

# *IT'S NEVER OK:*

## **A Handbook for Victims and Victim Advocates on Sexual Exploitation by Counselors and Therapists**



**Minnesota Department of Health  
Health Policy and Systems Compliance Division  
Health Occupations Program  
Office of Mental Health Practice**

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*Written by:*

The Public Education Work Group  
of the Task Force on Sexual Exploitation by Counselors and Therapists

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The Office of Mental Health Practice

Minnesota Department of Health

Post Office Box 64975

St. Paul, MN 55164-0975

(651) 282-5617 or Toll Free (800) 657-3957

Local rape crisis centers are usually good sources of additional information and support for victims of sexual exploitation. For referral to your local program or for additional copies, contact the Office of Mental Health Practice at Minnesota Department of Health, at (651) 282-5617 or 1-800-657-3957.

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Many people served as members of the task force and its work groups. They gave three years of their time, expertise and commitment to addressing sexual exploitation by counselors and therapists.

A sincere thanks goes to those people who have been exploited by counselors and therapists whose quotations appear in this booklet. Their words should always be the basic education for all concerned with this topic.

*“It’s really hard to explain how powerful the therapist seems to the client. He is supposed to be the expert, the trusted person who knows what is best for you. I wish I hadn’t ignored my uneasiness and confusion when he started touching me. I guess I wanted him to take my pain away and to take care of me. It turned out that I was taking care of his needs most of the time. I was someone for him to confide in, to hold, to be flattered by.”*

## **INTRODUCTION**

Sexual or romantic involvement between a counselor and a client is never okay. Such behavior is considered taboo by all groups in the mental health professions. It is both unethical and illegal behavior. The consequences are destructive and far reaching for the client who has become the victim of the counselor.

Within therapy relationships, it is common for clients to admire, depend on and feel attracted to their counselor. When the counselor accepts or encourages these positive feelings in a sexual or romantic way, the process of therapy has broken down and is destructive to the client. Then the therapeutic relationship is used to meet the needs of the counselor at the expense of the client. The issues that led the client to therapy are sidetracked, postponed, even lost. The combination of trust placed in a professional helper and the vulnerability a client feels makes it difficult for clients to recognize that the situation is exploitative and victimizing.

*“My counselor often said how nice it was when I could come in and give him a hug at the start of the hour. When I didn’t want to do that, he made me feel inadequate somehow. Not greeting him warmly was then a problem we should ‘work on.’ I learned to put aside the questions that were really bothering me.”*

There are a few victims of sexual exploitation by counselors who do not appear to be having any special problems. Some feel that it was not all right but they have handled the situation. There are others who find that they are having difficulty coping with the experience. Many did not get help for the issues that led them to therapy in the first place. Still others want to make sure that the counselor will not be able to sexually exploit anyone in therapy again.

It is the purpose of this handbook to define sexual exploitation by counselors, to describe options available to victims of sexual exploitation in Minnesota and to present methods of choosing counselors who are not exploitative. This handbook is geared toward persons who have been sexually exploited as adults. When children are victims of sexual exploitation, some of the laws and other options covered here apply and additional resources are available. For more information on child sexual abuse, contact a rape crisis center in your area or your county’s child protection services.

## **DEFINITIONS OF SEXUAL EXPLOITATION BY COUNSELORS**

The terms used to discuss the issue of sexual exploitation by counselors are often ambiguous. In order to eliminate confusion, we will use these definitions:

**Counselor** - any psychiatrist, psychologist, nurse, psychotherapist, therapist, hypnotherapist, social worker, marriage and family therapist, alcohol and drug counselor, member of the clergy or other person, whether licensed or not, who provides or claims to provide psychotherapy, counseling, assessment or mental health treatment.

**Client** - any person who uses the services of a counselor.

**Sexual Exploitation** - inappropriate sexual conversation, dating or suggestions of sexual involvement by the counselor, and/or any sexual or romantic contact between client and counselor which may include but is not limited to sexual intercourse, kissing, and/or touching breasts or genitals.

**Boundary** - something that indicates or marks a limit. In a counseling relationship, a boundary is the limit that exists to keep the relationship professional in order to ensure that clients are getting their needs met. When boundaries are violated, people feel intruded upon and perhaps even confused about their own sense of self.

