

2150.7540 IMPAIRED OBJECTIVITY OR EFFECTIVENESS.

Subpart 1. **Situations involving impaired objectivity or effectiveness.** A provider must not provide counseling services to a client or potential client when the provider's objectivity or effectiveness is impaired. The situations in items A to F are deemed to involve impaired objectivity or effectiveness and are prohibited as specified.

A. The provider shall not provide counseling services to a client if doing so would create a multiple relationship. If an unforeseen multiple relationship arises after services have been initiated, the provider shall promptly terminate the professional relationship.

B. The provider shall not provide to a client psychotherapy or assessment services and, concurrently, either supervision or teaching. If an unforeseen situation arises in which both types of services are required or requested by the client or a third party, the provider shall decline to provide one or both of the services.

C. The provider shall not provide concurrently to a client two or more types of counseling services in which a fundamental conflict arises. If the conflict cannot be resolved in the manner required in subpart 2, the provider shall decline to provide one or more of the services that give rise to the conflict.

D. The provider shall not provide psychotherapy services to dual clients whose psychotherapy goals are fundamentally irreconcilable. If an unforeseen situation of this type should arise after services have been initiated, the provider shall promptly terminate services to one or both clients.

E. The provider shall not provide counseling services to a client when the provider is biased for or against the client for any reason that interferes with the provider's impartial judgment, including where the client is a member of a class of individuals that is legally protected from discrimination. However, services may be provided if the provider is resolving the impairment in the manner required in subpart 2.

F. The provider shall not provide counseling services to a client when there is a fundamental divergence or conflict of service goals, interests, values, or attitudes between the client and the provider that adversely affects the professional relationship. However, services may be provided if the provider is resolving the impairment in the manner required in subpart 2.

Subp. 2. **Resolution of impaired objectivity or effectiveness.** When an impairment occurs that is listed in subpart 1, item C, E, or F, the provider may provide services only if the provider actively pursues a resolution of the impairment and is able to do so in a manner that results in minimal adverse effects on the client or potential client. If the provider attempts to resolve the impairment, it must be by means of relevant professional education, training, continuing education, consultation, psychotherapy, intervention, supervision, or discussion with the client or potential client, or an appropriate combination thereof.

Statutory Authority: *MS s 148B.52; 214.12*

History: *30 SR 345; 47 SR 960*

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