCs shall not use social media sources (e.g., updates, tweets, blogs, etc.) to provide confidential information regarding client cases that have not been consented to by the client. To facilitate the secure provision of information, NCCs shall inform clients prior to or during the initial session about appropriate ways to communicate with them. Furthermore, NCCs shall advise clients about the potential risks of sending messages through digital technology and social media sources.
21. NCCs who use digital technology (e.g., social media) for professional purposes shall limit information posted to that which does not create multiple relationships or which may threaten client confidentiality.

*NCCs provide only those services for which they have education and qualified experience.*

22. NCCs shall perform only those professional services for which they are qualified by education and supervised experience.
23. NCCs shall seek professional assistance or withdraw from the practice of counseling if their mental or physical condition makes it unlikely that the counselor will be able to provide appropriate services.
24. NCCs shall seek supervision and consultation with other qualified professionals when unsure about client treatment or professional practice responsibilities.
25. NCCs shall use or interpret only the specific tests and assessments for which they have the required education and supervised experience.
26. NCCs shall demonstrate multicultural competence and shall not use techniques that discriminate against or show hostility towards individuals or groups based on gender, ethnicity, race, national origin, sexual orientation, disability, religion or any other legally prohibited basis. Techniques shall be based on established theory. NCCs shall discuss appropriate considerations and obtain written consent from the client(s) prior to the use of any experimental approach.

*NCCs promote the welfare of clients, students, supervisees or the recipients of professional services provided.*

27. NCCs shall discuss with prospective clients the appropriateness of counseling services offered and shall not offer services if there is reasonable cause to believe clients will not benefit.
28. NCCs who provide supervision services shall present supervisees with feedback according to a schedule with identified evaluation dates as well as on appropriate occasions throughout the process.
29. NCCs shall promote the welfare of supervisees by discussing ethical practices relating to supervision as well as the legal standards that regulate the practice of counseling.
30. NCCs who provide supervision services shall establish with their supervisees procedures for responding to crisis situations or expressing concerns regarding the supervision process. This information shall be provided in verbal and written formats.
31. NCCs who seek consultation (i.e., consultees) shall promote welfare by selecting appropriate professionals who can specifically respond to the identified issue with the client, supervisee or student.
32. NCCs who provide consultative services (i.e., consultants) shall establish a written plan with the professional seeking assistance. This plan shall include the identification of the primary client concern or issue, consultation goals, potential consequences of actions, evaluation and other future steps. The consultant shall document this information in their professional records. Brief collaborative conversations between an NCC and other professionals are not considered consultations as long as no identifying client information is provided.
33. NCCs shall limit the use of tests and assessments to those that are current, specifically necessary for the provision of quality services, and that have been carefully considered in terms of the instrument's validity, reliability, psychometric limitations and appropriateness for use in a given situation or with a particular client.
34. NCCs shall protect the confidentiality and security of tests or assessments, reports, data and any transmission of information in any form.
35. NCCs shall recognize results that are outside the norms for a given test and assessment, and shall document in the client's record how those results will be appropriately used in the counseling process.
36. NCCs who develop tests or assessments for measuring personal characteristics, development, diagnoses, goal attainment or other similar clinical uses shall provide test users with written information regarding the benefits and limitations of test instruments, including appropriate use, test results and interpretation.
37. NCCs who develop tests and assessments for measuring personal characteristics, development, diagnoses, goal attainment or other similar clinical uses shall identify other potential sources of appropriate information and shall emphasize to test users the importance of basing decisions on multiple sources rather than a single criterion.

*NCCs communicate truthfully.*

38. NCCs shall accurately represent their current qualifications and credentials in counseling or closely related disciplines. NCCs shall not use doctorate degrees with relation to professional counseling duties unless they are specific to counseling or mental health disciplines.
39. NCCs shall identify only earned degrees in counseling or closely related disciplines when it comes to all counseling work including publications. Listed degrees from programs in the United States must be from colleges

and universities that were accredited at the time of graduation by one of the regional accrediting organizations recognized by the Council for Higher Education Accreditation (CHEA).