*“I learned that certain behaviors pleased my therapist (hugs, questions about his life) and I wanted to make him happy, so I kept quiet about subjects he didn’t want to hear about.*”

## **WARNING SIGNS**

In evaluating the counseling experience, before there are any blatant inappropriate suggestions, there may be some clues to lack of professionalism or misuse of power such as:

- the counselor avoiding or refusing to give information about credentials, licensing or experience;
- the client having a feeling that something is wrong during therapy, despite attempts to clarify or discuss this with the counselor;
- the client having the feeling that therapy is giving in personally to the counselor, rather than engaging in a learning process; and
- the counselor suggesting any mutual activity that is uncomfortable.

In many cases, sexual contact is preceded by action which may be inappropriate or unprofessional such as:

*Behavior which may feel sexual:*

- telling dirty jokes;
- undressing during therapy;
- ogling (eyeing up and down); or
- discussing the therapist’s sex life.

*Giving Client “special” status by:*

- scheduling after hours appointments or changing fees (when different from normal office procedure);
- making out-of-the-office appointments (when not normal office procedure);
- using the client as a confidant or for personal support;
- giving or accepting major gifts;
- inviting client to social engagements;
- borrowing money or getting involved in business deals with client;
- making secrecy a part of the counseling relationship; or
- using or offering alcohol or drugs during counseling.

If you are concerned about what you are experiencing in counseling, **trust yourself.** Ask questions of the counselor. If you ever feel intimidated or threatened by your counselor, this may be a warning sign. If your questions or concerns are not answered, talk to the counselor’s supervisor, a trusted friend or a crisis line.

*“It was hard to question his behavior (hugging, kissing, petting) when he always preceded it by saying what a good person I was, so loving and caring. I wanted to hear these words, and refusing that touch and those compliments would not be loving and caring.”*

## **IF IT IS YOU**

If you have been a victim of sexual exploitation by a counselor, facing the experience may be one of the most difficult things you will ever do. You may be experiencing many feelings - hurt, betrayal, anger - or you may feel nothing, a sort of numbness. You are probably feeling confusion and ambivalence about the experience. All of this is normal. Acknowledging what has happened is a big step.

It is also normal to feel overwhelmed about the idea of “doing something” about being exploited by your counselor. Remember, you have control of this even if you’re not feeling very much in control. Getting started usually involves these steps:

**Gaining awareness** - of what happened, of being able to name the experience, of your feelings, of how this is affecting others.

**Exploring options** - defining your personal goal, determining what kind of help is needed.

**Initiating action** - deciding what the right action is for reaching your goal and when to start.

**Getting continuing support** - staying connected to support people, preparing for a long wait or possible disappointment with the outcome.

*“The years that I was in therapy with the person who exploited me are all a blank. I can’t remember any of our conversations or what we worked on. I do remember constantly wondering whether he was going to be sexual with me this time. I felt powerless to stop him and was very confused by my own feelings of attraction and guilt, fear and shame.”*

In going through the healing process, these confusing and often painful feelings may occur at different times:

**Reliving the experience** - shame, betrayal, pleasure.

**Loyalty to the counselor** - ambivalence about reporting, guilt over any trouble the counselor might get into. **Fear** - of being discounted, of retaliation by the counselor, of public exposure, of how family and friends might react.

**Distrust** - of your own feelings, of anyone trying to help. **Loss** - grief over the end of the relationship.

**Relief** - in sharing your experience and finding an end to the isolation.

**Resolution** - a feeling of regaining a sense of personal power and control, understanding.

**Anger** - at yourself, at the counselor.

**Self-blame** - feeling that somehow this was all your own fault.

**Confusion** - about what to do or who to tell.

It helps to be extra kind to yourself, to trust your own sense of timing and to be patient and open-minded about the outcome of any action you might take.

“He used to say that I was very special and our relationship was unique. When I found out that there had been other clients that he had ‘loved’, I felt humiliated and used.”

## QUESTIONS YOU MAY BE ASKING YOURSELF

As you begin to look at what has happened and what you would like to do, questions will arise.

### Question

### Answer

*Why was I attracted to my counselor?  
Is it normal?*

It is normal to feel respect, liking, and attraction for a counselor. It is always the counselor’s responsibility to set and keep the limits.

*Am I a victim?*

For a counselor to have sex with his or her client is against the law. You are a victim of a crime.

*Why are my feelings so mixed?*

As in any situation where there is confusion, mixed feelings are normal.

