

# What You Should Know about Confidentiality in Therapy

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I will treat what you tell me with great care. My professional ethics and the laws of this Province prevent me from telling anyone else what you tell me unless you give me written permission. These rules and laws are the ways our society recognizes and supports the privacy of what we talk about—in other words, the “confidentiality” of therapy. However, there are some limits on our confidentiality.

**1. When you or other persons are in physical danger**, the law requires me to tell others about it. Specifically:

- a. If I come to believe that you are threatening serious harm to another person, I am required to try to protect that person. I may have to tell the person and the police, or perhaps try to have you put in a hospital.
- b. If you seriously threaten or act in a way that is very likely to harm yourself, I may have to seek a hospital for you, contact the police for a wellness check, or call on your family members or others who can help protect you. If such a situation does come up, I will discuss the situation with you before I do anything if I am able, unless there is a strong reason not to. In the case where your life or health is in danger, and I cannot get your consent, I may give another professional some information to protect your life. I will try to get your permission first, and I will discuss this with you as soon as possible afterwards.
- c. If I believe or suspect that you are abusing a child, an elderly person, or a disabled person, I am required to file a report. “Abuse” includes neglecting, hurting another person (physically or sexually). I do not have any legal power to investigate the situation to find out all the facts. A Child Welfare Agency will investigate. If this might be your situation, we should discuss the legal aspects in detail before you tell me anything about these topics. You may also want to talk to a lawyer.

In any of these situations, I would reveal only the information that is needed to protect you or the other person. I would not tell everything you have told me.

**2. In general, if you become involved in a court case or proceeding**, you can prevent your therapist from testifying in court about what you have told them. This is called “privilege,” and it is your choice to prevent me from testifying or to allow me to do so. However, there are some situations where a judge or court may require me to testify:

- a. In child custody or adoption proceedings, where your fitness as a parent is questioned or in doubt.
- b. In cases where your emotional or mental condition is important information for a court’s decision.
- c. During a malpractice case or an investigation of me or another therapist by a professional group.
- d. In a civil commitment hearing to decide if you will be admitted to or continued in a psychiatric hospital.
- e. When you are seeing me for court-ordered evaluations/treatment. In this case we need to discuss confidentiality fully, because you don’t have to tell me anything you don’t want the court to know via my report.

**3. I am required to keep records of your treatment**, such as the notes I take when we meet. You have a right to review these records with me. If something in the record might seriously upset you, I may leave it out, but I will fully explain my reasons to you.

**4. Here is what you need to know about confidentiality in regard to insurance and money matters:**

- a. If you use your health insurance to pay a part of my fees, insurance companies require some information about our therapy such as diagnosis, dates of service, and treatment summaries. I can give you my bill to send to your insurance company to file a claim for your benefits.
- b. If you have been sent to me by your employer’s Employee Assistance Program, the program’s staffers may require some information. Again, I believe that they will act morally and legally, but I cannot control who sees this information at their offices. If this is your situation, let us fully discuss my agreement with your employer or the program before we talk further.
- c. If your account with me is unpaid and we have not arranged a payment plan, I can use legal means to get paid. The only information I will give to the court, a collection agency, or a lawyer will be your name and address, the dates we met for professional services, and the amount due to me.

**5. Finally, here are a few other points:**

- a. If you want me to send information about our therapy to someone else, you must sign a “release-of-records” form. I have copies you can see so you will know what is involved.
- b. Any information that you also share outside of therapy, willingly and publicly, will not be considered protected or confidential by a court.