

# Teletherapy - The Do's, The Don'ts and the In-between

written by CPH Insurance | March 3, 2017



Teletherapy is a rapidly growing and trending topic among therapists and counselors nationwide. It's a hot topic in the medical community and patients love the freedom it can provide in terms of flexibility with appointments. The option to have a conversation from the comfort of your home, is appealing to clients for many reasons including privacy, comfortableness to have a conversation without anyone around and the flexibility of scheduling.

Technology expands and grows every day and with this comes new opportunities to add to your practice, such as teletherapy. Now, there are websites that are 100% dedicated to teletherapy and adding this service to an existing practice.

**First let's look at how teletherapy is defined:** Teletherapy is defined as any type of communication with a client via a third party platform where advice is given virtually without being in person or face-to-face. Communication platforms may include phone, skype, facetime, google hangouts, text, email.

Teletherapy risk management is important to keep at the forefront of your mind, when planning to add this onto your list of services. The question now becomes is teletherapy legal and what is the risk associated with providing counseling services to a patient who you never have face-to-face time with?

## **The Do's:**

**Keep your malpractice insurance up-to-date.**

Telecounseling or teletherapy is "technically" covered under your [mental](#) health insurance, meaning you can provide advice to a patient virtually, as long as the state in which you hold your license allows it. What is covered? Claims that are brought about in the US court system are covered under your insurance policy. Claims brought against you internationally are not covered.

## **Check with your State.**

It is important to know the ruling from your state's licensing board and if they have issued any policies regarding teletherapy services. Several states, including Florida, Massachusetts, North Carolina, Texas, Virginia and Wisconsin, have such policies in place. If you are practicing across state lines, we recommend to call the state licensing board for where your client resides in addition to the state you practice in, for additional risk management protection. Treatment is considered to take place where your client lives, not in the state in which you practice.

## **Apply general ethical standards.**

Standard ethical principles apply to teletherapy, the same as face-to-face counseling services. Standards include informed consent, competence to practice, confidentiality, and on how client terminations, interruption of service and payment arrangements are handled.

### **The Don'ts:**

#### **Don't practice blindly.**

It's not good practice to add teletherapy into your repertoire, before knowing what your state licensing ruling is and if your counselor malpractice insurance policy covers in-state and out of state sessions.

#### **Don't use a non-HIPAA compliant platform.**

Which site to provide teletherapy through is an important choice to make. Changes with [HIPAA compliance](#) have been conforming to the changes in technology over the last few years. Ensuring the platform you are using is HIPAA compliant is a must in order to reduce your risk and ensure patient privacy.

### **The In-between:**

#### **Privacy.**

Consider where you are providing the service. We recommend using a private office or conference room or from the comfort of your home, instead of using a public coffee shop to conduct the therapy session. Using a public place, over a private space opens you up to others potentially hearing the session, which could be a privacy issue.

#### **Secure Connection.**

Consider using an application that is safe and secure ssl. Having a SSL connection means you are using a website or application that uses a Secure Sockets Layer (SSL) which provides a secure channel for communication between two devices (yours and the device of the person you are counseling).