

# SOCIAL WORK MALPRACTICE AND LIABILITY

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STRATEGIES FOR PREVENTION

FREDERIC G. REAMER

WITH A FOREWORD BY ROBERT H. COHEN, J.D., A.C.J.W.  
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# Social Work Malpractice And Liability Strategies For Prevention

**Frederic G. Reamer**



## **Social Work Malpractice And Liability Strategies For Prevention:**

*Social Work Malpractice and Liability*, 2003      **Risk Management in Social Work: Oxford Bibliographies Online Research Guide** Oxford University Press, 2010-05-01 This ebook is a selective guide designed to help scholars and students of social work find reliable sources of information by directing them to the best available scholarly materials in whatever form or format they appear from books chapters and journal articles to online archives electronic data sets and blogs Written by a leading international authority on the subject the ebook provides bibliographic information supported by direct recommendations about which sources to consult and editorial commentary to make it clear how the cited sources are interrelated related A reader will discover for instance the most reliable introductions and overviews to the topic and the most important publications on various areas of scholarly interest within this topic In social work as in other disciplines researchers at all levels are drowning in potentially useful scholarly information and this guide has been created as a tool for cutting through that material to find the exact source you need This ebook is a static version of an article from Oxford Bibliographies Online Social Work a dynamic continuously updated online resource designed to provide authoritative guidance through scholarship and other materials relevant to the study and practice of social work Oxford Bibliographies Online covers most subject disciplines within the social science and humanities for more information visit [www aboutobo com](http://www.aboutobo.com)

*Legal Issues in Social Work Practice and Research* Sana Loue, 2018-05-17 This highly practical text surveys the myriad legal and ethical issues that social workers encounter both in daily practice and under special circumstances Its initial section presents concepts in law and ethics that unite practitioners researchers and academics in the field such as confidentiality informed consent and the interplay between social work and administrative and judicial systems A selection of representative cases illustrates legal aspects involved in providing services to families children elders and persons with disabilities Also included are chapters on advocacy in social work both in its potential to influence policy and on the global stage as part of the ongoing struggle for human rights and dignity Among the topics covered Confidentiality and the social worker client relationship Liability issues for social workers in the clinical context Legal issues arising in the context of social work research The social worker and forensic social work Social worker involvement in access to school and school services Social work in the context of health care Legal issues working with immigrants refugees and asylees The interface between social work and human rights Legal Issues in Social Work Practice and Research is an interdisciplinary text aimed at social work mental health and legal professionals It enhances the power of social work as an integrative system to support clients rights and agency      *Legal Issues in Social Work, Counseling, and Mental Health* Robert G. Madden, 1998-03-09 As a psychotherapist what do you need to know about the law How does the legal system support or fail to support your work or the delivery of mental health services generally What can you do to make use of the law and the legal system to improve your practice and to protect yourself Filling a significant gap in the social work and other psychotherapeutic literature Legal

Issues in Social Work Counseling and Mental Health presents clearly and comprehensively what mental health and other direct practice professionals need to know to respond to the legal issues that surround practice. This volume covers a wide range of topics including providing testimony responding to subpoenas dealing with an attorney influencing the legal system and understanding the legal side of the business of psychotherapy. The author also discusses various direct practice and human service issues incorporating some of the everyday legal issues these professionals encounter and using case material. The book educates counselors and clinicians on the function of the law in their professional lives. Through cases and case vignettes the author illustrates the legal processes relevant to clinicians' professional lives and suggests alternative behaviors for clinicians that would satisfy legal requirements yet remain within sound practice. Helping to demystify the legal system, *Legal Issues in Social Work Counseling and Mental Health* will allow professionals and students in social work, human services, family studies, counseling, clinical psychology, pastoral counseling, and psychotherapy a better understanding of the law.

**Heinous Crime** Frederic G. Reamer, 2005. This book offers innovative perspectives on issues concerning a civilized society's response to offenders guilty of heinous crimes. It considers specific cases and the chilling accounts of victims and the criminals themselves. In providing detailed strategies for prevention and rehabilitation, the author examines the psychological and social factors that lead individuals to commit reprehensible crimes, arguing that a fuller understanding of different criminal types is crucial to developing successful answers to the problem of heinous crimes.