40. NCCs who have been awarded honorary degrees shall clearly distinguish these from earned degrees.
41. NCCs shall correct known misrepresentations of their qualifications and credentials by others and shall not allow such information to be used in a misleading way.
42. NCCs shall take credit only for work that they have performed, and when quoting the work of others, shall provide appropriate references.
43. NCCs shall provide accurate reports which are based on direct experiences with individual(s) or documentation from other professionals when providing opinions. NCCs shall limit opinions to areas within their expertise.
44. NCCs shall accurately note in the client's or supervisee's records all information necessary for the provision of quality services or as required by laws, regulations or institutional procedures.
45. NCCs who provide supervision services shall present accurate written information to supervisees regarding the NCC's credentials as well as information regarding the process of supervision. This information shall include any conditions of supervision, supervision goals, case management procedures, confidentiality and its limitations, appraisal methods and timing of evaluations.
46. NCCs who provide consultative services (i.e., consultants) shall use accurate information regarding their qualifications in relation to the identified concerns or situations.
47. NCCs who seek case consultation services from another professional shall document consultation in clients' records.
48. NCCs shall accurately report test and assessment results and limit conclusions to those based on evidence, taking into consideration any influences that may affect results such as health, motivation and multicultural factors. NCCs shall generally avoid making decisions based on a single test or assessment result.
49. NCCs shall note in the results and interpretation when tests and assessments are not administered under standard conditions or when unusual behavior or irregularities occur during the testing session.
50. NCCs shall not misrepresent a test or the results and shall provide accurate information in the event that he or she becomes aware of any false statements.
51. NCCs shall report to participants the subject and features of the study after research data is collected, as well as clarify any misconceptions about the research.
52. NCCs shall accurately report results of research, including limitations and variables that may have impacted the outcomes.
53. NCCs shall take reasonable steps to publicly correct errors in their published research if any are discovered.
54. NCCs shall include all electronic communications exchanged with clients and supervisees, including those through digital technology and social media methods, as a part of the record, even when strictly related to clerical issues such as change of contact information or scheduling appointments. All electronic therapeutic communication methods shall use encryption and password security.

*NCCs recognize that their behavior reflects on the integrity of the profession as a whole, and thus, they avoid actions which can reasonably be expected to damage trust.*

55. NCCs shall retain client records for a minimum of five years unless state or federal laws require additional time. After the required retention period, NCCs shall dispose of records in a manner that protects client confidentiality.
56. NCCs shall act in a professional manner by protecting against unauthorized access to confidential information. This includes data contained in electronic formats. NCCs shall inform any subordinates who have physical or electronic access to information of the importance of maintaining privacy and confidentiality.
57. NCCs shall make all reasonable efforts to inform clients and former clients prior to the court-ordered release of confidential client information. In the event that the client seeks to prevent the release, the NCC shall request that a court withdraw any order to release confidential information due to the potential harm to the client or the counseling relationship. When ordered to disclose confidential client information by a court or governmental agency, NCCs shall release only the required information. Any release of information shall be appropriately documented in accordance with the practice setting.
58. NCCs shall not provide forensic evaluation services concerning current or past clients or client's family members. Also, NCCs shall not provide forensic evaluation services regarding their own family members, friends or professional associates.
59. NCCs who are retiring or departing from an established practice with other mental health professionals shall notify current and former clients as appropriate regarding their pending departure from the practice. Such notifications should include information about record availability and access, and contact information of appropriate referrals within the established practice.
60. NCCs who practice in multiple settings (e.g., agencies and private practice settings) shall not increase their private practices by referring clients from the setting of contact unless by specific prior arrangement with authorized individuals in the agency or group setting. In such situations, clients shall be instructed of their right to request to be referred to another professional in the original setting of contact.
61. NCCs shall not misuse their professional influence or meet their own needs at the expense of clients or their welfare. This shall include the promotion of products developed by the NCC.
62. NCCs shall not solicit testimonials from current clients or their families and close friends. Recognizing the possibility of future requests for services, NCCs shall not solicit testimonials from former clients within two years from the date of service termination.
63. NCCs shall not provide references if they have reasonable belief that the individual counselor is not qualified, is not able to provide competent professional services or presents a risk of harm to others.
64. NCCs who provide supervision services to supervisee's who have more than one supervisor (e.g., field placement and university) shall exchange contact information and communicate regularly about the shared supervisee's performance.
65. NCCs who develop tests or assessments for measuring personal characteristics, development, diagnoses, goal attainment or other similar clinical uses shall provide written evidence that technical features (e.g., reliability, validity) are consistent with the identified purposes.
66. NCCs shall limit use of information obtained through digital technology and social media sources (e.g., Facebook, LinkedIn, Twitter, etc.) in accordance with established practice procedures provided to clients at the initiation of services.

*NCCs recognize the importance of and encourage active participation of clients, students or supervisees.*

