

# NEW ETHICAL DILEMMAS

## in the Digital Age

### TEXTING A CLIENT SCENARIO

Ryan is a case manager at a behavioral health organization that provides substance use and mental health services to clients. He provides case management services when this is clinically indicated. In the last few years, the organization, with no formal written policy, has approved text messaging as a way to maintain contact and provide appointment reminders since no PHI is typically a part of the appointment reminder—just the date and time.

Ryan is concerned about a client of his, Noah, who has been consistent in his appointment attendance. Noah did not show or call for his last two appointments.

Ryan texted: "Reminder. CM appt tonight. 9/1/16 at 5pm.

After one hour

Noah texted: "had relapse, lost my girlfriend, just not worth it anymore"

Ryan freezes as he wants to clarify, and possibly develop a safety plan, but is also aware of the issue of revealing PHI/HIPPA /42CFR part 2. His supervisor is not available and he must make a decision quickly.

1. *What should Ryan do?*
2. *What, if any, are the issues related to HIPPA and texting?*
3. *What, if any, are related to 42CFR part2 when texting clients?*
4. *Are they the same concerns or how would they differ?*
5. *What should the organization do in the future?*
6. *What are the potential pitfalls of texting and potential remedies for its use?*