

**8740.0325 RELATIONSHIPS WITH CLIENTS; FORMER CLIENTS; STUDENTS; SOCIAL WORK INTERNS; AND SUPERVISEES.**

Subpart 1. **Maintaining professional boundaries.** A social worker shall maintain appropriate professional boundaries with a client. A social worker shall not engage in practices with a client that create an unacceptable risk of client harm or of impairing a social worker's objectivity or professional judgment. A social worker shall not act or fail to act in a way that, as judged by a reasonable social worker, inappropriately encourages the client to relate to the social worker outside of the boundaries of the professional relationship, or in a way that interferes with the client's ability to benefit from social work services.

Subp. 2. **Misuse of professional relationship.** A social worker shall not use the professional relationship with a client, student, supervisee, or social work intern for or to further the social worker's personal, emotional, financial, sexual, religious, political, or business benefit or interests.

Subp. 3. **Improper termination.** A social worker shall not terminate a professional relationship for the purpose of beginning a personal, sexual, or business relationship with a client.

Subp. 4. **Personal relationship with a client.** A social worker shall not engage in a personal relationship with a client that creates an unacceptable risk of client harm or of impairing a social worker's objectivity and professional judgment. When a social worker is unable to avoid a personal relationship with a client, the social worker shall take appropriate precautions, such as consultation and supervision, to address the potential for unacceptable risk.

Subp. 5. **Personal relationship with a former client.** A social worker may engage in a personal relationship with a former client after appropriate termination of the professional relationship, except:

A. as prohibited by subpart 8; or

B. if a reasonable social worker would conclude after appropriate assessment that the former client continues to be emotionally dependent on the social worker or continues to relate to the social worker as a client.

Subp. 6. **Sexual conduct.** "Sexual conduct" includes any physical contact or act or any verbal, written, interactive, or electronic conduct, act, or communication that a client, former client, student, supervisee, or social work intern may reasonably interpret as sexual.

Subp. 7. **Sexual conduct with a client.** A social worker shall not engage in or suggest sexual conduct with a client.

Subp. 8. **Sexual conduct with a former client.** A social worker who has engaged either in counseling or in the diagnosis or treatment of mental and emotional disorders with

individuals, couples, families, or treatment groups shall not engage in or suggest sexual conduct with the former client under any circumstances. A social worker who has provided other social work services to a client shall not engage in or suggest sexual conduct with the former client if a reasonable social worker would conclude after appropriate assessment that engaging in sexual conduct with the former client would create an unacceptable risk of harm to the former client.

Subp. 9. **Business relationship with a client.** A social worker shall not engage in a business relationship with a client. Business relationships do not include purchases made by the social worker from the client when the client is providing necessary goods or services to the general public, and a reasonable social worker would determine that it is not possible to obtain the necessary goods or services from another provider.

Subp. 10. **Business relationship with a former client.** A social worker may engage in a business relationship with a former client after appropriate termination of the professional relationship, except that the social worker shall not engage in a business relationship with a former client if a reasonable social worker would conclude after appropriate assessment that the former client continues to be emotionally dependent on the social worker or continues to relate to the social worker as a client.

Subp. 11. **Previous sexual, personal, or business relationship.** A social worker may not engage in a social worker/client relationship with an individual with whom the social worker had a previous sexual relationship. A social worker may not engage in a social worker/client professional relationship with an individual with whom the social worker had a previous personal or business relationship if a reasonable social worker would conclude after appropriate assessment that the previous relationship creates an unacceptable risk of client harm or that the social worker's objectivity or professional judgment may be impaired.

Subp. 12. **Social worker responsibility.** A social worker shall be solely responsible for acting appropriately in relationships with clients or former clients. A client or a former client's initiation of or attempt or request to engage in a personal, sexual, or business relationship shall not be a defense to a violation of this part.

Subp. 13. **Client's family or significant other.** This part also applies to a social worker's relationship with a family member or significant other of a client when a reasonable social worker would conclude after appropriate assessment that a relationship with a family member or significant other would create an unacceptable risk of harm to the client.

Subp. 14. **Sexual conduct with a student, supervisee, or social work intern.** A social worker shall not engage in or suggest sexual conduct with a student while the social worker has authority over any part of the student's academic program. A social worker practicing social work as a supervisor, as defined by these rules, shall not engage in or suggest sexual conduct with the social worker's supervisee, as defined by these rules, during the period of supervision. A social worker supervising a social work intern as part of the

intern's academic program shall not engage in or suggest sexual conduct with the intern during the course of the internship.

Subp. 15. **Sexual harassment.** A social worker shall not engage in any physical, verbal, written, interactive, or electronic behavior that a client, former client, student, supervisee, or social work intern may reasonably interpret as sexually harassing or sexually demeaning.

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