California Law & Ethics – 18 Hours

Chapter 1

1) The core values of social work include all except
   a) Service
   b) Social Justice
   c) Beneficence
   d) Competence

2) The “Statutes and Regulations Relating to the Practice of Marriage and Family Therapy, Educational Psychology, and Clinical Social Work” was developed by the
   a) Association of Therapy Boards
   b) National Institute of Mental Health
   c) California Therapy Consortium
   d) California Board of Behavioral Sciences

3) MFT applicants licensed after 2004 must have additional coursework in
   a) aging and long-term care
   b) pain management
   c) carbon credits
   d) medical errors

4) Clinical social work applicants must have specific training in all the following except
   a) alcoholism and other chemical substance dependency
   b) spousal or partner abuse
   c) personality testing
   d) human sexuality

5) Confidentiality is a/an _____ issue.
   a) Therapeutic
   b) Legal
   c) Ethical
   d) all the above

6) The NASW Code of Ethics states that social workers should protect the confidentiality of all information obtained in the course of professional service except for compelling professional reasons.
   a) True
   b) False

7) Under California law, the primary exceptions to confidentiality concern
   a) the age of the patient
   b) the service setting
   c) whether there is a court order for the information
   d) harm to self or others
8) In group therapy, the mental health provider must guarantee that group members will keep information confidential.
   a) True
   b) False

9) If a provider receives a subpoena from an attorney to provide copies of clinical records, he or she may claim privilege on behalf of the client.
   a) True
   b) False

10) The California Family Code 6924 states that a minor who is _____ years of age or older may consent to mental health treatment if certain requirements are met.
   a) 10
   b) 12
   c) 14
   d) 16

11) Minors are able to consent to psychotropic medications without parental consent.
   a) True
   b) False

12) Mental health providers may not disclose medical records without the written consent of the minor patient.
   a) True
   b) False

13) What term describes professionals who work with vulnerable populations and are required to report suspicions of abuse?
   a) Good Samaritan
   b) Designated Participant
   c) Mandated Reporter
   d) Professional Receptor

14) The first child abuse and reporting law was enacted in California in
   a) 1943
   b) 1953
   c) 1963
   d) 1973

15) Psychotherapists must make a report of child abuse whenever a _____ of abuse exists.
   a) Preponderance of the evidence
   b) Hint
   c) Reasonable suspicion
   d) Signpost
16) After a mental health professional reports abuse, they must prepare a written report within _____ hours of the initial report.
   a) 6
   b) 12
   c) 24
   d) 36

17) Which is NOT mentioned as a sign of elder abuse?
   a) Caregiver not wanting elder to be seen on his/her own
   b) Observable behaviors such as anger and substance abuse
   c) Dependence of caregiver on elder for financial support
   d) Caregiver is a minor

18) Which allows California counties to decide whether to implement a community-based, court-monitored outpatient treatment program?
   a) Laura's Law
   b) Amy's Law
   c) Megan's Law
   d) Amber's Law

19) Which is not a criteria for placing a person in assisted outpatient treatment?
   a) has a co-occurring addictive illness
   b) is eighteen years of age or older
   c) is suffering from a mental illness
   d) is unlikely to survive safely in the community without supervision

20) Only the _____ may file a petition for assisted outpatient treatment.
   a) county mental health director
   b) county attorney
   c) family members
   d) mental health provider

21) In the 1976 rehearing of the Tarasoff case, the California Supreme Court called for a _____ for the intended victim.
   a) Right to accuse
   b) Right to retribution
   c) Duty to Notify
   d) Duty to Protect

22) In the Ewing case, the court requires to take into consideration information from _____ in deciding whether to notify intended victims.
   a) journals
   b) unconscious material
   c) family members
   d) social networking sites
23) In California, the therapist must respond to threats learned of from
   a) Social Media
   b) Family Members
   c) A patient's friends
   d) A patient's teacher

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25) Which is described as perhaps the most important of the components in developing cultural competence?
   a) Knowledge of the client's culture
   b) Immersion in a practicum setting
   c) Professional skills
   d) Personal attributes of the counselor

26) Knapp and VandeCreek (2012) refer to informed consent as
   a) common-sense permission
   b) priming the pump
   c) ringing the doorbell
   d) empowered collaboration

