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ABSTRACT
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Professional counselors do have a duty to protect the public from the
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by
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Chapter Three
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Counseling on the Internet is alive and, in the opinion of some, well. The question is do counselors and other behavioral health professionals want to take an active role in shaping this new avenue of our discipline, or can we afford to adopt a "wait and see" attitude? After all, professional counselors do have a duty to protect the public from the chicanery of unqualified Internet "therapists" while still allowing the consumer to exercise choice.

This paper examines three areas of current concern: the tension between the advantages and disadvantages of counseling online, the modalities currently utilized to deliver counseling online, and some of the issues surrounding the need for regulation of online counseling.

Advantages and Disadvantages: The Balance

There appear to be advantages to offering counseling services on the Internet, one being the ability to bring mental health services to persons in under-served or geographically isolated areas. A game warden or pipeline worker in a remote part of the Alaskan wilderness is prone to experience personal growth issues and crises as much as persons in well served metropolitan areas. Those who may be better served by gerontological, rehabilitation or career specialists might have access to more qualified counselors. Those who are physically challenged or seriously ill would have the option of getting support without having to leave their homes. Those with child care or elder care responsibilities would be free to seek help without making other arrangements. Finally, those apprehensive about being seen walking into the office of a counselor, or individuals who have thought about counseling, but are not sure what it is about, may be more likely to seek services if they can do so from the safe and comfortable confines of their homes. An additional advantage for the practitioner is that entire sessions can be automatically recorded and preserved, thus eliminating the need for additional case notes, or any other form of session recording which may be required for supervision.

Because e-mail may be read by those other than for whom it was intended, concerns about protecting confidentiality is a major disadvantage. Possible solutions include digitally encrypting transmissions, and password protecting access to sensitive information on both the counselor's and client's computer. In reality however, phone conversations are more likely to be eavesdropped upon than are e-mail transmissions likely to be monitored. Another problem is the handling of emergency situations that arise with clients who may be halfway across the globe. Local authorities may be able to assist the online counselor by contacting emergency services within the client's local area. A proactive way to deal with this quandary may be to get a prospective client's local emergency numbers as well as their physical address and phone number before initiating work.

What if the client is dishonest? Actually the same possibility exists in face-to-face counseling. Rarely is a client asked to produce proof of identification and address when they come into the office for an initial visit. Once a relationship is established, emergency contact with an online counselor may be handled in the same way that it is handled in face-to-face counseling. The client may be given a home, cellular phone, pager or voicemail number, or they may be given information on local community resources. (Hopefully, for most locations, this information will soon be posted on the World Wide Web. However the majority of crisis hotlines will take calls from anywhere.) Or, in keeping with the online theme, the client may be asked to contact the counselor via e-mail.

Another concern is that a client may more easily terminate a session or a counseling relationship if the counselor touches upon sensitive issues. This is a good argument for getting a client's phone number, physical and e-mail addresses before beginning work. The premature closing of a session or termination may at times be an issue with online counseling, however with this information the practitioner will have several avenues for

reestablishing contact. A final concern centers on malpractice litigation. If a client is in some way harmed, under what jurisdiction will they be entitled to bring suit against the counselor? As our technology evolves, our legal systems struggle to keep pace.

E-mail, Text-based Chat and Video-Conferencing

When talking about counseling online, three very different modes of interaction (e-mail exchange, text-based chat, and video conferencing) use the Internet as a means to transfer information. Presently, the most ubiquitous manner that online practitioners communicate with consumers is through e-mail.

E-mail is probably the easiest way to correspond on the Internet and almost everyone who has access to the Internet has an e-mail account. With asynchronous e-mail there is no need to schedule appointments. The client or potential client simply sends an e-mail and the practitioner answers at his or her convenience. In a way this is similar to writing a journal entry and getting professional feedback. Some have compared this manner of interaction to writing Dear Abby. Others have suggested that with e-mail or text-based chat there is a degree of anonymity, which influences the individual to disclose earlier, and more deeply, than in a face-to-face encounter. However, there are some clear disadvantages of using e-mail as a way to conduct counseling, one being the loss of the dialectical process. In face-to-face counseling a continuous and immediate feedback loop exists between counselor and counselee. When using e-mail, the feedback of both parties is intermittent and lacks immediacy. Another disadvantage to the use of e-mail is the complete lack of nonverbal information. Many counselors believe that nonverbals are even more important than verbals in some therapeutic situations.

Some online practitioners use text-based chat as a way of working with their clients in real time. This is more cumbersome in that appointments need to be set up in advance and there are generally more logistical details to be worked out. An advantage of chat is that it provides for continuous and immediate feedback in both directions. However, similar to e-mail, the client's nonverbals are lost except for the occasional abbreviation or emoticon (e.g. "lol" means laughing out loud and " :) " means happy). Thus the next logical step would be for practitioners to utilize video conferencing alternatives. This would be the closest thing to actually being in the room together and would be a boon to the facilitation of online counseling. This sounds enticing, however very few Internet counseling sites offer this option because of current video conferencing technology.