*Who should I tell?  
Do I have to do anything about it?  
When?*

You are in control of the decision of who you tell or when to tell anyone. If you are looking at legal options, there are some time limitations on action.

*How is this affecting the other people in my life?*

They may be feeling some of the same things you are - confusion, possibly anger or blaming, uncertainty as to where they fit in.

*Am I looking at my feelings or am I thinking about the counselor's feelings?*

If you have been sexually exploited by a counselor, you may have been taking care of the counselor's feelings a lot. Now is the time to think about your own needs.

After sorting out your initial feelings about what has happened, you may have some different questions.

**Question**

**Answer**

*How do I figure out what to do?*

Read this booklet. Talk to someone you trust. Call a crisis line. No one choice is better than another.

Expect to feel confusion, anxiety and uncertainty about your goals.

You may change your mind several times. Look at all your options and see what most closely fits your goal. What seems most healing for you?

You don't have to do anything right now.

*How do I know that I am doing the right thing?*

Ask yourself - what is my biggest fear? It could be that you are worried about protecting the counselor, you don't want to give up that special relationship, you feel retaliation or public exposure or you just aren't ready. You may need some time to get a perspective on this.

*What if I don't want to do anything specific?*

Some people find they don't need to take action, but most are helped by sharing the experience with a trusted person.

When you have considered all your options, made some decisions and begun to take action:

**Question**

**Answer**

*How do I feel now that I am doing something? Why are my feelings still mixed?*

You can expect to feel another mixture of contrasting feelings - loss and grief over the end of the relationship, relief that reliving the experience is coming to an end, regaining personal power or possible disappointment that your specific goal was not reached.

*How can I ever trust a counselor again?*

A good counselor won't expect you to trust right away. Trust your own sense of timing.

*Can I guarantee that my goal will be reached? What if the outcome is not what I want?*

No guarantees. Even though there may be disappointment, there is always the gain of reducing your isolation, sharing the experience and being believed. Regardless of the outcome, you may gain a sense of control and power that you didn't feel before.

“Almost every session started with his saying that I was safe there, that nothing bad could ever happen when I was with him. It felt good, but it kept me dependent and taught me nothing about being responsible for myself.”

## COUNSELORS WHO SEXUALLY EXPLOIT CLIENTS

Among the questions you may ask yourself are: Why did this happen to me? Why did my counselor do that? What is wrong with me that I let this happen? What is wrong with my counselor?

Sexual exploitation is not as rare as you might think. In one self report study, as many as seventeen percent of responding counselors admitted to sexual contact with clients. Eighty percent of those counselors were sexual with several clients. Research on what kind of counselor sexually exploits a client is new, with many questions still unanswered. Some counselors sexually exploit their clients because they are having trouble in their own personal lives, and exploitation is a way for them to feel loved and to get their needs met. Some lack knowledge of professional standards and ethics, receive inadequate training and have little supervision. Despite ample evidence to the contrary, some counselors claim that sexual contact is therapeutic for the client. Some are very seriously disturbed individuals who focus only on their own sense of power. Some are people who use people, not caring who they hurt.

The most important thing for you to remember is no matter how troubled a counselor's life may be, it is the counselor's responsibility to keep sexual exploitation from happening. No matter what was said or done during the counseling relationship, **sexual exploitation is never the client's fault.**

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“If I talk about this abuse, no one will believe me. Even if they believe me, they will never understand why I let this happen. Maybe they won’t think it’s any big deal . . . maybe they’ll just think I was asking for it. Who’s going to support the client instead of the therapist?”

## CONSIDER THE OPTIONS

You have options in what action you can take, and you have choices in how much you may want to do. No one option is better than another. You may choose one or a combination of several. You may choose to do nothing. Most people find it helpful, however, to share the experience with a trusted friend.

Ask yourself what you would most like to achieve through taking action. You may want to regain a sense of control over your life and to communicate that the sexual exploitation was not okay. You may be concerned that the counselor who exploited you will hurt other clients and you want to take away that chance. You may be seeking compensation for the damage done - the money that you paid to the counselor or money for future therapy. Whatever your goal, consider what option (or options) will best suit the goal and let you put your life back in order.

Take some time to review the Wheel of Options on the previous page. The choices are explained more fully on the pages following. Just considering the choices may make you feel uncertain and confused. Be patient with yourself.