27) Which is a consumer watchdog agency which has provided a definition of informed consent?
   a) Consumer Reports
   b) California Patient’s Guide
   c) California Public Interest Research Counsel
   d) The Patient’s Friend

28) Informed consent generally includes
   a) Approximate length of the process
   b) Alternatives to therapy
   c) Treatment procedures
   d) All of the above

29) Which was mentioned as an example of a dual relationship?
   a) counseling someone previously known to the therapist
   b) counseling a family member
   c) entering a business relationship with a client
   d) all the above
30) Which does Fry list as an “extreme” consequence of boundary violations?
   a) Co-worker frustrations
   b) Burnout
   c) Compassion fatigue
   d) Loss of professional identity

31) Sexual contact with former patients within _____ after termination of therapy is illegal and unethical.
   a) 1 year
   b) 2 years
   c) 5 years
   d) Sexual contact with former patients is never legal

32) What percent of therapists report that they have experienced sexual attraction to clients?
   a) 62%
   b) 72%
   c) 82%
   d) 92%

33) Pope found that harm occurred in at least _____ of the instances in which therapists engaged in sex with a patient after termination.
   a) 70%
   b) 80%
   c) 90%
   d) 100%

34) Any therapist in California who learns from a patient that the patient has had a sexual relationship with a psychotherapist during treatment is legally obligated to give the patient the brochure “Professional Therapy Never Includes Sex”.
   a) True
   b) False

35) The California Mental Health Parity Law applies to all of the following EXCEPT
   a) Schizophrenia
   b) Personality disorders
   c) Major depressive disorders
   d) Panic disorder

Chapter 2

36) An estimated ____ cases of intimate partner violence are reported each year.
   a) 5.3 million
   b) 10.3 million
   c) 15.3 million
   d) 20.3 million
37) Prior to about the _____, domestic violence was seen as a “normal” part of marriage or intimate relationships.
   a) 1950s  
   b) 1960s  
   c) 1970s  
   d) 1980s

38) In 2007, intimate partners committed _____ of all homicides in the U.S.
   a) 4%  
   b) 14%  
   c) 24%  
   d) 34%

39) Which is not mentioned as a common warning sign of intimate partner homicide?
   a) Previous police involvement  
   b) History of mental illness  
   c) Recent unemployment  
   d) History of drug or alcohol abuse

40) Which victims of domestic abuse are more likely to report violent conflicts?
   a) Male  
   b) Elderly  
   c) Female  
   d) Teen

41) Which policies allow the greatest leniency when confronted with domestic violence?
   a) Warrantless arrest policies  
   b) Discretionary arrest policies  
   c) Mandatory arrest policies  
   d) Preferred arrest policies

42) The overall feeling is that _____ policies can be detrimental to victims of intimate partner abuse.
   a) Dual arrest  
   b) No fault  
   c) Don’t ask, don’t tell  
   d) Zero tolerance

43) The first step of advocacy is
   a) Establishing confidentiality  
   b) Validating the violence  
   c) Acknowledging the injustice  
   d) Empowering advocacy
44) Advocates in an Office of Victim Services might provide all the following EXCEPT
   a) Act as a liaison between victims and court personnel
   b) Provide crisis counseling
   c) Advocate for victims during court proceedings
   d) Provide victims with social service referrals

45) In California, victims of domestic violence must complete which forms?
   a) PFH-2 and PFH-1
   b) PFH-1 and DV-100
   c) DV-100 and CLETS
   d) CLETS and PFH-2

46) Which makes protection orders enforceable across state lines?
   a) And Justice for All
   b) The Omnibus Domestic Violence Act
   c) Federal Violence Against Women Act
   d) The Interstate Violence Act of 2004

47) Which are short-term, family-focused, and community-based services designed
to help families cope with stresses that interfere with their ability to nurture
their children?
   a) Child protective services
   b) Family preservation services
   c) Child guidance services
   d) Family support services

48) All states have passed some form of mandatory child abuse and neglect
reporting law in order to qualify for funding under the
   a) FANDANGO
   b) CAPTA
   c) EBITDA
   d) JAWAS

