



For Adolescents: Additional Info and Policies

Your legal rights in New York State

Another document to read!?!? Yes, I know, you already had a lot to read with the “Client Information and Policies” and the “Notice of Privacy Practices.” Please bear with me a little longer, because here I’d like to explain some additional important information about your privacy as a client under 18 years of age.

According to state law here in New York, because you are not yet an adult, *under most circumstances* (exceptions noted in box to right), it’s your parent(s) or guardian(s) who will need to give their consent for your counseling with me by signing the “Receipt Acknowledgement and Consent Form.”

Nonetheless, I would like for you also to understand and give your assent to what you’re getting into, so I’d like for you to read this and sign that form too.

Here are the two exceptions under which you would have the right to independently consent to treatment:

1. *If you yourself are a parent, emancipated, or married, then you are essentially considered an adult by the state, so you have the right to independently consent to treatment.*
2. *If you seek counseling services with me on your own (and you are **not** a parent, emancipated, or married) I may provide you with an initial interview without parental or guardian consent or involvement, and then provide counseling if I determine if the following special circumstances are present:*
 - a. *I believe that you are knowingly and voluntarily are seeking services,*
 - b. *I determine that such services are clinically indicated and necessary to your well-being, and*
 - c. *Your parent/guardian(s) are not reasonably available, they have refused to give consent and a physician has determined that the treatment is necessary and in your best interest, or I believe that requiring parental/guardian consent would have a detrimental effect on your treatment.*

If I do provide services to you under either of the above exceptions, I will document those reasons in your records, together with your written consent for such services. And in that case, your signature on the “Receipt Acknowledgment and Consent Form” is all that is needed, and the rest of this document isn’t necessary or relevant for you. That means that you would have the same legal rights to privacy regarding your therapy as an adult, so everything in the confidentiality section of my long policies document applies to you.

The importance of your privacy

For most people, knowing that what they say will be kept private helps them feel more comfortable and have more trust in their counselor or therapist. Privacy, also called confidentiality, is an important and necessary part of good counseling. Whether you’re here because you wanted to talk to a counselor or therapist about difficulties you’re having, or because someone else (like a parent, guardian, doctor or teacher) was concerned about you and pressured you to come, I’d like for you to get something positive out of working with me and be glad you did. In order for you to benefit from therapy, it is important for you to be able to speak openly about the issues that are bothering you.

As a general rule, I will keep the information you share with me in our sessions confidential, unless I have your parent/guardian’s written consent to disclose certain information. In my long policy document, I explained the important exceptions to this rule, such as if you or another child are being abused or neglected, if you have a serious plan to kill or harm yourself or someone else and you have a way to carry out that plan, if you were mandated (required) to work with me by a court or employer, or if I’m ordered by a court to show my records about you. But if I ever needed to break your confidentiality for any of these reasons, I would talk with you and your parent or guardian first.



While your privacy in therapy is very important, there are some circumstances in which it could be beneficial to you for me to communicate about your therapy to your parents/guardians or other adults, or where your parent/guardian has a right to access your records. I'll describe more about this below.

Communicating with your parent(s) or guardian(s)

If your parents or guardians have consented to your treatment and are paying for your counseling with me, or providing you with health insurance that pays for all or part of your counseling, they may want to know whether you're following through with therapy and whether it's doing any good. Thus, I'd like to be able to share general information with them about your attendance and participation in sessions, and your progress toward your counseling goals. "But," you may be wondering, "What if my issues include things I don't want my parents or guardians to know about? Can this therapist honor my privacy?" For the most part, I don't regularly tell parents/guardians details about what their teenager talks about in therapy. You can always ask me questions about the types of information I might have to disclose to your parent/guardian. You can ask in the form of "hypothetical situations," in other words: "If someone told you that they were doing _____, would you tell their parents?"

Even when I have agreed to keep information confidential – to not tell your parent or guardian – I may believe that it is important for them to know what is going on in your life. In these situations, I will encourage you to tell your parent/guardian and will help you find the best way to tell them. Also, when and if I have any meetings with your parents, I may sometimes describe problems in general terms, without using specifics, in order to help them know how to be more helpful to you.

It is extremely rare that a parent/guardian would ever request to look at any written records I keep about our sessions, but by New York law, if your parent/guardian has consented to your therapy, they do have the right to see these treatment records unless I think that such access would have a detrimental effect on my relationship with you, or on your care and treatment, or on your relationship with your parent/guardian. If your parent/guardian requests access, I will inform you, and if you object, I may deny your parent/guardian's request, depending on the circumstances.

Communicating with other adults

School: I will not share any information with your school unless I obtain permission from your parent/guardian. Sometimes I may request to speak to someone at your school to find out how things are going for you. Also, it may be helpful in some situations for me to give suggestions to your teacher or counselor at school. If I want to contact your school, or if someone at your school wants to contact me, I will discuss it with you and ask for your parent/guardian's written permission. A very unlikely situation might come up in which I do not have your permission but both I and your parent or guardian believe that it is very important for me to be able to share certain information with someone at your school. In this situation, I would like your permission to use my professional judgment to decide whether to share any information.

Doctors: Sometimes your doctor and I may need to work together; for example, if you need to take medication in addition to seeing a counselor or therapist. I will get your parent/guardian's written permission in advance to share information with your doctor. The only time I will share information with your doctor even if I don't have your parent/guardian's permission is if you are doing something that puts you at risk for serious and immediate physical or medical harm.