

Guidance for National Certified Counselors Working in Government Departments or Agencies

As a **National Certified Counselor (NCC)** practicing in a government department or agency, it is essential to adhere to the highest [ethical standards](#) and legal guidelines to ensure the welfare of your clients. It is also important to understand the intersection of federal supremacy and state licensure and the impacts of that intersection on professional practice. Below are key points to consider regarding the importance of ethical codes, federal supremacy, and client communication.

Importance of the Code of Ethics

Understanding and adhering to the ethical codes established by professional organizations is crucial for maintaining integrity, client protections, and professionalism in your practice. It is important to familiarize yourself with these guidelines to ensure that your practice aligns with recognized national standards.

The National Board for Certified Counselors (NBCC) [Code of Ethics](#) outlines the responsibilities of counselors to:

- **uphold** the **dignity**, welfare, and rights of clients.
- **emphasize** the importance of **confidentiality**, informed consent, and the counselor's responsibility to avoid harm. It also provides guidance on maintaining professional boundaries and engaging in culturally competent practice.
- **focus on advocacy**, professional responsibility, and integrity. The code underscores the importance of ethical decision-making and the need for ongoing professional development.

You may also review the American Counseling Association ([ACA](#)) and American Mental Health Counselors Association ([AMHCA](#)) codes, as all three organizations' codes complement one another. By adhering to these codes, you not only protect your clients but also enhance the credibility of your profession and the agency you represent.

Understanding Federal Supremacy

As a counselor within a government context, it is essential to be aware of the principle of [federal supremacy](#). This means that federal laws and regulations take precedence over state or local laws when there is a conflict. Familiarize yourself with relevant federal regulations that affect counseling practices, including:

- **HIPAA (Health Insurance Portability and Accountability Act):** Understand the implications of confidentiality and the handling of client information.
- **FERPA (Family Educational Rights and Privacy Act):** If your agency intersects with educational institutions, ensure you understand the privacy rights of students.
- **Title VI of the Civil Rights Act:** Be aware of the need to provide equitable services to all clients, regardless of their race, color, or national origin.



Understanding these regulations will help you navigate potential legal challenges and ensure compliance with broader legal frameworks. When in doubt, please consult your supervisor and/or your state's licensure board.

Client Communication and Disclosure

Effective communication with clients is fundamental to successful counseling. As a counselor seeks to build a relationship with their clients, it is important to establish a strong basis of understanding regarding services, expectations, and privacy. Most states require a professional disclosure statement to be signed by the client; however, federal agencies may not require such a signed statement. Counselors working in federal agencies may find that early sessions offer opportunities for discussions of expectations and confidentiality parameters. As a professional counselor, it is your responsibility to inform clients about what to expect from the services they receive and to inform them in a way

aligned with the laws and rules that regulate your practice through state regulation or by virtue of federal supremacy. It is important for clients to understand:

- **Informed Consent:** Regardless of whether a formal disclosure statement is provided, clients should be informed about the nature of the counseling relationship, the scope of services offered, and any limitations related to confidentiality. Discussing these elements at the outset establishes trust and sets clear expectations (see *NBCC Code of Ethics, Counseling Relationships*, p. 5, Number 32).



- **Expectations of Services:** Clearly explain the counseling process, including potential risks and benefits, the frequency and duration of sessions, and the methods used. Encourage clients to ask questions and voice concerns (see *NBCC Code of Ethics, Counseling Relationships*, p. 5, Number 32; *Counselor Education*, p. 12, Number 88).
- **Confidentiality:** Reiterate the importance of confidentiality and the circumstances under which it may be breached (e.g., risk of harm to self or others, legal requirements). This transparency is vital for building a trusting relationship (see *NBCC Code of Ethics, Counseling Relationships*, pp. 5–6, Numbers 27, 28, 31, 32, 38; *Supervision and Consultation*, p. 7, Number 42; *Testing, Appraisal, and Research*, pp. 9, 11, Numbers 58, 77; *Telemental Health, Social Media, and Technology*, pp. 13–15, Numbers 99, 100, 103, 110).
- **Client Rights:** Make sure clients are aware of their rights within the counseling relationship, including the right to withdraw consent and seek a second opinion (see *NBCC Code of Ethics, Counseling Relationships*, pp. 5–6, Numbers 32, 39; *Telemental Health, Social Media, and Technology*, p. 14, Number 103).

As an NCC in a government department or agency, your adherence to ethical standards, understanding of legal frameworks, and commitment to transparent communication are crucial for fostering a supportive and effective counseling environment. By prioritizing the welfare of your clients and maintaining professionalism, you contribute to the overall integrity of the counseling profession and the agency you represent.

If at any time you have a question or concern related to the [NBCC Code of Ethics](#), please consult the [ethics FAQ](#) or email ethics@nbcc.org.