**Notify agency director, supervisor, church hierarchy, or denominational office:** If your counselor works in an agency, clinic, hospital or church, there is a person who is responsible for the overall operation or who directly supervises your counselor. A complaint may be made directly to that person. An advantage to this option is that it can bring fast action and may result in any number of consequences for the offending counselor. A disadvantage is the possibility of not being believed by the supervisor or finding the supervisor unwilling to take action.

**Criminal complaint:** Sexual exploitation by counselors is covered under the Minnesota Criminal Sexual Conduct Code (our sexual assault law). It clearly makes it a criminal offense for counselors to engage in sexual activity with clients. If found guilty, the offender may be sentenced to prison and/or required to pay a fine to the state. It makes no difference if the client consented to any of the sexual conduct; the therapist is responsible.

Two types of sexual activity are defined. Sexual penetration is any type of intrusion into the body of the victim - sexual intercourse, oral sex, anal sex or penetration with an object. Sexual contact is: 1) touching by the offender of the victim's intimate parts (breasts, groin, genitals, buttocks); 2) forcing the victim to touch the offender's intimate parts; and 3) in both circumstances, touching of the clothing covering the immediate area of the intimate parts.

The criminal law covers behavior by a physician, psychologist, nurse, chemical dependency counselor, social worker, marriage and family counselor or other mental health service provider, or any other person, whether or not they are licensed by the state, who performs or purports to perform psychotherapy. Psychotherapy means the professional treatment,

assessment, or counseling of a mental or emotional illness, symptom or condition.

The criminal law applies to behavior which occurs: 1) during the counseling session itself; or 2) outside the session if an on-going psychotherapist-client relationship exists; or 3) if the person is a former client and is emotionally dependent on the therapist; or 4) in the event that the therapist used therapeutic deception to accomplish the behavior (acted as if it was part of the client's treatment).

The criminal law also covers behavior by a member of the clergy, when the behavior occurred: 1) during the course of a meeting in which the client sought or received religious or spiritual advice, aid or comfort, in private; or 2) during a period of time in which the client was meeting on an ongoing basis with the clergy person to seek or receive religious or spiritual advice, aid, or comfort, in private.

In prosecuting these cases, evidence of the victim's personal or medical history is not admissible unless the court finds, at a pretrial hearing, that is relevant. The judge must specify what information will be allowed into the courtroom.

An advantage to this option is that it takes some of the responsibility off the victim of sexual exploitation. It is considered a crime against the state. What needs to be proven is only that the activity took place, not how much damage was done. Prosecutors from a county attorney's office are responsible for the case. No money comes from the victim's pocket. Also, in some county attorney's offices, there are legal advocates who help support the victim throughout the procedure.

One disadvantage is that it is up to the county attorney's office whether to prosecute a case that has been reported and investigated. The

case can be turned down for any number of reasons that may be out of the immediate control of the victim of sexual exploitation. It may also feel like a very impersonal system and may take time to get to court.

**Civil suit for damages:** This law states that any victim of sexual exploitation may sue the abusing counselor and/or the counselor's employer. A client may sue a therapist who has participated in any form of sexual intercourse or contact to the breasts or genitals or who has requested such activity with the client. It does not matter who initiated the activity or if the client consented or actively participated. The law applies to the entire time that the individual was a client. It does not matter whether the exploitation occurred inside or outside of the office or during a regularly scheduled appointment.

During the two years following termination of therapy, the law still applies if the former client has been deceived by the counselor or is still emotionally dependent on the counselor.

The injured client may also sue the employer of the counselor for damages if: 1) the employer failed to take action when they knew or had reason to know that the counselor was engaging in sexual activity with any client; 2) during the hiring process the employer failed to ask previous employers of the counselor about his or her past sexual conduct with clients; or 3) the employer failed to pass on such information to subsequent employers who asked for it. The law took effect on August 1, 1986, and applies to activity that took place after that date. An advantage of this option is the possibility of monetary compensation for the damage done. Depending on whether it is the counselor or the employer (or both) being sued, it also forces them to take some responsibility for the exploitation.

One disadvantage is that, because it is a civil procedure, the victim of

sexual exploitation must hire the attorney. Some attorneys will take cases like this on a contingency basis (meaning that if the case is won, the attorney will simply take a percentage of the money); many will not. It may also take a long time for resolution to take place within the court system. Once the suit is filed, you need to be aware of the possibility of some public exposure that may occur. If you are thinking about a civil suit, get legal advice before taking advantage of any of the other options. An attorney can also advise you on applicable statutes of limitations.

