

Oregon Psychological Association Webinar

Legal and Ethical Update

Presented by: Paul Cooney & David J. Madigan

Wednesday, October 30, 2024

9:00am – 1:00pm PST

Register at opa.org

4 Hours of CEU

Course Description

Managing risk is an important aspect of operating a mental health practice in Oregon. Join two attorneys as they share experiences from their combined 40 years of representing mental health professionals. We will discuss the important factors in making informed decisions including legal and ethical considerations as well as the potential risks and benefits to both the patient and the therapist. During our discussion, therapists will be encouraged to share what works effectively in their practice, as well as what problems they have faced. Bring your questions and we will do our best to find the answers. Benefit from both the mistakes and best practices of other therapists.

Speaker Bios

Paul Cooney is a healthcare attorney who has been in practice for 32 years. Mr. Cooney is a partner at Cooney, Cooney and Madigan, LLC where he specializes in mental health law and represents a wide variety of healthcare professionals in all aspects of their practice. Mr. Cooney is General Counsel for the Oregon Psychological Association and the Oregon Counseling Association. He represents mental health professionals in licensing and discipline, and general business matters. He is licensed to practice in both Oregon and Washington and is a frequent speaker on legal issues and risk management.

David J. Madigan is a healthcare attorney who has been in practice for 23 years. Mr. Madigan is a member of Cooney Cooney & Madigan, LLC, where he represents a wide variety of healthcare professionals in all aspects of their practice. As a healthcare attorney, his practice focuses on defending Board complaints, advising healthcare practices on state and federal regulations, including Medicare, HIPAA privacy and security compliance, and data breach investigations and defense, antitrust, EMTALA and Stark regulations as well as setting up group practices. He is licensed to practice in both Oregon and Washington. He is a frequent speaker to healthcare providers on issues pertaining to Board discipline, HIPAA privacy and security compliance, insurance audits, and law and ethics relating to medical and mental health providers and risk management.

Learning Objectives

At the completion of this workshop, participants should be able to:

- Understand HIPAA requirements for use of Artificial Intelligence in generating sessions notes
- Assess the risk of using Artificial Intelligence in your practice.
- Describe abuse reporting obligations in Oregon.
- Assess when you can (and can't) report unprofessional conduct by other healthcare professionals.
- Assess what insurance companies expect to see in documentation.
- Understand what licensing boards require for documentation.
- Determine what forms are necessary in private practice.
- Understand the importance of effective documentation.
- Identify who can access the contents of your chart and what you can charge for providing copies.
- Assess how long you are required to retain records for adults and minors.
- Understand when you can (and cannot) see a client while they are out of state.