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**LIMITATIONS TO CONFIDENTIALITY**

Your confidentiality, ability to speak freely in sessions, and trust in me is of the utmost importance. By law, I cannot disclose what you tell me in sessions, nor can I acknowledge that I treat you as a client. Contents of all therapy sessions are considered to be confidential. Both verbal information and written records about a client cannot be shared with another party without the written consent of the client or the client's legal guardian. There are times, however, where it may be necessary to report specific circumstances to maintain the safety of you or your family members.

Noted exceptions are as follows:

**Duty to Warn and Protect:**

When a client discloses intentions or a plan to harm another person, the mental health professional is required to warn the intended victim and report this information to legal authorities. In cases in which the client discloses or implies a plan for suicide, the health care professional is required to notify legal authorities and make reasonable attempts to notify the family of the client.

Information that you may disclose during treatment about another mental health professional who is licensed or governed by a Health Regulatory Board who may be acting, or has acted, unethically or illegally must be reported to the appropriate Board, and in some cases, the mental health professional.

If you are licensed by a Health Regulatory Board, I am required to report that you are receiving therapy *if I believe that your condition places the public at risk. I will always make such a report in consultation with you in order to determine if there are steps that can be taken to avoid taking such action.*

**Abuse of Children and Vulnerable Adults:**

If a client states or suggests that he or she is abusing, or has abused, or describes a situation in which a child, senior citizen or adult who is disabled (vulnerable adults) is in danger of abuse, a mental health professional is required by law to report this information to the appropriate social service and/or legal authorities. The mental health professional makes no determination about whether actual abuse or neglect has actually occurred. Such a determination, including a determination for the need of services to prevent a reoccurrence of abuse, is made by the local department of social services.

**Professional Absences and Consultation:**

In the event I am out of the office or unavailable for an extended period of time, I may have a colleague who is a mental health professional cover my practice and take emergency calls. You will be given the information of the professional in such circumstances. If that professional will need information in order to assist you in my absence, I will provide only your first name. You

and I will discuss what information the professional will need in my absence that will be relevant to the clinician covering for me.

**Prenatal Exposure to Controlled Substances:**

Mental Health care professionals are required by law to report admitted prenatal exposure to controlled substances that are potentially harmful.

**Legal and Court Involvement:**

In Virginia court cases, there are times when therapist-client privilege may not apply, including:

- 1) Criminal cases,
- 2) Child abuse cases, or
- 3) Any court case where your mental health is an issue, and/or:
- 4) Any case in which the judge “in the exercise of sound discretion, deems it necessary to the proper administration of justice.” This means that information communicated to a therapist can be admitted as evidence in a court case against your wishes if a judge so rules. Others sometimes issue a subpoena seeking either treatment records or testimony from you present or former therapist as evidence in a court case (including child custody cases). If I receive such a subpoena, I will inform you immediately and, with your consent, will cooperate with your attorney in filing motions to quash a subpoena and requesting that the confidentiality of the therapy relationship be protected. However, only the judge may decide whether the requested information may be disclosed.

**Minors/Guardianship:**

Parents or legal guardians of non-emancipated minor clients have the right to access the clients’ records. If parents are separated and a valid, signed custody order governs custody of a child, the parent who has legal custody determines whether a child can receive treatment in psychotherapy. If parents hold joint legal custody, they must both consent, unless one parent holds final decision-making authority. A minor over the age of 14 may consent to receive treatment for him or herself. If parents are married, only one parent is required to give consent for treatment.

**Insurance Providers (when applicable):**

Insurance companies and other third-party payers are given information that they request regarding services to clients. Information that may be requested includes, but is not limited to types of services, dates/times of service, diagnosis, treatment plan, description of impairment, progress of therapy, case notes, and summaries.

I agree to the above limits of confidentiality and understand their meanings and ramifications.

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature (if client is under 18)

\_\_\_\_\_  
Date