**Report to state or county authorities:** Many mental health clinics are licensed by the state or county. This includes outpatient mental health clinics, residential treatment facilities and licensed chemical dependency programs. If you were receiving services from a counselor who works in a licensed facility, a complaint could affect future licensing, and/or funding for the agency.

An advantage of this option is that it makes the agency responsible for the activity of its employees. A disadvantage is that it gives the victim of sexual exploitation little control in terms of timing and outcome.

**Where to file complaints concerning practitioners working in the following state or county approved or licensed agencies:**

Rule 29 Approved Mental Health Centers/Clinics

Rule 35 Licensed Chemical Dependency Residential Facilities

Rule 36 Licensed Residential Mental Treatment Centers

Rule 43 Licensed Outpatient Chemical Dependency Treatment Centers

Minnesota Department of Human Services  
Division of Licensing  
444 Lafayette Road  
St. Paul, MN 55155-3842

(651) 296-3971

**Where to file complaints against practitioners working in nursing homes, hospitals, home health care agencies and other health care facilities licensed by the Minnesota Department of Health, contact:**

Minnesota Department of Health  
Office of Health Facility Complaints  
85 East 7<sup>th</sup> Place, Suite 300  
St. Paul, MN 55101  
(651) 215-8702 or Toll Free 1 (800) 369-7994

**You may obtain help in making complaints against practitioners working in licensed facilities:**

Any person receiving care for chemical dependency, mental illness or mental retardation in a facility that is licensed by the Minnesota Department of Human Services or the Minnesota Department of Health may obtain help in working through these systems from:

The Office of the Ombudsman for Mental Health  
and Mental Retardation  
121 East 7<sup>th</sup> Place, Suite 420  
St. Paul, MN 55101  
(651) 296-3848 or Toll Free 1 (800) 657-3506

**Report to Adult Protection:** The policy of the state is to protect adults who, because of physical or mental disability or dependency on institutional services, are particularly vulnerable to abuse or neglect and to provide safe environments for them. Therefore, if someone is receiving certain types of services, he/she may be classified as a “vulnerable adult”. This means any person over 18 who:

- is a resident or inpatient of a facility;
- receives services at or from a facility required to be licensed;
- receives services from certain types of home health care agencies; or
- is unable or unlikely to report abuse or neglect without assistance because of impairment of mental or physical function or emotional status.

Within each county, there is an adult protection service that is charged with investigation of reports and providing protective and counseling services in appropriate cases. An advantage of this option is that these people have experience in investigation of complaints. It may be a disadvantage to be classified as a “vulnerable adult”.

**Individual or group therapy for client:** Often the original problem or concern that brought a client into therapy was never resolved. It may also be necessary to be able to find a supportive atmosphere in which to process the experience of sexual exploitation. Counseling with an ethical professional can be useful in resolving both the exploitation and the original issue. This can be done either in individual or group therapy.

There are currently several groups which are set up specifically for people who have been sexually exploited by their counselors. These can be an invaluable source of support and healing.

**Complaint to a professional association:** Many counselors belong to a professional association which has ethical guidelines. Within those guidelines, sexual contact between counselors and clients is clearly unethical. You may make a formal complaint to the ethics committee of a professional association. The contact person and filing process are different for each professional association. After an investigation is conducted, if the allegation is found to be true, the counselor can be removed from membership.

An advantage to this option is that it alerts the counselor's peers to what is occurring. Professionals have an investment in keeping their profession as "clean" as possible. A disadvantage is that because membership in a professional association is not required of counselors, counselors may continue working without restriction, even if they have been excluded from the association.

### **Where to file complaints to professional organizations:**

#### For Psychologists:

Minnesota Psychological Association  
1711 West County Road B, Suite 310N  
Roseville, MN 55113-4036  
(651) 697-0440

#### For Psychiatrists and Physicians

Minnesota Medical Association  
3433 Broadway Street NE, Suite 300  
Minneapolis, MN 55413  
(612) 378-1875

For Alcohol and Drug Counselors:

Bonnie Freeland  
Minnesota Certification Board  
P.O. Box 787  
Forest Lake, MN 55025  
(612) 413-1744

For Social Workers:

National Association of Social Workers  
Iris Park Place  
1885 University Avenue West, Suite 340  
St. Paul, MN 55104  
(651) 293-1935

For general consumer assistance

Cathy Brennan  
Minnesota Mental Health Association  
2021 East Hennepin Avenue, Suite 412  
Minneapolis, MN 55413  
(612) 331-6840

There are also organizations for other professions. One way to locate them is to consult the licensing or registration board for that occupation (see pages 23 through 25).