67. NCCs conducting counseling with more than one client at a time (e.g., group or family counseling) shall discuss with clients the nature, the rights and responsibilities as well as the possible additional limitations of confidentiality. NCCs shall also describe the steps that they will take in the event that having multiple clients in session creates issues between or concerning clients.
68. NCCs who learn that a client is receiving additional mental health services from other professionals shall discuss with the client the importance of developing clear agreements to avoid client confusion and conflict. Following this discussion, NCCs shall request the client's written consent to inform the other professional(s) of the counseling relationship and to collaborate on the provision of mental health services. This discussion and the client's response to the request shall be documented in the client's record.
69. NCCs shall inform clients of the purposes, goals, procedures, limitations, potential risks and benefits of services and techniques either prior to or during the initial session. NCCs also shall provide information about client's rights and responsibilities including billing arrangements, collection procedures in the event of nonpayment, confidentiality and its limitations, records and service termination policies as appropriate to the counseling setting. This professional information shall be provided to the client in verbal and written forms (i.e., the counseling services agreement). NCCs shall have a reasonable basis for believing that the information provided is understood. NCCs shall document any client concerns related to the information provided in the client's record.
70. NCCs shall respond to client requests for access to or copies of records within a practical timeframe. Additionally, NCCs shall provide an opportunity for the client to discuss the content of the record. If there is a reasonable basis to believe that providing such access will cause harm, the NCC shall discuss the request and possible effects; however, the information ultimately belongs to the client, and thus must be released. Records requests and any discussion regarding the provision shall be documented in the client's record.
71. NCCs who become aware of another mental health professional's unethical behavior shall first attempt to resolve issues through reasonable means except when state regulations require immediate reporting. In the event that it cannot be resolved, the NCC shall report the matter to all appropriate professional regulatory organizations and agencies.
72. NCCs shall obtain a client's consent prior to the provision of services. In private practice or other similar situations, this consent shall be documented in writing in a counseling services agreement. This counseling services agreement shall become a part of the client's record.
73. NCCs shall work collaboratively with clients in the creation of written plans of treatment that offer attainable goals and use appropriate techniques consistent with client's psychological and physical needs and abilities.
74. NCCs shall update the client's record throughout the counseling relationship when changes occur in the treatment plan, including those relating to goals, roles and techniques. The NCC shall obtain the client's written approval on such updates.
75. NCCs shall clearly designate in writing the primary client in the record. NCCs shall also identify in the record individuals who are receiving related professional services in connection with such client relationship. In the event of working with minors or individuals who are unable to give informed consent, NCCs shall discuss relevant considerations regarding the preferences of the individuals receiving services and legal guardian's rights and obligations. This information shall become a part of the client's record.



76. NCCs shall discuss service termination with clients when there is a reasonable belief that the clients are no longer benefiting from or are unlikely to benefit from future services. NCCs shall not abruptly terminate counseling services without good cause or significant justification, and in such cases, shall provide appropriate referrals.
77. NCCs shall provide referrals if the client cannot afford services, at the client's request or as appropriate at the conclusion of a professional counseling service relationship.
78. NCCs who act as university, field placement or clinical supervisors shall ensure that supervisees provide accurate information to clients about the supervisee's professional status (i.e., intern, licensed, etc.)
79. NCCs shall provide complete information regarding the format (electronic or otherwise), administration purpose, and the desired outcome, risks and limitations prior to the use of a test or assessment. NCCs shall have a reasonable basis for believing that the information provided is understood.
80. NCCs shall seek information, such as limitations, regarding a client which may affect the administration or interpretation of results prior to use of a test or assessment. If appropriate, the NCC may provide a referral to another professional who specializes in the evaluation of individuals with similar conditions. This discussion shall be documented in the client's record.
81. NCCs shall provide critical information to potential research subjects that will assist them in reaching a determination about participation. This information shall include the research's purpose, process, duration, potential consequences, and procedures as well as the participant's right to refuse or withdraw participation.
82. NCCs shall obtain prior consent from all research participants. This consent process shall contain relevant information with regard to the recording of voices or images of participants. In the event of conducting research with individuals who are unable to give informed consent, NCCs shall document considerations between the potential subject's desire to participate and the legal guardian's consent.
83. NCCs shall not employ deceptive techniques in research unless there are no alternatives and there is significant prospective scientific, educational or clinical value. In all cases, NCCs shall review potential techniques and shall not use any that can be reasonably expected to cause harm, as well as provide an explanation to participants during the debriefing.
84. NCCs shall carefully consider ethical implications, including confidentiality and multiple relationships, prior to conducting research with students, supervisees or clients. NCCs shall not convey that participation is required or will otherwise negatively affect academic standing, supervision or counseling services.

*NCCs are accountable in their actions and adhere to recognized professional standards and practices.*

85. NCCs shall comply with all NBCC policies, procedures and agreements, including all disclosure requirements.
86. NCCs shall adhere to legal standards and state board regulations.
87. NCCs shall not engage in unlawful discrimination.
88. NCCs who make statements in a public manner shall state that their opinions represent their personal views and not another organization unless officially authorized to do otherwise.
89. NCCs providing public presentations by any means, shall ensure that statements are consistent with this *Code of Ethics*.

90. NCCs who act as university, field placement or clinical supervisors shall require that supervisees provide the supervising NCC's name, credentials and contact information to the supervisee's clients.
91. NCCs shall follow administration and interpretation protocols for tests and assessments, including the use of appropriate software if using electronic measures.
92. NCCs shall comply with identified security protocols when using published tests and assessments.
93. NCCs shall comply with intellectual property laws and other accepted publication guidelines.
94. NCCs shall comply with applicable guidelines when designing, conducting or reporting research, including those of an institutional review board.
95. NCCs shall credit the work of others who have contributed to research or publication either through joint authorship, acknowledgment or other appropriate means.



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