

Coaching or Counseling: That is the Question!

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Information in this blog was provided by DeeAnna Nagel, a Licensed Professional Counselor and Board Certified Coach also offering coach certification training.

“I’m licensed in New Jersey and I would like to practice coaching in Utah. If a patient in Utah files a complaint against my New Jersey license, am I still covered under this policy?”

Misconception: if you call yourself a coach you can cross state lines, provided you’re not breaking the law.

This is a misconception, because the state in which your license is held is where your liability insurance protects you. If you cross state lines, you may not be under the protection of your malpractice insurance. The state board in the state you are practicing and licensed in must OK you to practice across state lines, and it is all contingent on state law. Some states say it is okay, some say it is not.

It’s important to ask questions like:

“I’m licensed in New Jersey and I would like to practice coaching in Utah. If a patient in Utah files a complaint against my New Jersey license, am I still covered under this policy?”

By asking questions like this to a legal consultant, you can protect yourself for malpractices. To prevent malpractice against your license, it is important to keep all procedures, processes, and systems HIPAA compliant, and consent forms must be filled out with up-to-date information.

DeeAnna suggests getting a legal consultation to ensure consent forms will hold up in court should a complaint be filed. She also suggests ensuring that all processes are HIPAA compliant. This doesn’t mean you have to have an attorney on retainer, but pay them for a business consult to ensure your practice is protected should a complaint be filed.

Under the terms of “coaching” transcript to transcript, a therapist/counselor must be able to prove the differences between coaching and counseling. Many of the principles of coaching are founded on the same principles of counseling, making it hard to determine and prove which is which. For example, both are based on Maslow’s basic hierarchy of needs.

When a complaint goes to the licensing board, they are going to check to see if the therapist has done training in due diligence.

- Did the therapist demonstrate due diligence?
- Has the therapist taken effort to learn about right and wrong in their practice?
- Has the therapist participated in training such as reading necessary books, taking CE classes, participating in seminars, etc?

To DeeAnna's knowledge, no case law shows that someone has been sued because coaching and counseling principles are so closely intertwined. However, there is a lot of gray matter here. Nothing is set in stone, so you must rely on best practices.

Visit DeeAnna's websites at www.onlinetherapyinstitute.com and www.jerseyshoretherapy.com