**Write or call ex-counselor:** You may choose to confront your counselor alone by writing a letter or calling. This would give you the opportunity to let the counselor know that what happened was not okay

and to express your feelings. The advantage to this is that it is quick and private. One disadvantage is that it may alert your counselor to other actions you may take (such as a complaint to a supervisor) and give the counselor time to plan a response. Also, you may not get the response you want, whether it is an apology or even an acknowledgment of what occurred. This may leave you feeling isolated and unsafe.

**Confrontation/processing session:** This option gives the victim of sexual exploitation the opportunity to directly tell the counselor that the sexual exploitation was not okay and what the effects were. Ideally, confrontation should be done with a third party whose role it is to help and support the victim through the session. Sometimes, the counselor's supervisor will also be included. Prior to an actual confrontation, the client and the support person would discuss what the client might gain from the confrontation and how the session will be structured. The advocate is also there if difficulties should arise and to process the session with the client afterwards.

An advantage to this option is that it gives you the opportunity to tell the counselor, in a controlled situation, how you feel. This can provide a great feeling of relief and empowerment. A disadvantage is that expectations may not be met, resulting in disappointment. Another possible disadvantage is the danger in confronting the offending counselor alone; have a support person present.

**Licensure complaint:** When a professional is licensed, a complaint to the proper licensing body can result in loss of the right to practice within the state. The State of Minnesota licenses six mental health professions: psychiatrists (a medical doctor with a specialty in psychiatry); social workers; psychologists; marriage and family therapists; psychiatric nurses (a nurse with advanced training in mental health treatment) and alcohol and drug counselors. An advantage of a licensure complaint is the

possibility of either loss of license or at least much closer supervision of the offending practitioner. It also alerts the counselor's peers and employer. A disadvantage is that the sanctions imposed on the counselor may not be as strong as you would like and the process may take a long time. The hearing procedure may also feel very intimidating.

**Mental Health Practitioners who are not licensed:** In the state of Minnesota mental health practitioners are not required to have a license. Mental health practitioners who may provide services in Minnesota without a license include, but are not limited to, professional counselors, psychotherapists, hypnotherapists, employee assistance counselors, private school counselors, pastoral counselors and spiritual counselors. However, mental health practitioners who are not licensed are still required by state law to comply with a legal code of conduct established by the legislature. The code of conduct prohibits a practitioner from engaging in sexual contact with a client and/or continuing a professional relationship with a client when the objectivity of the professional is impaired, in addition to several other provisions which address client safety. Mental health practitioners who are not licensed are also required to provide their clients with the Mental Health Client Bill of Rights in writing, which includes information about the practitioner's training, credentials, fees, and approach to providing services. The Office of Mental Health Practice at the Minnesota Department of Health is responsible for investigating complaints made against mental health practitioners who are not required to be licensed in Minnesota, and pursues disciplinary action when appropriate.

### **Where to file complaints to state licensing and regulatory boards:**

#### For Psychiatrists and other Physicians

Minnesota Board of Medical Practice  
2829 University Avenue SE, Suite 400  
Minneapolis, MN 55414-3246

(612) 617-2130 or Toll Free (800) 657-3709

For Nurses

Minnesota Board of Nursing  
2829 University Avenue SE, Suite 500  
Minneapolis, MN 55414-3239  
(612) 617-2277 or Toll Free (888) 234-2690

For Psychologists

Minnesota Board of Psychology  
2829 University Avenue SE, Suite 320  
Minneapolis, MN 55414-3237  
(612) 617-2230

For Marriage and Family Therapists

Minnesota Board of Marriage and Family Therapy  
2829 University Avenue SE, Suite 330  
Minneapolis, MN 55414-3222  
(612) 617-2220

For Social Workers

Minnesota Board of Social Work  
2829 University Avenue SE, Suite 340  
Minneapolis, MN 55414-3239  
(612) 617-2100 or Toll Free (888) 234-1320

## For Alcohol and Drug Counselors

Alcohol and Drug Counselor Licensing Unit  
Minnesota Department of Health  
121 East 7<sup>th</sup> Place, Suite 400  
P.O. Box 64975  
St. Paul, MN 55164-0975  
(651) 282-5617

