Ethics Scenario 1

A school social worker provided services to a 12-year-old boy. The boy’s mother told the social worker that the boy seemed to be struggling with sexual orientation issues. The mother asked the social worker to keep this information confidential. One week later, the principal stopped by the social worker’s office and mentioned that she had received a complaint from another student that the social worker’s client had harassed the other student. The principal wanted to know “what was going on” with the social worker’s client and asked to see the social worker’s notes. The social worker explained that she is not allowed to disclose confidential information without the mother’s consent. The principal insisted the social worker share whatever relevant information she had about her client.

- Standards 1.01, 1.02, 1.03, 1.07, 2.01, 2.03, 2.05, 3.09

- Professionals will view ethical issues through different, sometimes conflicting lenses. Disagreements sometimes occur among members of an interdisciplinary team. Social workers sometimes feel obligated to take a stand on an ethical issue that is contrary to the views of the other team members.

- In this case, the social worker should inform the school principal that the social work profession’s ethical standards are strict regarding client confidentiality. Some settings have formal ethics committees that offer a place for dialogue about these issues. Most social service settings such as schools, child welfare agencies, group homes, and correctional facilities don’t have such a committee.
Ethics Scenario 2

A clinical social worker, contracting with the local school system, began seeing a nine-year-old boy referred by his school counselor for concern about his classroom behavior and academic performance. The social worker met with the boy and his mother, a single parent. She then began meeting with the boy weekly, collaborating with his teacher to develop a behavior management strategy and referred him to a local psychiatrist for possible medication for depression. The boy showed considerable improvement after about 6 weeks of intervention.

After a few weeks, the boy’s mother asked to meet with the social worker to discuss issues she is struggling with, including her ongoing substance abuse. The mother and social worker met weekly for about 2½ months. At that time, the mother decided to share a secret with the social worker. She informed the social worker that she and her son had been living under assumed names because she fears her soon-to-be ex-husband will find her and continue to emotionally abuse her.

The mother was not supposed to leave the court’s jurisdiction without permission while the divorce and custody dispute were pending. The mother told the social worker, “I just had to tell you about this part of my life. You’ve really been helpful to me and I’ve felt so guilty for keeping this secret from you. I assume you won’t tell anybody what I’ve just told you.”

Standards 1.01, 1.02, 1.03, 1.06, 1.07, 2.05

* The social worker has to decide whether her commitment takes precedence over her duty to “the larger society of specific legal obligations”. Social worker encountered a conflict of interest involving the mother and son—became involved in a dual relationship (entered into a relationship with 2 people who have a relationship with each other and whose interests might conflict).

* If the social worker thought the mother’s actions endangered the child, the social worker would be obligated to report the mother to child welfare authorities.

* The social worker must consider several relevant laws: Confidentiality of Alcohol and Drug Abuse Patient Records; Health Insurance Portability and Accountability Act (HIPAA); Uniform Child Custody Jurisdiction Act of 1968; Uniform Child Custody Jurisdiction and Enforcement Act of 1996; Parental Kidnapping Prevention Act of 1981.

* Ideally the social worker would lead the mother to collaborate with local authorities. The social worker would need to consult with colleagues, review relevant ethical standards and laws and make a decision.

* Confidentiality and limits to confidentiality should have been discussed at the beginning of the relationship.
Ethics Scenario 3

A child is referred to a group with a school social worker for students identified as needing social skills training and emotional management skills. The person overseeing the group stated that the social worker running the group does not need a consent because the group is conducted during school and is educational.

• Found in LABSWE NEWS, Spring 2009

• According to Rule No. 111(F) (1) requires a consent. “Social workers shall provide services to clients only in the context of a professional relationship with valid informed consent....” Rule No. 111 (F) (2) addresses minors. “If the client does not have the capacity to provide consent, the social worker shall obtain consent for the services from the client’s legal guardian or other authorized representative”.
Ethics Scenario 4

A social worker provides counseling for a 15 year old boy with depression. One day he comes to his counseling session with blurred eyes and slurred speech. The boy admitted to the social worker that he was under the influence and that his new friends have introduced him to ecstasy and crystal meth. The boy is worried about his drug use. The social worker offers to enroll him in the state-funded program for adolescents with both mental illness and substance abuse issues. The boy agreed to participate, but refused to let the social worker tell his parents about his drug problem. The social worker was unsure whether she was allowed to provide the boy with drug counseling without informing his parents and obtaining their consent.

- Standards 1.01, 1.02, 1.03, 1.07, 2.02, 2.05, & 5.02
- Privacy and confidentiality are bedrock principles in social work practice
- Circumstances where social workers are in a position to disclose confidential information
  - Clients may initiate requests for social workers to release confidential information to a third party
  - Social workers may receive requests for confidential information from third parties
A social worker referred a family to an educational consultant to help the family locate a specialized school for their son who had behavioral challenges and academic difficulties. The boy was placed in an alternative high school in a neighboring community. As part of the school’s program, parents participate in monthly meetings of a support group. Coincidentally, the social worker’s son also attended this school. The social worker and his wife attended the monthly meetings, during which they had disclosed some personal information about their family’s life. The social worker was uneasy about attending these meetings with his clients present.

- Standards 1.01, 1.02, 1.06, 4.03
- Social workers must be careful to separate their personal and professional lives.
- In this case, it would not be appropriate for the social worker to participate in a support group with his clients that is sponsored by the specialized school that their children attend. The social worker would need to discuss the boundary issues with the parents to ensure that they understand why the social worker needs to separate his personal life and professional work. The social worker would need to explain the unusual situation to the school staff and discuss appropriate alternatives with them to avoid a dual relationship.

