



Biofeedback and Family Therapy Center

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COLLATERALS vs. PATIENTS

A collateral is usually a spouse, family member or friend who participates in therapy to further the interests of the patient by providing the therapist with information about the patient or by receiving information about the patient from the therapist. A collateral is not the subject of the treatment and is therefore not considered a patient. Since collaterals are not patients, they should understand the therapist will not be diagnosing or treating them.

Confidentiality and Privacy

Because collaterals are not patients, they do not have a right to confidentiality and could not successfully assert the psychotherapist-patient privilege held by patients. Collaterals, however, do arguably have a general right to privacy regarding certain information, including, but not limited to, finances, sexual history, physical or mental health. 1 Therefore, if a patient or a third party requests a record about a clinical session in which the collateral participated, and the patient record is disclosed, the collateral’s personal information should be redacted to ensure that the collateral’s privacy is maintained.

Therapists who receive a subpoena for patient records that includes a request for information related to sessions in which a collateral participated should notify the subpoenaing party they will be redacting any third party information. In this situation, the therapist might also want to consider alerting the patient so that either the patient or the patient’s attorney can alert the judge in the case. The judge will determine whether a protective order and/or redaction of collateral information is necessary.

I understand that I am a considered a Collateral to the psychotherapy of _____ .

Printed Name

Signature

Date