**Ethics** Sarah Banks, 2014-03-01. The past few years have seen a renewed interest in social work ethics, and this volume argues that this phenomenon can be seen as reflecting two very different agendas. On the one hand, this interest is part of a progressive movement that critiques market-oriented approaches to managing the public sector, often called New Public Management (NPM), by emphasizing the role of social workers as agents for social justice. On the other hand, the growth of interest in ethics could be viewed as part of the NPM and its efforts toward controlling the conduct of professionals and service users. The contributors explore both of these viewpoints, emphasizing the importance of reclaiming professional ethics for social work and outlining a preliminary framework for doing so.

**The Structural Approach to Direct Practice in Social Work** Gale Goldberg Wood, Carol T. Tully, 2006-09-25. This classic text introduces students to the structural approach of social work practice, which assumes that many clients' problems arise from harmful social forces. By focusing on the construction of such realities as poverty, racism, and domestic violence, the structural approach counters the focus on individual change that is so common in our age of managed care and corporatization. For this edition, Gale Goldberg Wood and Carol T. Tully have recast the text from the perspective of contemporary social constructionism without altering its main message and organization. They have added six new chapters covering ethics, the role of the social worker as therapist and community organizer, learning and working within the organization, and the paradigm dilemma. In addition, case studies now include greater detail about the client's social context. Though much has changed since the first edition of this book was published, the need for well

trained compassionate social workers remains The Structural Approach to Direct Practice in Social Work continues to be an essential resource for practitioners who wish to help their clients confront oppressive social realities and affect system change through political action      *Supervision in Social Work* Alfred Kadushin, Daniel Harkness, 2014-04-01 First published in 1976 Supervision in Social Work has become an essential text for social work educators and students detailing the state of the field and the place function and challenges of supervision in social work practice This fifth edition takes into account the sizable number of articles and books published on supervision since 2002 Changes in public health and social welfare policy have intensified concern about the social work supervision of licensed practitioners Tax and spending limitations at all levels of government combined with the unfolding effects of welfare reform and managed health care have increasingly emphasized the need for the efficient and accountable administration of health and social services in the private and public sectors This edition confronts issues raised by these developments including budgetary allocation and staff management the problems of worker burnout and safety the changing demographics and growing diversity of the supervising workforce evidence based and licensure supervision and performance appraisal      **Ethics and Values in Social Work: Oxford Bibliographies**

**Online Research Guide** Frederic G. Reamer, 2010-05 This ebook is a selective guide designed to help scholars and students of social work find reliable sources of information by directing them to the best available scholarly materials in whatever form or format they appear from books chapters and journal articles to online archives electronic data sets and blogs Written by a leading international authority on the subject the ebook provides bibliographic information supported by direct recommendations about which sources to consult and editorial commentary to make it clear how the cited sources are interrelated related A reader will discover for instance the most reliable introductions and overviews to the topic and the most important publications on various areas of scholarly interest within this topic In social work as in other disciplines researchers at all levels are drowning in potentially useful scholarly information and this guide has been created as a tool for cutting through that material to find the exact source you need This ebook is a static version of an article from Oxford Bibliographies Online Social Work a dynamic continuously updated online resource designed to provide authoritative guidance through scholarship and other materials relevant to the study and practice of social work Oxford Bibliographies Online covers most subject disciplines within the social science and humanities for more information visit [www.aboutobo.com](http://www.aboutobo.com)

**Forensic Social Work** Robert L. Barker, Douglas M. Branson, 2014-02-04 Explore the legalities and pitfalls of forensic social work Forensic Social Work Legal Aspects of Professional Practice Second Edition examines the professional specialty of forensic social work which involves testifying in court as an expert witness investigating cases of possible criminal conduct and assisting the legal system in such issues as child custody disputes divorce child support juvenile delinquency spouse or child abuse and placing individuals in mental hospitals As a student or professional social worker you will explore a variety of ethical and legal issues such as malpractice licensing credentialing marketing for forensic clients and presenting effective

courtroom testimony Current and fact filled this new edition discusses the origins of forensic social work and offers implications for future practice New material in this edition includes a chapter on how to establish a forensic social work practice with information on how to bring in clients generate new referrals and make other important contacts Another new chapter expands on the first edition s discussion of implanted memory versus recovered memory and the ways that social workers use and often misuse this information A third new chapter examines credentialing requirements for forensic social work Forensic Social Work details legal conflicts you may face and offers suggestions on how to deal with these situations Rich with examples some aspects of forensic social work that you will learn about are separating the role of the expert witness from the role of the fact witness while testifying understanding the motivations payments and positive incentives for entering the field of forensic social work avoiding malpractice lawsuits by understanding the criteria for liability guidelines for action when laws and ethics collide preparing for litigation duty to warn laws writing reports and contracts for the litigious society using the problem oriented SOAP record distinguishing implanted memory from recovered memory and understanding how witnesses and social workers may misuse remembered information Complete with a glossary case examples and information on how to obtain clients new referrals and other contacts Forensic Social Work gives you a thorough look at the profession of forensic social work You will explore the legal and ethical issues that come with this profession learn the credentials needed to become a forensic social worker and discover how to adequately market yourself in the field Forensic Social Work will prepare you for the circumstances that may arise and help you to professionally and successfully overcome future challenges

