



TEXAS A&M UNIVERSITY
SAN ANTONIO

College of Education and Human Development
Department of Counseling, Health & Kinesiology
EDCG 5339 Legal Issues in Counseling
Spring 2025

Instructor: Michael Moyer PhD, LPC-S

Class time & Location: Wednesday 5:30-6:45 pm / Classroom Hall #305

E-mail & Phone: MMoyer@TAMUSA.edu | 210-784-2589

Office Hours: by appointment

Office Location: Classroom Hall #214C

Required Textbooks:

American Counseling Association. (2014). *ACA code of ethics*. Alexandria, VA: Author. Retrieved from <http://www.counseling.org/Resources/CodeOfEthics/TP/Home/CT2.aspx>

Texas Administrative Code, Chapter 681

[Texas Administrative Code \(state.tx.us\)](http://www.state.tx.us)

Texas Occupations Code, Chapter 503

<http://www.statutes.legis.state.tx.us/Docs/OC/htm/OC.503.htm>

Texas Health and Safety Code, Chapter 611

<http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.611.htm>

Texas Civil Practice and Remedies Code

<http://www.statutes.legis.state.tx.us/Docs/CP/htm/CP.81.htm>

Texas Family Code, Chapter 261 Subchapter B.

<http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.261.htm>

Recommended Textbooks:

Course Description:

This course provides an advanced exploration of the legal, ethical, and professional choices faced by mental health practitioners. Basic ethical issues are reviewed and extended into practical, case-oriented study of current demands and obligations for the mental health issues in ethics, professional liability, risk management, and managed care service environments. A focus will be on records management, business/family law, and the study/application of current LPC Board Rule. Prerequisites: EDCG 5328 and EDCG 5313.

Student Learning Outcomes:

- Students will be able to identify similarities and differences between ACA ethical standards and Texas LPC board rules.
- Students will be able to identify potential ethical dilemmas and implement an ethical decision-making model.
- Students will understand the LPC licensure process and procedures to follow in order to attain full licensure post-graduation.
- Students will be able to identify legal requirements for note taking, record keep, and storage of mental health documents.
- Students will understand LPC board regulations related to appropriate boundaries and keeping client information confidential.

CACREP Standards:

Clinical Mental Health Counseling Standards

- 2j. legal and ethical considerations specific to clinical mental health counseling
- 2k. record keeping, third party reimbursement, and other practice and management issues in clinical mental health counseling
- 3c. Strategies for interfacing with the legal system regarding court-referred clients.
- 3d. Strategies for interfacing with integrated behavioral health care professionals.

Marriage, Couples, Family Counseling Standards

- 2o. Ethical and legal considerations and family law issues unique to the practice of Marriage, couple and family counseling.
- 2p. Record keeping, third party reimbursement and other practice and management considerations in marriage, couple, and family counseling.

Key Performance Indicator:

CACREP CORE OR SPECIALTY AREA: NA

Graduate Class Policies

A student has the right to expect competent, well-organized instruction for the full number of clock hours allotted for a course; to sufficient written assignments, graded fairly and with reasonable promptness to show the student's academic standing in the course at least before mid-semester; to have ample opportunity to confer with the instructor at published office hours and to review graded written work; to freedom from ridicule, discrimination, harassment or accusations in the presence of other students or faculty members; and to an avenue for appealing to higher academic authority in case of alleged unfairness by an instructor.

Student Rights and Responsibilities

As members of the University community, all enrolled students assume full responsibility for adhering to the university's values and goals. Students are held responsible for staying abreast of their rights as students and for being cognizant on what is deemed proper conduct as outlined in the Student Handbook. The Student Handbook is available through the Student Rights and Responsibilities webpage: <http://www.tamusa.edu/uploadFile/folders/fcestrad/Pdf/Pdf-635767864704349879-10.100.150.124.pdf>

Cheating and Plagiarism

Students are expected to do their own course work. Simple cases of first offense cheating or plagiarism by an individual student may be handled by the instructor after consultation with the department chair. For more serious cases, such as those involving repeated offenses, conspiracy with other students or the theft and selling of examination questions, a report should be made by the instructor via the department chair and college dean to the provost and vice president for Academic Affairs for disciplinary action. Expulsion from the University is a normal penalty for such offenses. Plagiarism is a serious violation of academic integrity, and students who engage in plagiarism are subject to disciplinary action. The type of disciplinary action will depend on the severity of the plagiarism but may ultimately lead to the student's expulsion from the program and/or revocation of a student's degree, if the student has already graduated. Please review the Student Handbook for a complete description of the process.

