Ethical Dilemmas: Abandonment versus Termination

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Ethical Dilemma:

There are times when the therapeutic relationship has deteriorated into one of destruction to both therapist and patient.

At what point is it ethical and/or necessary to terminate the psychotherapy and how would this differ from abandonment?
- HPCSA Government Gazette 4 August 2006, No. 29079 Form 223 Annexure 12 (*Rules of Conduct pertaining specifically to the Profession of Psychology*).
- National Health Act, 61 of 2003. (Amended 1 April 2014).
- Children’s Act 38 of 2005 (Amended 1 April 2010).
- Consumer Protection Act of SA 2008 Act No. 68 of 2008),
- (Social Workers SA Council Social Service Professions Code of Ethics -letter of protest),
- Professional Organizations e.g. SAPC Code of Ethics.
Informed consent contract

- Legal obligation to keep notes of every session,
- Patient rights and access to psychotherapy records,
- Twenty four hour cancellation policy;
- Informed consent;
Informed Consent must include:

- the nature and anticipated course of therapy,
- expected positive outcome,
- possible risks and limitations of psychotherapy,
- information of alternative treatments,
- rules of therapeutic frame,
- limits of confidentiality.
- conditions of payment,
- cancellation policies and relationship with medical aid parties,
- the patient’s right to withdraw from treatment and,
- the conditions for treatment suspension and/or termination.
Ethics experts in the field of psychotherapy

HPCSA Regulations re terminating psychotherapy?

Form 223 Rules Specific to Psychology: (Item 66).

1. A psychologist *must* terminate therapy when it becomes clear that the patient no longer needs the psychological service, is not likely to benefit, or is being harmed by continued psychological service;

2. A psychologist may terminate therapy when threatened or otherwise endangered by a client or another person with whom the client has a relationship in which circumstances careful thought shall be given to an appropriate referral or disposition plan;
3. Except where precluded by the actions of clients or third party payers, a psychologist shall prior to termination provide pre-termination counselling and suggest alternative service providers if appropriate.

4. A psychologist must practice within their scope of practice.

5. A psychologist may only supervise within their scope of practice.

6. Psychologists need to have been registered in practice for 3 years to be a supervisor.
Code of Ethics of the S.A. Psychoanalytic Confederation:

- Acknowledges that there may be therapist initiated termination. e.g. therapist may terminate because of boundary issues.

- In all cases of termination the practitioner is advised to take adequate time to work through material and that transference issues must be respected post termination.
Stephen Behnke (2009)

- **Fallacy 1**: *Some treatment is better than none.*

- **Fallacy 2**: *Terminating treatment against a client’s wishes constitutes abandonment.*

“A responsible termination with an appropriate referral does not constitute abandonment.” Thomas Gutheil (2012).
Patients with severe character pathology:

- N.B. of establishing the therapeutic relationship as a shared responsibility from outset.

- Informed consent: discuss any behaviours that may constitute a threat to the psychotherapy frame.

- Rigid and uncompromising adherence to the therapeutic frame is essential.
Contraindicates to psychotherapy:

- Negative therapeutic reaction,
- Paranoid and sadomasochistic interactions in the transference,
- Chronic destructive and/or self-destructive behaviour and;
- Chronic dishonesty within the psychotherapy relationship
“Not everyone can treat everyone, not everyone can be treated”

Gutheil (2012)
Negative therapeutic reaction and stalemate: aims of supervision:

Aims of supervision are to structure the therapy to safeguard the treatment:

- Point out how the treatment situation is threatened by the patient’s attempts to breach boundaries, acting out and self-destructive behaviours.

- Reinstate the boundaries of the therapeutic frame.

- Set limits, predict emotional responses to these limits and possible vengeful acting out.

- Interpret patients responses to this process
The success of the therapy depends on the extent to which the therapist can:

- maintain empathy with the patient without submitting masochistically to the patient;

- can provide strict limits in reality without in turn acting out sadistic aspects of the countertransference, is essential.
“Finally keep in mind that some patients cannot be helped, at least in the concrete situation of any particular psychotherapist engagement.

In the end, it cannot be only the therapist who wishes to help a patient whose major gratification in life is the destruction of those who are attempting to help him.”

Golden Rule: Never worry alone. Seek help from a senior colleague.

“Psychotherapy is an ongoing education in humility.” Nancy McWilliams (2004)
Ethical Guidelines for termination of treatment are as follows:

1. Termination is part of informed consent process.
2. Assess progress of psychotherapy.
3. Review ethical and legal duties.
5. Discuss reasons for termination with patient/client.
6. Recommended alternative referral if appropriate.
7. Document and keep records of email, sms texts, and therapy processes.
Part of the psychotherapy experience is deciding how long and how often we will meet for sessions.

Typically we will discuss session frequency and possible termination as we review your progress over time.

You have the right to terminate at any point, but are encouraged to give notice prior to ending contact.

If you do not reschedule as recommended or have missed two appointments without notice, I will assume you have terminated our ongoing work.

If this is your situation, please feel free to contact me at any time about resuming treatment or finding alternative or follow-up care.
If you no longer need services or might be better served by other resources or a more intensive level of care, I may initiate termination with notice.

Other actions on your part such as non-payment, or situations that might compromise the safety and integrity of our work together could also be cause for termination.

Ordinarily, I will attempt to discuss and resolve these matters with you prior to termination. In the event of your non-cooperation or threatening words or actions, or threats from someone with whom you have a relationship, termination without notice is possible.” (Davis & Youngren, 2009, pg. 576).