

STATE OF COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION (Open Book)

Candidate's
Name _____

Date of
Examination _____

PLEASE READ THE FOLLOWING STATEMENTS AND INDICATE YOUR AGREEMENT TO ADHERE TO THE REQUIREMENTS SET FORTH HEREIN BY SIGNING YOUR NAME ON THE LINE BELOW:

I affirm by my signature below, that I am the person taking this exam. The answers I am providing are solely of my knowledge and hand. I recognize that this examination is a non-marketed, copyrighted test owned by the State of Colorado Mental Health Boards. I will not copy or reproduce in any format any information from the exam booklet. I will return this cover sheet with my signature, and my completed answer sheet to the State of Colorado Office of Licensing Services, 1560 Broadway, Suite 1350, Denver, CO, 80202.

I understand that all my answers must be marked on the ANSWER SHEET, located on the back of this cover sheet. I realize that I will not receive credit for any answers that are not indicated on the ANSWER SHEET. I also understand that my completed ANSWER SHEET will not be scored if I do not return this test booklet cover sheet with my SIGNATURE.

Candidate's
Signature _____

State of Colorado Mental Health Jurisprudence Exam Answer Sheet (Open Book)

Name: _____ Date: _____

Applying for (circle one): CAC | MFT | LPC | PSY | SW | Database

NOTE: Only answers marked on this answer sheet will be scored.

DIRECTIONS: You may tear out this ANSWER SHEET from your test booklet. You may use pen or pencil to mark your answers on this on this answer sheet. Items in which more than one answer is marked or if it cannot be determined what answer is selected will be treated as "incorrect."

YOU MUST RETURN YOUR COMPLETED ANSWER SHEET and SIGN AND RETURN the test booklet cover sheet to receive proper credit. Only answers marked on this form will be scored.

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COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

1. **A mandatory disclosure of information to clients is:**
 - I. Required by the Colorado Mental Health Statute of every licensee, certified addiction counselor, or unlicensed psychotherapist, with the exception of those who are practicing in hospital settings.
 - II. Required by the Colorado Mental Health Statute and failure to provide this disclosure is a prohibited activity which may be prosecuted as an unlawful act (a class 3 misdemeanor offense).
 - III. Must include a statement indicating that in a professional relationship, sexual intimacy is never appropriate and should be reported to the appropriate licensing/certification Board or Committee.
 - a) I only
 - b) I and II only
 - c) II and III only
 - d) I, II, and III

2. **A licensee, certified addiction counselor, or unlicensed psychotherapist when faced with a problem concerning collection of fees:**
 - a) May use a collection agency and should state that he/she uses a collection agency/service on his/her disclosure statement.
 - b) Must consult an attorney.
 - c) Should avoid discussing the problem directly with the client.
 - d) None of the above.

3. **Which of the following are subject to regulatory jurisdiction by the various licensing Boards and State Grievance Board?**
 - I. Certified school psychologist practicing outside of a school setting.
 - II. Licensed and unlicensed psychotherapists as defined in section 12-43-201(6) and (10).
 - III. Psychotherapists who also provide coaching.
 - a) I only
 - b) I and II only
 - c) I and III only
 - d) I, II, and III

COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

4. **Under the Colorado Mental Health Statute, any licensee, certified addiction counselor, or unlicensed psychotherapist has a duty to report to the appropriate mental health licensing Board if he/she has direct knowledge of a prohibited activity by a licensee, certified addiction counselor, or unlicensed psychotherapist. The Board's duty to report rule defines direct knowledge as:**
- I. Having seen, heard, or participated in the alleged violation.
 - II. Having been informed by the client/victim and obtained informed consent to release information as to the event or the client's name.
 - III. Having been informed of a violation by the violator who is not your client.
 - IV. Having been informed by a guardian of a minor or adult and obtained consent from the guardian to release information.
 - a) I and II only
 - b) II and IV only
 - c) I, II, and IV only
 - d) I, II, III, and IV
5. **When a licensee, certified addiction counselor, or unlicensed psychotherapist has direct knowledge from a client of a violation of the prohibited activities of section 12-43-222(1), the therapist's responsibility is:**
- a) Inform the client that a violation may have occurred and direct the client to report the violation.
 - b) Provide the client with the pamphlet entitled "Your Options as a Psychotherapy Client" and seek consultation.
 - c) Obtain the client's informed consent before reporting the alleged violation of section 12-43-222(1).

COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

- 6. Under which situation(s) would a licensee, certified addiction counselor, or unlicensed psychotherapist be required to report the actions of a client?**
- I. When a client reveals he/she intends to steal a friend's car.
 - II. When the client reveals a specific intent to harm a former significant other and possesses the means to follow through with that intent.
 - III. When the client reveals a past history of violent behavior when drinking.
- a) I only
 - b) II only
 - c) II and III only
 - d) I, II, and III
- 7. An out-of-state relative of a client wants to talk with you about a client. Your ethical responsibility is to:**
- a) Talk with the relative to obtain and provide information.
 - b) Obtain a signed consent form from the client before speaking with the relative or acknowledging the client is in treatment.
 - c) Refuse to speak with the relative under any circumstance.
- 8. Which of the following are NOT considered to have privileged communication with clients?**
- a) A medical doctor.
 - b) A licensed psychologist, clinical social worker, professional counselor, marriage and family therapist or an unlicensed psychotherapist.
 - c) A person practicing exclusively as a coach with all clients.
 - d) A graduate student in a mental health discipline who is supervised by a psychiatrist.