Presently, the video conferencing hardware and software options available to most consumers are in a sense more trouble than they are worth. They present multifaceted logistical issues and their performance is largely disappointing because much of the online community hooks up through dial-up connections which exhibit relatively slow data transfer rates. Pictures take up a great deal of bandwidth, and in order to get the appearance of full motion video, these pictures need to be refreshed many times a second. A standard dial-up connection allows only a few frames to be transmitted per minute. Nonetheless there is the opportunity to see the other person, however much of the dynamic nonverbal behavior is lost.

Hope for video conferencing comes in three alternative methods of connection: cable modems, satellite modems, and Digital Subscriber Lines (DSL). Although all three are currently being offered on a limited basis, major improvements in infrastructure must be made before these new technologies replace today's standard dial-up connection. When this happens, full motion video over the Internet will become a reality, and its implications for counselors will be substantial. Most experts believe that this will occur in two to four years. Thus, it would appear that there are two distinct directions Internet counseling could take. There is the present day formulation, which consists mostly of e-mail interaction with some text-based chat, and there is the real time video conferencing of the near future. Upon its arrival, full motion video and real time audio may make counseling online the next best thing to being there. Hence in making any decisions regarding the restriction or certification of Internet counseling, it is important to take both of these scenarios into account.

Regulating Through Legislation or Certification?

California was the first state to pass legislation affecting the practice of psychotherapy on the Internet. The California Telemedicine Act mandates that mental health services provided online to a resident of California can be administered only by a clinical psychologist or medical doctor licensed in that state. Additionally, managed care must cover online services that would be normally reimbursed in a face-to-face visit. Other states are currently working on legislation resembling the California model.

The glaring problem with such laws is not just that they restrict consumer choice, but that they are

contradictory to the basic nature of the Internet. The online world is devoid of any state or national boundaries. In an evening spent surfing the Net an individual may visit a dozen or more countries without a passport or any regard for the specific laws of these nations. For the most part the Internet is a lawless information frontier, and attempts to legislate and restrict not only fall upon deaf ears, but also can often be impossible to enforce. For instance, what happens when a resident of California establishes a counseling relationship with a practitioner in Australia? Chances are the Australian counselor will not be extradited and brought before a California court for violation of the Telemedicine Act.

So how can we protect the public interest without legislation? Several attempts at this feat are already underway. Metanoia (www.metanoia.org), a listing of Internet psychotherapy providers, checks the credentials of its listed practitioners with their appropriate licensing bodies. In addition Mental Health Net (www.cmhc.com) has rated each of the sites listed on Metanoia. Also, a service called Credential Check certifies practitioners with regard to the legitimacy of their purported degrees, certifications and licensure. Additionally, in September of 1997 the National Board for Certified Counselors (NBCC), with the guidance of its WebCounseling Task Force, adopted its "Standards for the Ethical Practice of WebCounseling" (www.nbcc.org/wcstandards.htm). Officially NBCC does not advocate the practice of counseling on the Internet. These voluntary standards have been constructed in order to provide direction for the online practitioner, and minimize any potential risks.

Some have accused NBCC and others of acting prematurely. As there has been virtually no research done in the area, it is impossible to ascertain the extent to which online counseling is either helpful or harmful. Due to efforts to control extraneous variables and the careful scrutiny of Research with Human Subjects committees, psychotherapy outcome studies can be quite cumbersome. Often faculty and graduate students steer clear of these projects. Perhaps grant money could be earmarked for such investigations given the urgent need on the part of credentialing and governing bodies to make decisions regarding this recent development in our field.

If it is in fact established, after adequate research, that counseling over the Internet appears to be either not at all helpful or in some way harmful, then it is the responsibility of organizations like the American Counseling Association (ACA) and NBCC to publicly speak out against such practice. However, if studies indicate that online counseling is in fact beneficial, then a fair and structured approach to certification must be implemented. Clearly, due to the global nature of the online community, any attempt at creating certification standards must be internationally sensitive. Such standards must take into account the different educational systems and credentialing practices of many different nations. Drafting a globally interchangeable certification policy may be a formidable task. It will be necessary not only to encourage the participation of representatives from many countries, but also those from the different domains within mental health.

This is not a project the counseling profession should try to take on by itself. It would certainly be beneficial to work as a team with psychologists, psychiatrists and social workers, to achieve the common goals of protecting the public and increasing the availability of services. In addition to coming to an agreement with other professionals, it is imperative that we dialogue with managed care on this issue. Whether we like it or not, insurance providers have a major role in determining what types of services are performed. With their support not only will Internet counselors be entitled to third party payments, but the public can be influenced, through economic means, to seek online services only with those practitioners who possess the requisite skills and have agreed to follow the guidelines necessary for certification.

Counseling over the Internet, while rapidly approaching its tenth birthday, is still in its infancy. As members of the counseling profession, we must take an active role in guiding the evolution of this new method of service delivery. It is important to take a farsighted approach by conceptualizing online interaction, not only in the manner that it normally occurs today, but also in terms of how such will evolve over the next several years. The path toward protecting the public interest while preserving individual choice appears to be best paved, not with legislation, but with certification. Clearly it is important that adequate research be done in the area before certification guidelines are enacted. If research does in fact suggest that counseling over the Internet is or could be beneficial, then it is important to establish international certification guidelines with the input of professional counselors, other mental health providers, and managed care.

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