49) Which is a part of the domestic violence safety plan?
   a) Safe exits from the home
   b) Remove weapons from the house if possible
   c) Safer places within the home
   d) All the above

Chapter 3

50) Which is not one of the components of HIPAA?
   a) Portability
   b) Transparency
   c) Privacy
   d) Security
51) If you are a mental health provider who transmits information electronically, you are considered a
  a) covered entity
  b) part of the HIPAA collective
  c) designated reporter
  d) private part member

52) When protected health information is disclosed inadvertently, this is called
  a) incidental disclosure
  b) a security breach
  c) unprotected bandwidth
  d) an actionable offense

53) Which document required by HIPAA details client rights involving release of information?
  a) Notice of Privacy Practices
  b) Sensitive Data Disclosure Form
  c) PHI Guidelines
  d) Release of Information Uses

54) Which mandate involves how details about psychological information is disseminated, such as removing patient identifiers when able to do so?
  a) Right of Access
  b) Treatment Issues
  c) Exceptions to Confidentiality
  d) Sensitive Health Information

55) An individual’s request to access PHI can be denied for which reason?
  a) if access is reasonably likely to endanger the physical safety of another person
  b) the PHI refers to another person and access is reasonably likely to cause substantial harm to that person
  c) if the PHI is created during research, the access to PHI may be temporarily suspended if the individual is notified in advance
  d) all the above

56) Clients can request an accounting or report of who has accessed their records for ____ prior to the date of the request.
  a) 6 months
  b) 12 months
  c) 6 years
  d) 12 years
57) HIPAA guidelines specifically state that all the following must be separate from psychotherapy notes EXCEPT
   a) results of clinical tests
   b) symptoms
   c) prognosis
   d) provider’s impressions of the client

58) Which is NOT an example of electronic protected health information (EPHI)?
   a) Health care claims
   b) Orally transmitted information
   c) Health care payment and remittance advice
   d) Electronic treatment request forms

Chapter 4

59) Providing behavioral health services interactively from a distance began as early as
   a) 1939
   b) 1959
   c) 1979
   d) 1999

60) All the following are asynchronous modes of e-therapy EXCEPT
   a) telephone
   b) postal mail
   c) e-mail
   d) fax

61) Which is a population inappropriate for online counseling?
   a) American Indians
   b) Individuals with Borderline Personality Disorder
   c) Women with Children
   d) Adolescents

62) Grohol argues that diagnosis is ____ online.
   a) The key to success
   b) Often against state laws
   c) Not important
   d) Simply impossible
63) Metanoia, a nonprofit clearinghouse for mental health websites found that ____ of online clients who participated in a survey felt that e-therapy helped them.
   a) 30%
   b) 50%
   c) 70%
   d) 90%

64) Castelnuovo et al. (2003) stated that the internet can improve treatment delivery in two areas ____ and ____.
   a) group therapy, 12-step therapies
   b) 12-step therapies, individual therapy
   c) individual therapy, self-help therapy
   d) self-help therapy, group therapy

65) The disproportionate access to electronic media has been termed the
   a) Digital divide
   b) Bandwidth ghetto
   c) Data drought
   d) Tech gap

Cultural and Linguistic Competence

66) Castro et al. (1999) define cultural ____ as the capacity of a service provider or an organization to understand and work effectively in accordace with the cultural beliefs and practices of persons from a given ethnic/racial group.
   a) Neutrality
   b) Flexibility
   c) Competence
   d) Acceptance

67) Norms, traditions and religious rituals are examples of
   a) Ethnicity
   b) Race
   c) Identity
   d) Culture

68) Which is not a counseling inadequacy in delivering culturally appropriate mental health treatment online according to Sanchez-Page (2005)?
   a) Lack of culturally suitable evaluation tools
   b) Lack of awareness about communication styles
   c) Limited access to technology in communities of color
   d) Limited availability of counselors from the client’s culture
Legal and Regulatory Issues

69) Practitioners providing treatment to clients outside of the state in which they are licensed may be practicing outside of the _____ for their licenses.
   a) Protection of the law
   b) Circle of trust
   c) Limits of liability
   d) Scope of practice

