

## Counseling or Hypnotherapy Clients

State of Washington  
Department of Health

**The purpose of this publication is to briefly explain how the law regulating counselors and hypnotherapists helps you and your counselor or hypnotherapist work together. Feel free to talk about any of the information in this publication with your counselor or hypnotherapist. Remember, his or her role is to help you.**

### ***Requirement for Registration or Licensure***

Your counselor or hypnotherapist must be either registered or licensed through the Washington State Department of Health unless otherwise exempt. To be registered, a person fills out an application and pays a fee. To become licensed, a person fills out an application and pays a fee, but he or she must also show proof of appropriate education and training. There are some people who do not need to be either registered or certified because they are exempt from the law. You should ask your counselor or hypnotherapist if he or she is registered or licensed and discuss his or her qualifications to be your counselor or hypnotherapist.

### ***Definitions***

Counseling means using therapeutic techniques to help another person deal with mental, emotional, and behavioral problems or to develop human awareness and potential. A registered or licensed counselor is a person who gets paid for providing counseling services.

### ***Client and Counselor Responsibilities and Rights***

You and your counselor or hypnotherapist should discuss the type of counseling you will get; the methods or techniques that might be used; the therapist's education, training, and experience; and the cost of counseling sessions. The counselor or hypnotherapist must give you written information that explains these topics, let you read the information, and have you sign a statement that you've read the information.

If you have concerns about being dependent upon your counselor or hypnotherapist, talk to him or her about it. Remember, you are going to that person to seek assistance that helps you learn how to control your own life. You can and should ask questions if you don't fully understand what your counselor or hypnotherapist is doing or plans to do.

### ***Confidentiality***

Your counselor or hypnotherapist cannot disclose any information you've told them during a counseling session unless:

You give written consent;

The information concerns certain crimes or harmful acts;

The client is a minor and the information acquired by the counselor indicates the minor was the victim or subject of a crime, then the counselor may testify at any proceeding wherein the commission of the crime is the subject of inquiry;

You bring charges against the person registered or licensed under the law;

The counselor receives a subpoena to provide the information;

The counselor has reasonable cause to believe that a child or adult dependent or developmentally disabled person has suffered abuse or neglect. Therapists are required to report such incidents to authorities.

### ***Assurance of Professional Conduct***

Thousands of people in the counseling or hypnotherapy professions practice their skills with competence and treat their clients in a professional manner. If you and the counselor agree to the course of treatment and the counselor deviates from the agreed treatment, you have the right to question the change and to end the counseling if that seems appropriate to you.

We want you to know that there are acts that would be considered unprofessional conduct. If any of the following situations occur during your course of treatment, you are encouraged to contact the Department of Health at the address or phone number in this publication to find out how to file a complaint against the offending counselor or hypnotherapist. The following situations are not identified to alarm you, but are identified so you can be an informed consumer of counseling or hypnotherapy services. The conduct, acts, or conditions listed below give you a general idea of the kinds of behavior that could be considered a violation of law:

Abuse of a client or sexual contact with a client.

Incompetence, negligence, or malpractice that harms a client or creates an unreasonable risk of harm to a client.

Willful betrayal of a practitioner-client privilege as recognized by law.

The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of counseling or hypnotherapy. The act does not have to be a crime in order to be a violation of the law regulating counselors and hypnotherapists.

Practicing counseling or hypnotherapy while suffering from a contagious or infectious disease in a way that would pose a serious risk to public health.

Aiding a client to obtain an abortion through illegal means.

Possession, use, or distribution of drugs except for a legitimate purpose, addiction to drugs, or violation of any drug law.

Habitual use or impairment from the use of alcohol.

Misrepresentation or fraud in any aspect of the conduct of the profession.

Advertising that is false, fraudulent, or misleading.

Offering to treat clients by a secret method, procedure, or treatment.

Promotion for personal gain of any drug, device, treatment, procedure, or service that is unnecessary or has no acceptable benefit to the client.

Conviction of any gross misdemeanor or felony relating to the practice of counseling or hypnotherapy.

Violation of a state or federal statute or rule that regulates counselors and hypnotherapists, including rules defining standards of practice for licensed counselors.

Suspension, revocation, or restriction on the registration or licensure to practice the profession.

Aiding an unregistered or unlicensed person to practice counseling or hypnotherapy when that person is required to be registered or licensed.

Violation of the rebating laws which includes payment for referral of clients.

Interference with an investigation by use of threats or harassment against a client or witness to prevent them from providing evidence in a disciplinary proceeding or other legal actions.

*This publication should not be considered as the final source of information. If you want more information about the law regulating counselors and hypnotherapists, or want to write a complaint, please write to:*

Department of Health  
Health Professions Quality Assurance Division  
Counselor Registration/Licensure  
PO Box 47869  
Olympia, WA 98504-7869

If you want to contact someone by phone to discuss the law or talk about a possible complaint, call (360) 753-1761.