- As a general guide, social workers should not attempt to distinguish between private conduct that directly interferes with or has the potential to interfere with their performance of professional functions and obligations and private conduct that is tangential or unrelated to professional obligations.
Ethics Scenario 6

A social worker was conducting a psychosocial assessment with a parent as part of a Bulletin 1508 evaluation. During the course of the interview, the social worker asked the parent about discipline techniques. The man said he had only physically disciplined his son. The father continued to explain that his son had taken a knife from the kitchen and raised it towards his father in anger. The man pushed his son across the room. Appearing distraught, the man explained that he had such a violent reaction because when he was 19 years old someone approached him with a knife and he killed that person. The social worker asked if he did jail time for the murder. The father told her, “No. You and my mother are the only ones that know about it.”

RESPONSE:

1.01 Commitment to Clients

Social workers' primary responsibility is to promote the well-being of clients. In general, clients' interests are primary. However, social workers' responsibility to the larger society or specific legal obligations may on limited occasions supersede the loyalty owed clients, and clients should be so advised. (Examples include when a social worker is required by law to report that a client has abused a child or has threatened to harm self or others.) BUT….You are not required to report something that happened in the past, but is not currently happening.
Ethics Scenario 7

A 15-year-old high school student was referred to the school-based social worker who provides mental health treatment at a local school to help deal with her depression. For several months the social worker provided the client with counseling to help with the depression. Recently the client lost a great deal of weight; her physician contacted the social worker and expressed concerns about the possibility of a serious eating disorder. The social worker has a lot of clinical experience but did not have training in the treatment of eating disorders. The nearest specialist in treatment of eating disorders is 2 states away.

- Standards 1.01, 1.03, 1.04, 2.05, 2.06, 2.10, 4.01, and 4.06
- Social workers bear the burden of being forthright in their claims about their areas of expertise to clients, the public at large, colleagues, and employers. Social workers assume considerable risk, and may expose clients to significant risk, when they use controversial interventions.
Ethical Scenario 8

A social worker working at a school with students with serious physical disabilities learned from the parents of one of the social worker’s clients, an 11-year-old girl, that they sleep with their daughter. The social worker expressed surprise and shared her concern about the sleeping arrangement. The parents explained that in their native culture it is common for children to sleep with their parents.

Standards 1.01, 1.02, 1.03, 1.04 and 4.01, 1.05, 2.05, 2.06

Social workers have a duty to educate themselves about cultural practices and consult with informed colleagues who could help the social worker understand that some culturally acceptable practices are not abusive.
Ethical Scenario 9

A sexually abused 16-year-old girl on a social worker’s related service caseload became distraught one afternoon when she learned her mother was killed in a car accident. She asked the social worker if she would “please hold me, hold me, hold me” while they talked about her tragic loss.

Standards 1.01, 1.02, 1.03, 1.05, 1.06, 1.10, 1.11, 2.05, 2.11, 4.05

It is not unusual for social workers to have some kind of modest physical contact with clients.

Social workers must always be careful to distinguish between appropriate and inappropriate physical contact with clients.

In general, inappropriate physical contact occurs when the nature of the contact might exacerbate the client’s emotional condition. This can occur when the client concludes from the contact that the relationship extends beyond the professional relationship.

Some cultures, ethnic groups and religious groups have strict norms and rules about physical contact, especially between men and women.
Ethical Scenario 10

A social worker provides counseling to a 16-year-old girl experiencing significant emotional turmoil. The girl’s parents were divorcing. During one session the girl told the social worker that she just found out she is 6 weeks pregnant. The girl said she wanted to terminate the pregnancy, but refused to give permission to the social worker to share this news with her parents.

Standards 1.10, 1.02, 1.03, 1.14, 1.16, 2.05

Ordinarlly a person is considered incompetent when, because of mental illness, age, cognitive disability or substance abuse, she or he is incapable of either managing her or his property or caring for herself or himself.

In general, adults in the United States are presumed to be legally competent and entitled to make all decisions for themselves.

In this case, social workers must consult state laws since exceptions do exist in the cases of genuine emergency, birth control or treatment for substance abuse or an STD. Some states also allow minors to terminate a pregnancy to seek court permission rather than notifying their parents. **Louisiana actively requires parental notification or consent for a minor girl to receive an abortion.**
Ethical Scenario 11

You are seeing 2 separate students in individual counseling sessions—a boy and a girl. Both are 11 years old. During one of the sessions, one of the students discloses that they are having sex with the other student.

Standards 1.01, 1.02, 1.03, 1.14, 2.05

**What is the Age of Consent in Louisiana?**

The Louisiana legal Age of Consent for sexual contact is **17 years old**. 9 states have a legal age of consent of 17.

Felony carnal knowledge of a juvenile is committed when a person who is nineteen years of age or older has sexual intercourse, with consent, with a person who is between twelve and seventeen years of age. Misdemeanor carnal knowledge of a juvenile is committed when a person who is between seventeen and nineteen years of age has sexual intercourse, with consent, with a person who is between fifteen years and seventeen years of age, and when the difference between the age of the victim and age of the offender is greater than two years.

**Louisiana has no close-in-age exemption**

There are no set close-in-age exemptions to Louisiana's age of consent. This means that anyone who engages in sexual activity with someone under the age of consent in Louisiana is liable for prosecution, including people only a few years older and even others who are also under the age of consent.

**What is the Age of Consent?**

The Age of Consent is the age at which a person is deemed by Louisiana law to be capable of consenting to, and engaging in, sexual acts. Anyone who engages in sexual activity of any type with a partner under the applicable Age of Consent is breaking the law and can be charged with crimes ranging from a misdemeanor to a felony (statutory rape) depending on the jurisdiction in which they are prosecuted. Louisiana's specific laws on the *Age of Consent* can be found above.

[http://www.age-of-consent.info/states/Louisiana](http://www.age-of-consent.info/states/Louisiana)