Class Attendance

A vital part of every student's education is regular attendance of class meetings. Any absences tend to lower the quality of a student's work in a course, and frequent or persistent absences may preclude a passing grade or cause a student to be dropped from one or more courses upon the request of a faculty member to the Provost and Vice President for Academic Affairs.

It is imperative that you are there for all class meetings to interact and share your expertise with your classmates. On your 2nd absence (regardless of reason) 5 points will be deducted from your attendance grade. From that point on, any additional absences after the 2nd will also result in the deduction of 5 points from your attendance grade (regardless of the reason).

Many of you will be coming to class directly from work. Nevertheless, you will need to schedule to be on time. I make a point to start on time and promise to never let you out late. Arriving to class late twice (more than 15 minutes) will be considered an absence (and may result in a 5-point deduction to the course grade).

Absences for Religious Holidays

The university will allow students who are absent from classes for the observance of a religious holy day to take an examination or complete an assignment scheduled for that day within a reasonable time after the absence if, not later than the fifteenth day after the first day of the semester, that student has notified the instructor of each class to be missed. The instructor may appropriately respond if a student fails to complete the assignment or examination within a reasonable time after the absence.

Research on Human Subjects

Any research that involves human subjects must be approved by the Institutional Review Board for the Protection of Human Subjects at A&M-San Antonio prior to any data collection. Specific forms, instructions, and additional information are provided online:

<http://www.tamusa.edu/graduatestudiesandresearch/irb/irbforms.html>.

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disability. Disability Support Services (DSS) provides services, auxiliary aids and accommodations for students at Texas A&M University-San Antonio (A&M-SA) who have self-identified, registered and provided DSS with documentation supporting their disability. Students may access additional information on the Disability Support Services webpage:
<http://www.tamusa.edu/studentengagementsuccess/dss/AccessDSS/index.html>

Incompletes

The spirit of the “Incomplete” is to give a student an opportunity to complete a course after the end of the semester. An Incomplete will only be considered under specific circumstances: 1. 70% of the class has been completed and student is passing with a “C” or better 2. The circumstance for which the “I” is requested is supported with documentation 3. Student has been attending class on a regular basis Incompletes are not to be used to remedy excessive absences. Unforeseen circumstances precipitating the request for an “I”, should occur near the end of the semester. Students who are experiencing difficulties at the beginning or midway through the course should contact their professor immediately to discuss options. When a professor agrees to grant an “I”, a contract between the student and professor that outlines a specific timeline for completion of the course will be generated. Topics such as highest possible grade will also be outlined. If the contract is not fulfilled, the professor will submit a change of grade form with earned letter grade. All “I”s will automatically revert to an “F” after one year.

Dropping a Course

Each student is responsible for knowing the drop date for any given semester. Professors are not responsible, under any circumstances, for “dropping” a student from a course. Please be aware that if you do not formally drop a course and fail to fulfill the academic requirements, the professor will submit the earned grade.

Counseling Resources:

As a college student, there may be times when personal stressors interfere with your academic performance and/or negatively impact your daily functioning. If you or someone you know is experiencing life stressors, emotional difficulties, or mental health concerns at Texas A&M University – San Antonio, please contact the Student Counseling Center (SCC) or call [210-784-1331](tel:210-784-1331) between the hours of 8:00AM and 5:00PM, Monday – Friday. All mental health services provided by the SCC are free, confidential (as the law allows), and are not part of a student’s academic or university record. SCC provides brief individual and group therapy, crisis intervention, consultation, case management, and prevention services. For more information, please visit www.tamusa.edu/studentcounseling

In a crisis, please walk-in to the Student Counseling Center (SCC) any time between the hours of 8:00AM and 5:00PM, Monday – Friday, to be seen by a clinician. For after-hours support, please call 210-784-1331. Please contact UPD at 911 if harm to self or harm to others is imminent.

