

7200.4905 CLIENT WELFARE.

Subpart 1. **Bill of rights.** The provider shall display prominently on the premises of the professional practice or make available as a handout the bill of rights of clients which must include a statement that consumers of psychological services have the right:

- A. to expect that the provider has met the minimum qualifications of education, training, and experience required by state law for licensure;
- B. to examine public records maintained by the Board of Psychology that contain the credentials of the provider;
- C. to report complaints to the Board of Psychology;
- D. to be informed of the cost of professional services before receiving the services;
- E. to privacy as defined and limited by rule and law;
- F. to be free from being the object of unlawful discrimination while receiving psychological services;
- G. to have access to their records as provided in Minnesota Statutes, sections 144.291 to 144.298, except as otherwise provided by law or a prior written agreement;
- H. to be free from exploitation for the benefit or advantage of the provider;
- I. to terminate services at any time, except as otherwise provided by law or court order;
- J. to know the intended recipients of psychological assessment results;
- K. to withdraw consent to release assessment results, unless that right is prohibited by law or court order or is waived by prior written agreement;
- L. to a nontechnical description of assessment procedures; and
- M. to a nontechnical explanation and interpretation of assessment results, unless that right is prohibited by law or court order or is waived by prior written agreement. The handout must include the Board of Psychology's current mailing address, website address, and telephone number.

Subp. 2. **Stereotyping.** The provider shall consider the client as an individual and shall not impose on the client any stereotypes of behavior, values, or roles related to human diversity.

Subp. 3. **Misusing client relationship.** The provider shall not misuse the relationship with a client due to a relationship with another individual or entity.

Subp. 4. **Prohibiting exploitation of client.** The provider shall not exploit in any manner the professional relationship with a client for the provider's emotional, financial, sexual, or personal advantage or benefit. This prohibition is extended indefinitely to former clients who are vulnerable or dependent on the provider. If a complaint is submitted to the board alleging violation of this subpart with respect to a former client, the provider has the burden of proof to demonstrate that the former client was not vulnerable or dependent.

Subp. 5. **Sexual behavior with client.** A provider shall not engage in any sexual behavior with a client, including:

A. sexual contact with the client; or

B. any physical, verbal, written, interactive, or electronic communication, conduct, or act that may be reasonably interpreted to be sexually seductive, demeaning, or harassing to the client.

Subp. 6. **Sexual behavior with former client.** The prohibitions against sexual behavior with clients established in subpart 5 also apply to former clients for a period of two years following the date of the last psychological service, whether or not the provider has formally terminated the professional relationship. This prohibition is extended indefinitely for a former client who is vulnerable or dependent on the provider. If a complaint is submitted to the board alleging a violation of this subpart with respect to a former client, the provider has the burden of proof to demonstrate that the former client was not vulnerable or dependent.

Statutory Authority: *MS s 148.905; 148.98*

History: *37 SR 1085*

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