70) Stofle (2006) states that ____ is recommended to facilitate accurate assessment and to determine the client’s appropriateness for e-therapy.
   a) A culturally sensitive personality profile
   b) A physician’s referral
   c) An initial face-to-face consultation
   d) A notarized consent form

Administrative Issues

71) Which electronic security measure is recommended?
   a) Password protection programs
   b) Wiping software
   c) Document encryption
   d) All the above

72) Online videoconferencing is not billable under Medicare.
   a) True
   b) False

Chapter 5

73) The 2000 landmark report ____ brought attention to the issue of preventable medical errors.
   a) Medical Errors and You
   b) The Silent Killer
   c) Mind the Gap
   d) To Err is Human

74) The definition of medical errors provided states that medical errors
   a) result in a patient’s death
   b) result in harm to the patient
   c) are typically prescription errors
   d) are typically HIPPA violations
75) A clinician failing to report child abuse is given as an example of an act of
   a) commission
   b) negligence
   c) omission
   d) harm

76) What did Pope (2003) find to be the most frequent reason for malpractice claims against psychologists?
   a) loss from evaluation
   b) suicide
   c) improper diagnosis
   d) sexual violations

77) Root Cause Analysis has its basis in
   a) industrial psychology
   b) horticulture
   c) psychodynamic theory
   d) game theory

78) All the following are steps in Root Cause Analysis EXCEPT
   a) What happened
   b) Why did it happen
   c) Who caused it to happen
   d) What to do to prevent it from happening again

79) Which of the following is NOT listed by Pope and Vasquez (2007) as what they consider “evidence” of a clinician’s competence?
   a) Formal education
   b) Professional training
   c) Supervised experience
   d) A moral compass

80) In the case study involving Dr. Bill, the medical error concerned
   a) providing sweets to clients who may have been diabetic
   b) failing to recognize a medical condition
   c) providing therapy while impaired by a substance
   d) failing to recognize the warning signs of suicide

81) What do Pope & Vasquez describe as “a process of communication and clarification”?
   a) psychotherapy
   b) suicide assessment
   c) informed consent
   d) developing a treatment plan
82) Which is NOT one of the three essential elements of informed consent according to Gupta and Kharawala (2012)?
   a) Voluntarism
   b) Information disclosure
   c) Collaboration
   d) Decisional capacity

83) Which is any information about health status, provision of health care, or payment for health care that can be connected to a person?
   a) progress notes
   b) process notes
   c) protected health information
   d) personally identifiable data

84) The right to withhold information from a court is known as
   a) confidentiality
   b) sanctuary
   c) privilege
   d) dies non

85) In the case study, what did Dr. Wright do wrong?
   a) He failed to make a mandatory report
   b) He did not protect confidential client information
   c) He assaulted an obnoxious client
   d) He double billed a client’s insurance

86) Professionals working with children under the age of 18 are considered
   a) mandated reporters
   b) guardian ad litems
   c) first responders
   d) parents pro temp

87) What percent of people who die by suicide have a diagnosable and treatable psychiatric illness at the time of their death?
   a) 30%
   b) 50%
   c) 70%
   d) 90%

88) All the following are biopsychosocial risk factors for suicide EXCEPT
   a) lack of social support and sense of isolation
   b) alcohol and other substance use disorders
   c) hopelessness
   d) history of trauma or abuse
89) Which of the following does Chaung (2006) mention which suggest a medical origin to psychiatric symptoms?
   a) late onset of initial presentation
   b) illicit substance use
   c) atypical presentation of a specific psychiatric diagnosis
   d) all the above

90) Chaung (2006) places multiple sclerosis in which category?
   a) Results of medical and toxic effects
   b) infectious diseases
   c) diseases of the central nervous system
   d) metabolic and endocrine disorders

91) What facilitates communication among professionals, presents an interface with the legal arena and helps clinicians bill third-party payers?
   a) treatment planning
   b) inferential diagnostics
   c) peer counseling
   d) differential diagnosis

92) An upsurge of incidences of many childhood illnesses is given as an example of
   a) diagnostic trends
   b) diagnostic pressure
   c) diagnostic regression
   d) diagnostic laziness

93) It is ethical to terminate treatment due to a lack of payment of fees.
   a) True
   b) False