Barter With a Patient

written by Richard Leslie | May 24, 2016

Avoiding Liability Bulletin – June 2005

… What about barter with a patient – is it legal? Is it ethical? The answer depends. Therapists must first be aware of individual state law and regulation to see whether or not the state has taken a public policy position on this issue. If so, the law should of course be followed. If the state has remained silent on the issue, one should determine how the ethical standards for his or her profession address this issue.

One professional association's ethical standards provide that marriage and family therapists "ordinarily refrain" from accepting goods, services, or other non-monetary remuneration from patients in return for professional services. Another professional association for MFTs takes a more specific approach by saying, in part, that bartering for professional services may be conducted only if the client requests it, the relationship is not exploitative, and the professional relationship is not distorted. That association's ethical standards additionally require that a clear written contract be entered into between the therapist and patient.

Be careful. This is an area where therapists have encountered difficulties. Good judgment is required here, as well as reference to law, regulation and ethical standards, and perhaps one or more consultations. There is a significant difference between paying for an hour of therapy with bushels of fruit (in a rural or farming community) approximately equaling the therapist's fee, as opposed to having the patient work at the rate of ten dollars an hour cleaning the therapist's house (including the two bathrooms replete with magazines of various genres)! While bartering may not be prohibited, it is also not typically enthusiastically encouraged. Care must be taken to comply with any conditions established by applicable standards, guidelines, or laws and regulations.