Diversity

written by Richard Leslie | May 24, 2016

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… There are many legal issues affecting mental health professionals that involve the subject of diversity. Perhaps one doesn't think about diversity issues and the legal issues involved with avoiding liability as interconnected, but they may well be. Here are only three examples of their inter-connectedness.

For instance, I have been asked whether a Christian counseling center can hire only Christians to perform Christian counseling services for a nonprofit corporation. I have been asked by a transgender therapist, who presented as a woman but was biologically a male, whether he had to disclose to the patient, prior to the commencement of treatment or at some other time during the course of treatment, the fact that he was biologically a male. With respect to the issue of reporting child abuse, I have been asked whether a mandated reporter must make a child abuse report when the therapist or counselor knows or determines that a physical injury, scald or burn mark was inflicted as part of an accepted cultural ritual in the country of origin for the family, and not as a result of negligence or criminal intent.

I will discuss these questions, and answer them, in a future issue of the Avoiding Liability Bulletin. In the interim, you might think about how you would answer these questions. I raise them now merely to point out that the many legal and ethical issues involved with avoiding liability are broad in scope and sometimes arise in unexpected ways.

For extended content related to this matter, click here to read the February 2010 Avoiding Liability Bulletin.