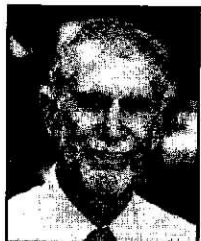


## FEATURED ARTICLES

# Three Key Ways to Help You Keep Your License

Ofer Zur, Ph.D.



Driving drunk, making custody recommendations, failing to complete the required continuing education for license renewal, or having sexual relations with current or recently terminated clients are all well-known ways to put your license at risk. However, there are many less commonly known risks that I will be addressing at this year's LACPA Convention. Here are three key

ways to help you keep your license in good standing, from my presentation, "23 Ways to Protect Your License from Licensing Board Complaints."

### Texting Into The Night

If you find yourself texting with your client into the night, be aware that you are at risk of losing your license. This warning extends to all social media written exchanges. Currently, I am involved in several licensing board complaints and even a couple of lawsuits that involve long trails (printouts of hundreds

of hundreds of messages) of texting and email exchanges, between clients and therapists, taking place in the late hours of the night. Although explainable, it is indefensible. I have seen this phenomenon shockingly increase in recent years. Late-night text exchanges are becoming prominent evidence of substandard care in Board of Psychology complaints and civil lawsuits. Disinhibition effect — the reduced restraint one feels when communicating with someone online in comparison with in-person communication — can lead clients and therapists to dive deeper into discussions, and expose more. The invisibility involved in cyberspace communication can strengthen the disinhibition effect. Take an inventory. If texting into the night is part of your routine that your client expects, *it is vital that you seek consultation*, and cease this kind of communication as soon as possible.

It is imperative that you establish communication boundaries with your clients in advance around the use of texts, emails, and social media, which should form part of your informed consent. If you use text communication, inclusive of emails and social-media platforms, you may want to limit them to administrative purposes, such as scheduling or canceling appointments. If you choose to text extensively with clients, make sure to include the communications in your treatment plan. That said, note that it is currently considered to be below the standard of care to deal with significant clinical issues via text. The standard of care has not yet adjusted to current communication styles. If texting occurs late at night in extreme emergency cases, make sure you document your clinical justification for it. Remember that even when working with high-risk clients, if you are contacted in the middle of the night, you are not mandated to respond, but your clients should know where to call to get appropriate emergency help. Inform clients that texts are part of their clinical records, and consider keeping your digital communications within those parameters, even if your licensing board and code of ethics do not require you to do so.

### The Yelp Trap

You find out that a client wrote a negative review about you and/or your therapeutic, evaluation or testing services on Yelp, or on another review site. It may include inaccurate information, or even lies about your services. You may feel upset and angry or fearful about what might happen when others see it. What if this client-post appears on multiple sites? Your first reaction may be to want others to know you did not do what you are alleged to have done. You feel an impulse to write a reaction, to publicly clarify the situation from your point of view. Should you?

The answer is "No." You should never react to posted

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## FEATURED ARTICLES

reviews, whether positive or negative. Posting any response is the worst thing you can do, because it is an acknowledgment of the therapeutic relationship, which breaks confidentiality, violates privacy, and may result in being sanctioned, penalized, or even losing your license. Therapists should expect modern-day consumers to post reviews of their therapists. If you discover a negative review about yourself, do not try to resolve it amicably, because it is unlikely to work. Also do not consider taking legal action as it is likely to create more negative reviews. Instead, take the opportunity to revitalize a positive presence on the internet by creating an informative modern-looking website, or ask for favorable collegial recommendations (rather than from clients). Although clients are welcome to write reviews voluntarily, you should never ask them to do so.

### You Are One Borderline Client Away From Losing Your License

Some of the most fascinating and intriguing cases I have dealt with in my forensic and consulting practice involve therapists who engaged in boundary violations with clients who suffer from borderline personality disorder (BPD). In many of these cases, the therapists are solid and experienced professional clinicians with no history of boundary violations. In a current case, the client occasionally spent the night at the home of

the therapist, wearing at times only her underwear. Boundary violations with a borderline client can include extreme issues around money, drugs, and sex, or smaller violations like taking care of the client's pets. The power of borderline clients arises primarily from their rage and volatility, which therapists try to avoid. Identifying and diagnosing individuals with BPD can take time, during which the therapist may not be as alert to the future pitfalls inherent in these kinds of relationships. When therapeutic relationships prove to be too intimate for BPD clients, they can readily move from being charming and accessible to angry and retaliatory. Many therapists will do anything they can, including taking actions out of the scope of practice, to circumvent the rage by being conciliatory, without fully realizing the dynamics at play. Therapists often wind up violating boundaries by trying to pacify or evade the attacks of their BPD clients. If any of this sends up a red flag, do not try to sort it out alone. Seek professional guidance and consultation. ▲

*Ofer Zur, Ph.D., is the founder of the Zur Institute. He frequently writes and presents on ethics issues in mental health. He provides ethical and forensic consultations to psychotherapists, counselors, and attorneys, and ethics workshops online and in person. His website is [www.drzur.com](http://www.drzur.com), and he can be contacted at [droferzur@drzur.com](mailto:droferzur@drzur.com).*

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