**The Handbook of Social Work Direct Practice** Paula Allen-Meares, Charles D. Garvin, 2000 The Handbook of Social Work Direct Practice provides an extraordinarily extensive coverage of all major topics relevant to Clinical Social Work The Contributors to this volume under the leadership of Paula Allen Meares and Charles Garvin guide the reader through discussions about the contexts of social work practice multicultural and diversity issues research as well as assessment and measurement All in all this is the perfect primary text for administration courses in MSW programs BSW programs and doctoral programs Practitioners and professionals in the field will find here all the useful elements a key reference work can provide

**Risk Management in Social Work** Frederic Reamer, 2014 This new text is based on Frederic G Reamer s key reference for practitioners Social Work Malpractice and Liability Strategies for Prevention Rooted in his own experiences as an expert witness in court and licensing board cases the volume introduces the concepts of negligence malpractice and liability before turning to the subject of risk management Reflecting on recent legal cases and research Reamer identifies a variety of problems in the social work field relating to privacy and confidentiality improper treatment and delivery of services impaired practitioners supervision consultations and referrals fraud and deception and termination of service He also explores the unprecedented ethical challenges created by new digital technologies such as online counseling video counseling and practitioners use of social networks and social media and describes current issues

relating to HIPAA compliance and access to electronic health records EHR and health information exchanges HIE He concludes with practical suggestions for social workers named as defendants in lawsuits and respondents in licensing board complaints

**Straight Talk About Professional Ethics, Second Edition** Kim Strom-Gottfried, 2014-08-15 How does one make the right choices when faced with ethical dilemmas Social service professionals use a unique set of principles to guide their decisions within a broad and complex array of situations Straight Talk about Professional Ethics Second Edition provides readers with the guidelines that will help them make decisions in a manner that is clinically and ethically effective This book explains the seven core concepts that guide ethical practice in the helping professions self determination informed consent competence confidentiality and privacy attention to conflicts of interest maintenance of professional boundaries and professionalism and integrity Developing a commitment to the ethics of a profession and an understanding of how those ethics apply to commonly occurring workplace situations is a major element of professional preparation

**Criminal Defense-Based Forensic Social Work** Ashley Ratliff, Maren Willins, 2018-10-04 This book draws upon the Colorado Model of Criminal Defense Based Forensic Social Work a holistic client centered collaborative approach that uses a trauma informed care framework to outline the numerous roles and skills of a forensic social worker The comprehensive developmentally informed model employs a past e g mitigation themes and life history compilation present e g client contact and current functioning support and future e g reentry services framework to provide mitigation narratives for defendants and to create a comprehensive approach to service The text starts with an overview of practice standards ethical considerations and legal frameworks Next chapters examine the unique roles that a forensic social worker must take on and the skills they need to possess These include using clinical interventions with clients in nonclinical settings working with clients of different identities and backgrounds assisting with reentry planning for incarcerated clients and collaborating with experts outside of the defense team Finally the authors provide strategies for practitioners to engage in their own self care Interwoven with four case studies using the Colorado Model this book will be valuable reading for graduate schools of social work law school programs which have clinics or direct practice components to legal studies and at defender agencies who contract with or employ social workers on staff

*Strategies for Work With Involuntary Clients* Ronald H. Rooney, 2009-01-28 Involuntary clients are required to see a professional such as juveniles on probation or are pressured to seek help such as alcoholics threatened with the desertion of a spouse For close to two decades Strategies for Work with Involuntary Clients has led in its honest analysis of the involuntary transaction suggesting the kind of effective legal and ethical intervention that can lead to more cooperative encounters successful contracts and less burnout on both sides of the treatment relationship For this second edition Ronald H Rooney has invited experts to address recent theories and provide new information on the best practices for specific populations and settings He also adds practical examples and questions to each chapter to better facilitate the involvement of students and readers plus a section on motivational interviewing