Grading Policy

90 – 100 total points = A

80 - 89 total points= B

70 – 79 total points= C

60 – 69 total points= D

59 – Below total points= F

Late Work

Please be sure to complete work on time and turn in by the due date. Work that is turned in late is subject to a reduction of 1-point per day it is late (including weekends). For example: If you turn in an assignment that is worth 3-points 2 days past the due date, the maximum points you can receive is 1-point.

Course Requirements

CACREP Standards	Assignments	Due Dates	Points
CMHCS 3c; 3d. MCFCFS 2o; 2p.	Ethical Dilemmas Throughout the semester, students will be responsible for responding to ethical dilemmas posted in the Learning Modules on blackboard. Students will also be expected to discuss the dilemmas at the next scheduled class meeting to share their ideas with classmates (8 ethical dilemmas over the semester. Each dilemma is worth 3 points each).	ongoing	24
CMHCS 2j; 3c; 3d MCFCFS 2o; 2p	Quizzes Students will be responsible for completing 6 quizzes over the semester based on weekly readings and course material. (6 quizzes over the semester. Each quiz is worth 5 points).	ongoing	30
CMHCS 2j; 3c; 3d MCFCFS 2o; 2p	Discussion Board Posts There will be 5 discussion board posts throughout the semester. Students are expected to post their thoughts and ideas related to the posted topic/discussion question. (5 discussion board posts/2 points each).	ongoing	10
	Attendance This class requires you be in attendance for class discussions and interactions.	Ongoing	10
CMHCS 2.j; 2.k; 3c; 3d MCFCFS	Final Exam The final exam will be a comprehensive exam based on materials presented throughout the semester	4/30	30

2o; 2p		
	TOTAL	104

Schedule of Course Activities

Date	CACREP standards	Topics Discussed	Reading for class	Assignments Due
1/22		1 st week of class, syllabus review, introduction to course		
1/29	CMHC 2j; 2.k MCF 2o	The Basics of Ethics		Discussion Post #1
2/5	CMHC 2j; 2.k; 3c; 3d MCF 2.o; 2.p	Professional Identity/Counselor as a person	TX admin code 681 Subchapter B	
2/12	CMHC 2j; 2.k; 3c; 3d MCF 2.o; 2.p	Ethical Decision Making		
2/19	CMHC 2j; 2.k; 3c; 3d MCF 2.o; 2.p	Confidentiality	Provided Text Health & Safety Code 503	Discussion Post #2 Dilemma #1
2/26	CMHC 2j; 2.k; 3c; 3d MCF 2.o; 2.p	Professional Practice	TAC 681 and ACA Ethical Standards	Dilemma #2 Quiz #1
3/5	CMHC 2j; 2.k; 3c; 3d MCF 2.o; 2.p	Record Keeping	TX Health & Safety Code Chapter 611	Dilemma #3 Quiz #2
3/12		SPRING BREAK		
3/19	CMHC 2j; 2.k; 3c; 3d MCF 2.o; 2.p 3d	Working with children, groups, and families	TX Family Code Ch. 261 Subchapter B.	Discussion Post #3 Dilemma #4 Quiz #3
3/26	CMHC	Boundaries and Multiple Relationships	TAC 681	Dilemma #5

	3c; 3d MCF 2.o		TX Civil Practice and Remedies	Quiz #4
4/2	CMHC 2j; 2.k; 3d MCF 2.p	LPC licensure (History of the LPC, applying for, getting and keeping your license) TX Occupations Code 503	TX Occupations Code 503	Discussion Post #4 Dilemma #6 Quiz #5
4/9	CMHC 2.j	Guest Speaker - Being in Private Practice (Shannon Kratky) https://www.courageousstorycounseling.com/	TX Occupations Code 503	
4/16	CMHC 2j MCF 2.o; 2.p	Counselor Supervision	TX Occupations Code 503	Dilemma #7 Quiz #6
4/23	CMHC 2j; 2.k; 3c; 3d MCF 2.o; 2.p	Course Review for exam		Discussion Post #5 Dilemma #8
4/30		Exam Due		