

**7200.4810 IMPAIRED OBJECTIVITY OR EFFECTIVENESS.**

Subpart 1. **Situations involving impaired objectivity or effectiveness.** Items A to F involve impaired objectivity or effectiveness and are prohibited as specified.

A. The provider shall not provide psychological 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. This item shall not apply if the psychological services involve teaching or research, if such a relationship cannot reasonably be avoided.

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 psychological services in which a fundamental conflict arises between the psychological services. If the conflict cannot be resolved in the manner required in subpart 2a, 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 multiple clients whose psychotherapy goals are fundamentally irreconcilable. If this situation arises after services have been initiated, the provider shall promptly terminate services to one or both clients.

E. The provider shall not provide psychological 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, except if the provider is resolving the impairment in the manner required in subpart 2a.

F. The provider shall not provide 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, except if the provider is resolving the impairment in the manner required in subpart 2a.

Subp. 2. [Repealed, 37 SR 1085]

Subp. 2a. **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 minimizes the potential for adverse effects on the client or potential client. If the provider attempts to resolve the impairment, it shall be by means of relevant professional education, training, study, continuing education, consultation, psychotherapy, intervention, supervision, or discussion with the client or potential client, or an appropriate combination thereof. If resolution of the impairment is not possible, the provider shall terminate services.

Subp. 3. **Termination of services due to impaired objectivity or effectiveness.** Termination of services required by subpart 2a must conform with the requirements of part 7200.4740.

Subp. 4. **Burden of proof.** If a complaint is submitted to the board alleging a violation of this part, the provider has the burden of proof to demonstrate that there was no impaired objectivity or effectiveness or that the provider was compliant with subpart 2a.

**Statutory Authority:** *MS s 148.90; 148.905; 148.98; 214.06*

**History:** *14 SR 74; 37 SR 1085*

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