## For all other counselors and therapists (nonlicensed therapists)

Office of Mental Health Practice  
Minnesota Department of Health  
121 East 7<sup>th</sup> Place, Suite 400  
P.O. Box 64975  
St. Paul, MN 55164-0975  
(651) 282-5603 or Toll Free (800) 657-3957

**Do nothing:** What this means is that you are choosing to take no official action at this time. Keep in mind that you are doing something. Reading this book is doing something. It is all right for you to choose to do nothing more about the experience right now. You also have a right to change your mind and take action later. Healing is doing something. These are your choices and no one - no friend, partner, family member, therapist or advocate for any reason can or should make these choices for you.

“I thought I would have to do all of this alone. I was so relieved when I found out there was someone willing to help me”.

## **YOU DON'T HAVE TO DO THIS ALONE**

Choosing what action to take, if any, can feel overwhelming. You don't have to take action alone. There are people in the helping professions who can serve as advocates during the process. Advocacy means assisting you in whatever action you choose to take. An advocate will help you assess what your immediate needs are, help you with crisis intervention when needed, have current information on what options are available in your particular case, and be a resource and support system as you begin to take action. For information on obtaining an advocate, contact your local sexual assault center.

No matter what option is chosen, complaint procedures are complicated and can be very intimidating for clients. Sometimes advocates can make the initial contacts. This would not be done without the client's permission. This can be a way to initiate an investigation and may provide some reassurance that, if an actual complaint is filed, the systems may work. Working with an advocate also provides practice in telling the story or writing the complaint. The advocate's role is to see that your story is heard, when, and how, you choose to tell it.

“I am working hard on repairing the damage this exploitation did to my marriage. My husband has been very depressed and angered by what happened and he doesn’t trust any kind of therapy now.”

## **FOR CONCERNED PERSONS**

### **How you may feel**

As family members or significant people in the life of someone who has experienced sexual exploitation by a counselor, you are concerned persons. You may feel the crisis in ways that are similar to the victim or in ways that are unique. You will be dealing with your loved one’s feelings and your own feelings. You may feel angry and betrayed.

You may feel jealous and threatened. When you first find out about the sexual exploitation, it may feel like it was an affair. That reaction is common, however, it was not an affair. When counselors get involved sexually with their clients, they are meeting their own needs at the expense of the client. Remember that sexual exploitation by a counselor involves an abuse of power; it is the counselor’s responsibility (not the client’s) when exploitation occurs. The state has found sexual exploitation by counselors to be a serious enough problem to create laws against it.

You may feel guilty that you did not see what was happening or that you felt something was wrong and you did not know what to do. Remember that exploitation occurs within an atmosphere of secrecy at a time when the client is highly vulnerable and seeking help. The counselor

was responsible for setting the boundaries and did not do it.

Another difficult issue is feeling a loss of intimacy with your loved one. It may help to realize that you are both struggling with that and intimacy can be regained in time. If your loved one reacts by withdrawing from you, remember it is about the exploitation, not about you.

You may feel helpless, that nothing you can do will erase the experience. You cannot change history. What you can do is support your loved one in the decisions that must be faced.

Sometimes with feelings of helplessness comes a need to control the person or the decisions. One of the feelings victims often have is a loss of control over their own lives. For you to act pushy or coercive does not allow the victim to regain the feeling of being in control. Your loved one needs to take the lead in recovery. The decisions that you might make for them may not fit for their healing.

If a complaint is being made, frustration with the systems is a common feeling. While the systems were not set up to re-victimize anyone, they may feel impersonal and blaming. It also may take a long time for the systems to do their work.

## **Knowing what to do**

Accept the experience the way it happened without blaming yourself or your loved one. Second-guessing their behavior will only increase the pain and block healing. While it is helpful to know that sexual exploitation by counselors has occurred to others, avoid comparisons. Each victim and each situation is unique as are your reactions to what occurred.

Support your loved one in the choices that need to be made. You have read about many of the options available in this booklet. You may

want the victim to take action in stopping the offender's behavior or letting the secret out, but what is more helpful is to let the victim make decisions that will best aid healing. Victims should only have to be responsible for their own healing, not for the healing of their loved ones or for stopping the offender from hurting others.