*Teens in Crisis* Frederic G. Reamer, Deborah H. Siegel, 2008-10-17 In recent years a dizzying array of programs has emerged to meet the needs of struggling teens and their families wilderness therapy programs therapeutic boarding schools alternative schools mentoring and court diversion programs independent living programs and myriad day treatment and partial hospitalization services Yet not all of these offerings employ mental health professionals or follow evidence based treatment protocols Some programs are licensed and accredited but many are not and some use techniques that are highly controversial even abusive resulting in injury and accidental death Frederic G Reamer and Deborah H Siegel have written the first scholarly book on this influential and controversial industry They begin with a time line of Americans changing attitudes toward challenging teens and the programs and schools established to handle this population Then they summarize reputable organizations including a selection of community based and residential programs and schools and provide brief descriptions of typical services The authors candidly discuss a number of troubling scandals and tragedies exposing the tragic consequences of emotionally and physically abusive practices and recommend a range of empirically sound interventions for the clinical challenges of adolescent depression bipolar disorder anxiety oppositional behavior eating disorders and attention deficit hyperactivity disorder The authors conclude with a blueprint for reform and twenty best practice principles relating to harm prevention program based discipline industry regulation quality assurance parental involvement staff education and after care services

**Social Work Values and Ethics** Frederic G. Reamer, 2013-06-11 A comprehensive introduction to ethical decision making with practical guidance regarding professional misconduct

Domestic Violence Lettie L Lockhart, Fran S Danis, 2010-02-04 In *Domestic Violence Intersectionality and Culturally Competent Practice* experts working with twelve unique groups of domestic abuse survivors provide the latest research on their populations and use a case study approach to demonstrate culturally sensitive intervention strategies Chapters focus on African Americans Native Americans Latinas Asian and Pacific Island communities persons with disabilities immigrants and refugees women in later life LGBT survivors and military families They address domestic violence in rural environments and among teens as well as the role of religion in shaping attitudes and behavior Lettie L Lockhart and Fran S Danis are editors of the Council of Social Work Education's popular teaching modules on domestic violence and founding co chairs of the CSWE symposium on violence against women and children In their introduction they provide a thorough overview of intersectionality culturally competent practice and domestic violence and basic practice strategies such as universal screening risk assessment and safety planning They follow with collaborative chapters on specific populations demonstrating the value of generalist social work practice including developing respectful relationships that define issues from the survivor's perspective collecting and assessing data setting goals and contracting identifying culturally specific interventions implementing culturally appropriate courses of action participating in community level strategies and advocating for improved policies and funding at local state and federal levels Featuring resources applicable to both practitioners and

clients Domestic Violence forms an effective tool for analysis and action      **Risk Management in the Behavioral Health**

**Professions** Frederic G. Reamer, 2023-05-23 Risk Management in the Behavioral Health Professions is a comprehensive handbook for mental health and social service providers on prevention of malpractice lawsuits and licensing board complaints Frederic G Reamer draws on his extensive firsthand experience as an expert witness in litigation and licensing board cases throughout the United States to give readers an insider's view of practical risk management strategies He provides in depth discussion of common risk areas and steps practitioners can take to protect clients and themselves Key topics include confidentiality and privileged communication service delivery including informed consent assessment boundary issues suicide risk management and use of technology impaired practitioners supervision and consultation documentation deception and fraud and interruption and termination of services Reamer offers pragmatic advice about how to respond to a lawsuit or licensing board complaint He emphasizes the challenges and risks related to remote service provision especially during public health crises and pandemics The book includes sample risk management forms and templates as well as extensive case examples that illustrate fundamental risk management concepts Designed for behavioral health professionals including social workers psychologists mental health counselors marriage and family therapists psychiatrists and substance use disorder treatment counselors this book is an indispensable resource on how to navigate challenging ethics and risk management issues      *AIDS & Ethics* Frederic G. Reamer, 1991 Should a physician with AIDS be required to inform his or her patients Does a physician have an obligation to warn the partner who wants this fact kept secret Should all newborns and pregnant women be screened for HIV Should insurance companies be required to insure patients who test positive for the disease Professionals and society at large are confronted by a wide range of complex ethical issues produced by the AIDS health crisis AIDS and Ethics is the first major collection of essays on the complex ethical issues created by the AIDS crisis The nation's leading bioethics experts from the fields of law medicine philosophy political science religion and social work present original and accessible essays They address current controversial issues related to the tension between civil rights and public health mandatory HIV testing human subjects research health care insurance AIDS education militant AIDS activism the physician patient relationship issues of privacy and legal issues This important book will provide philosophical and practical guidelines to health care and human service professionals policy makers scholars and others affected by the AIDS crisis

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