Ethical Principles for Artificial Intelligence in Counseling

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INTRODUCTION

The emergence of artificial intelligence (AI) tools presents new opportunities as well as ethical challenges for counselors. The responsible and ethical integration of AI requires upholding core principles of counseling ethics and client well-being.

Accountability
While AI provides recommendations, the counselor bears responsibility for clinical decisions and is accountable for client outcomes. There must be human oversight for AI-generated treatment plans or interventions.

Client Welfare
As with any service delivered, the counselor's primary responsibility is advancing client welfare and the ethical delivery of care. AI integration must demonstrably meet this directive. If client well-being may be compromised, alternative approaches should be used.

Competence (AI)
Prior to integrating AI in their services, counselors must possess a foundational knowledge of how the technology works, its capabilities and limitations, and the ethical use of client data. This is consistent with the need to demonstrate competence with any assessment tool or intervention.

Competence (Clinical)
AI must not be used as a replacement for professional judgment or the counselor–client relationship. Counselor competence in assessment, diagnosis, and treatment is still essential. Consideration must be given to multicultural issues and carefully considered to ensure unbiased and competent delivery of services.

Confidentiality
Counselors have an ethical responsibility to protect client privacy and confidentiality when using or storing client data with AI tools. Policies and safeguards must be in place to prevent unauthorized access or use.

GENERAL TENETS

Each tenet specifies a corresponding directive from the NBCC *Code of Ethics*.

Transparency and Consent
- Disclose to clients if and when AI will be used and explain its purpose, limitations, and specific types. (NBCC directive 32)
- Obtain informed consent specifically regarding AI use. (NBCC directive 34)
- Allow client choice to opt out of AI tools. (NBCC directive 17)
- Exercise transparency about data access and sharing and retention policies. (NBCC directive 19)

Competence and Oversight

- Possess foundational knowledge of AI capabilities and limitations in the counseling context. (NBCC directive 1)
- Review AI recommendations for appropriateness before application to clients. (NBCC directive 5)
- Intervene or override AI if client welfare may be compromised. (NBCC directive 17)
- Maintain responsibility for clinical decisions and oversight. (NBCC directive 8)

Accountability

- Ensure to clients and others that the counselor remains fully accountable for client outcomes. (NBCC directive 8)
- Document instances of AI use, details of tools utilized, and justifications. (NBCC directive 35)
- Evaluate client outcomes to assess AI effectiveness. (NBCC directive 36)
- Report problems with AI tools to developers and clients as appropriate. (NBCC directive 10)

CLINICAL TENETS

Each tenet specifies a corresponding directive from the NBCC *Code of Ethics*.

Client Welfare

- Prioritize client welfare over efficiency or financial incentives for using AI. (NBCC directive 17)
- Intervene or override AI recommendations if client well-being may be compromised. (NBCC directive 17)
- Ensure competence to determine when AI use is and is not appropriate. (NBCC directive 1)
- Provide alternative services if a client declines consent for AI use. (NBCC directive 17)
- Discuss and address any client concerns regarding AI tools and data usage. (NBCC directive 32)
- Ensure clients have access to compatible technology before engaging AI. (NBCC directive 99)

Confidentiality

- Encrypt all client data used by or stored in AI systems. (NBCC directive 27)
- Restrict internal access to AI tools only to necessary personnel. (NBCC directive 18)
- Develop and implement policies for secure deletion of client data if no longer needed. (NBCC directive 30)
- Meet and maintain all laws and regulations for digital security and privacy. (NBCC directive 13)

Telemental Health

- Disclose use of AI tools in telemental health informed consent. (NBCC directive 103)
- Ensure AI systems meet security standards for digital transmission with HIPAA and other state regulatory requirements. (NBCC directive 93)
- Review automatically generated client risk assessments carefully before application. (NBCC directive 5)
- Cease use and report problems with AI telemental health tools to developers or organizations. (NBCC directives 13, 17)

Supervision and Consultation

- Supervisors should be knowledgeable about AI tools used by supervisees. (NBCC directive 41)
- Supervisors should explain if and how AI will be used in supervision. (NBCC directive 42)
- Address ethical use of AI in supervision agreements. (NBCC directive 42)
- Consult experts if unfamiliar with details of an AI system and discuss with supervisees. (NBCC directive 5)
- Document consultations about AI tools in supervision notes. (NBCC directive 50)

Counselor Education

- Possess competence to instruct students on AI systems. (NBCC directive 83)
- Teach critical thinking on appropriate AI integration. (NBCC directive 83)
- Advise students that some tools are unproven or experimental. (NBCC directive 83)
- Report AI biases and problems to developers. (NBCC directive 10)

Testing and Appraisal

- Ensure competence with AI tests/assessments used. (NBCC directives 60, 63)
- Explain AI testing purposes, limitations, and rights. (NBCC directives 64, 65)
- Review AI test/assessment recommendations carefully before applying for client care. (NBCC directive 62)
- Ensure secure storage of sensitive client data. (NBCC directive 58)

Research and Reporting

- Anonymize client data before use in research. (NBCC directive 70)
- Disclose AI use in securing informed consent for research. (NBCC directive 74)
- Validate AI research findings with transparency. (NBCC directives 75, 76)
- Credit contributors appropriately, including data sources. (NBCC directive 79)

Gatekeeping and Advocacy

- Ensure counselors are well prepared and competent to consider and use AI tools in clinical practice. (NBCC directive 88)
- Advocate for the ethical use of AI in counseling and address programmatic barriers related to AI technology. (NBCC directive 89)
- Monitor supervisees'/students' ethical AI use as part of gatekeeping role. (NBCC directive 88)
- Intervene if supervisees/students use AI in concerning ways. (NBCC directive 45)
- Report AI systems causing possible client harm and advocate for improved safeguards to AI developers. (NBCC directives 10, 17)
- Stay informed on AI risks to maintaining cultural competence. (NBCC directive 7)