Be ready to listen when and if they want to talk to you about the sexual exploitation. Details may never be discussed; they are not needed. Try to respond in a non-judgmental way, keeping in mind that the victim's trust in others has been eroded and it may take some time to trust anyone again. Seek outside help yourself. Determine who you can talk to and receive support from. A trusted friend or a concerned professional can be helpful as you sort out your feelings and responses. It is too great a burden to face all of this by yourself.

“It has taken me five years to get to a point where I am no longer preoccupied by what happened to me in therapy. Maybe I can start to work on what brought me here in the first place, but it seems harder and more complicated now. I hope I can trust this counselor.”

## **CHOOSING A COUNSELOR**

Through counseling you may learn new ways to cope with and to have greater enjoyment of life. It's important to remember that you are an active participant in the whole process of counseling. Trust yourself and your feelings as you begin to choose a counselor and throughout your counseling. Remember that you are a consumer. You are purchasing a service from a professional and you have choices about whether you want to begin such a relationship. You have many rights in the relationship including the right to contract for the services you wish and the right to end the relationship whenever you choose. You have many things to consider about the counselor, including credentials, values, personal style, standard procedures and fees. These may reflect the policy of the agency or clinic, the individual counselor, or both. You may want to consult with more than one counselor before making a choice.

### **Questions to ask when choosing a counselor:**

- What are your training, experiences, areas of specialization? Are there particular techniques you use?
- Will you discuss my treatment plan with me? What happens if we disagree about my goals?
- Are you licensed or registered by the state?

- To what professional organization do you belong?
- Do you follow a professional code of ethics?
- Have you ever had a charge of unethical conduct brought against you?
- For what length of time do you usually treat clients?
- What ongoing professional training and/or supervision do you receive? Will you be discussing my case with a supervisor?
- Do you have physical contact with clients? Under what circumstances?
- Do you charge for an initial consultation? Do you charge for a phone consultation?
- How much do you charge for each counseling session? Will my insurance pay for this counseling? How long will our appointments be?
- You may want to ask questions pertaining to the counselor's values, biases or attitudes which may affect your counseling. For example: What is your attitude toward gays and lesbians? Abortion? Nontraditional living arrangements?

### **Considerations after meeting a counselor**

- Did you feel respected?
- Did you feel heard, understood?
- Did you feel safe?
- Are you comfortable with the personal style of the counselor?
- Were you comfortable with the office atmosphere?
- Was the counselor direct or evasive? Were you satisfied with the answers to your questions?
- Are you comfortable with the counselor's assessment of you and suggested treatment plan?

**CLIENT'S BILL OF RIGHTS**  
**You have the right to:**

- Receive respectful treatment.
- Refuse treatment or a particular intervention strategy.
- Ask questions at any time.
- Know how available the counselor is to see you or what the waiting period is.
- Have full information about fees, method of payment, insurance reimbursement.
- Choose your own lifestyle and to have the choice respected by your counselor.
- Have full information regarding the counselor's qualifications to practice, including licensure or registration, training, experience.
- Have full information regarding the counselor's areas of specialization and limitations.
- Have full information about the counselor's therapeutic orientation and any technique which is routinely used.
- Have full information regarding your diagnosis if your counselor uses one.
- Consult as many counselors as you choose until you find someone with whom you feel you can work.
- Experience a safe setting, free from physical, sexual or emotional abuse.

- Agree to a written contract of counseling goals and treatment plan.
- Talk about any part of your counseling with anyone you choose, including another counselor.
- Ask questions about the counselor's values, background, attitudes that are relevant to your counseling and to be provided with respectful answers.
- Request that the therapist evaluate the progress of counseling.
- Have full information regarding the limits of confidentiality and with whom and under what circumstances the counselor may discuss your case.
- Have full information regarding the extent of written or taped records of your counseling sessions and whether you will have access to them.
- Terminate therapy at any time.
- Disclose only that personal information which you choose and to refuse to answer any question if you choose.
- Require the therapist to send a report regarding your therapy with your written authorization. There may be a charge for this service.
- Have access to summaries of written files about you at your request, when legally possible.

“It feels good to have talked about this experience. I don’t feel so alone or ashamed anymore. I just have to keep telling myself that it wasn’t my fault, that I’ve done what I can to resolve the situation and it is time to get on with my life. I also know that there will be reminders, flashbacks and sorrow, but I can handle these feelings.”

To obtain additional copies of this booklet,  
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