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9. **Who may NOT authorize an involuntary commitment under 27-10-105?**
- a) A licensed clinical social worker.
 - b) A law enforcement officer.
 - c) A licensed addiction counselor.
 - d) A certified nurse aide.
10. **Which of the following statements are correct with regard to client record-keeping?**
- I. Client records must be kept. Initially a "full record" must be retained for a specific number of years according to Rules established by the appropriate licensing/certification Board or Committee.
 - II. Release of client records must be with the client, personal representative, or guardian of the client's permission.
 - III. A client record need not be created and maintained if the psychotherapy involves no more than three contacts with the client.
- a) I and II only
 - b) I and III only
 - c) I, II, and III
11. **Once unlicensed psychotherapists have satisfactorily submitted the required information for listing in the data base directory they may:**
- a) Use the term "state registered."
 - b) Represent themselves as "state approved."
 - c) Bill for third party payment in Colorado.
 - d) Practice psychotherapy.

COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

- 12. The Mental Health Boards have the duty and power to do all but which one of the following:**
- a) Pass legislation affecting licensees, certified addiction counselors, or unlicensed psychotherapists.
 - b) Investigate, hold hearings, take evidence with regard to potential disciplinary action against licensees, certified addiction counselors, or unlicensed psychotherapists.
 - c) Notify the public of all disciplinary actions taken against a licensee, certified addiction counselor, or an unlicensed psychotherapist.
 - d) Issue an order to cease and desist practice.
- 13. A licensee, certified addiction counselor, or unlicensed psychotherapist who has had an inquiry filed against him or her should:**
- a) Respond to the inquiry within twenty (20) days upon receipt of notice from the licensing Board.
 - b) Discuss the complaint with the person who has filed it.
 - c) Hire a qualified mental health professional to audit his or her practice.
- 14. Disciplinary action taken by a licensing Board may consist of all the following EXCEPT:**
- a) Revocation or suspension of a license.
 - b) Probation with recommendations for rehabilitative actions.
 - c) Issuance of a Letter of Admonition.
 - d) Assessment of a fine.

COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

15. **Licensees, certified addiction counselors, or unlicensed psychotherapists who are habitually intemperate or excessively using any habit forming drug or are habitual users of any controlled substance or any alcoholic beverage that renders them unfit to practice:**
- a) Have committed a prohibited activity as defined in the Colorado Mental Health Statute.
 - b) Have violated a professional code of ethics but not a legal statute.
 - c) Are practicing within the generally accepted standards of their profession.
16. **Which of the following is/are correct about confidential communication for licensees, certified addiction counselors, and unlicensed psychotherapists?**
- a) Group therapy is covered under the confidential communication section of the statute.
 - b) An adult's sexual assault victim records cannot be obtained without the client's permission in the Colorado courts.
 - c) If subpoenaed by an attorney, it is a requirement to obtain consent from the client before releasing confidential communications.
 - d) All of the above.
17. **The prohibited activity of "failure to practice in a manner that meets generally accepted standards" is defined by:**
- I. A malpractice judgment or history of complaints within the last six months to five years.
 - II. The code of ethics or standards of practice of the practitioner's professional organization.
 - III. The licensing Board's determination based on community standards, and standards of practice.
 - a) II only
 - b) II and III only
 - c) I, II, and III

COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

18. **A prohibited dual relationship is most likely to exist in which of the following:**
- a) A physician in the same office complex asks you to see one of his extended family members.
 - b) A former employee who hasn't worked for you in over five years asks you to see his/her daughter.
 - c) You are asked to see the spouse of your business partner.
19. **A licensee, certified addiction counselor, or unlicensed psychotherapist requires that all clients purchase his/her newly published book as a part of a therapeutic intervention during treatment. The therapist:**
- a) Has committed a prohibited activity as defined in the Colorado Mental Health Statute but has not violated a professional ethical code.
 - b) Has violated a professional code of ethics but not a legal statute.
 - c) Has violated the Colorado Mental Health Statute and may have violated their professional code of ethics.
 - d) Is practicing within the generally accepted standards of their profession.
20. **A licensee, certified addiction counselor, or unlicensed psychotherapist who wants to increase his/her area of expertise has been reading academic works on pedophiles. He/she begins seeing his first client who is a known pedophile. The practitioner should:**
- a) Obtain consultation with a more experienced colleague.
 - b) See this client with a co-therapist.
 - c) Complete an advanced course on pedophiles.
 - d) Ensure the pedophile has no major mental disorder.

COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

- 21. It is a prohibited activity and an unlawful act if:**
- I. A licensee, certified addiction counselor, or unlicensed psychotherapist advertises in the telephone book.
 - II. A licensee, certified addiction counselor, or unlicensed psychotherapist practices outside of or beyond his/her area of training, experience, or competence.
 - III. A licensee, certified addiction counselor, or unlicensed psychotherapist fails to provide a copy of his/her mandatory disclosure statement to a client.
 - IV. A licensee, certified addiction counselor, or unlicensed psychotherapist provides pro bono services.
 - a) I and II only
 - b) II and III only
 - c) I and III only
 - d) I, II, III, and IV
- 22. A practicing licensee, certified addiction counselor, or unlicensed psychotherapist who has a physical or mental disability that renders them unable to treat with reasonable skill and safety:**
- a) Has committed a prohibited activity as defined in the Colorado Mental Health Statute but has not violated a professional ethical code.
 - b) Has violated a professional code of ethics but not a legal statute.
 - c) Has violated both the Colorado Mental Health Statute and a professional code of ethics.
 - d) Is practicing within the generally accepted standards of their profession.
- 23. Termination of a therapeutic relationship when it appears that the client is not benefiting from the relationship and is not likely to gain such benefit in the future is:**
- a) Unethical.
 - b) A violation of Colorado law.
 - c) Required.
 - d) Recommended.

COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

24. Which of the following is/are correct of client privilege?
- a) The privilege is granted by statute.
 - b) Unlicensed psychotherapists do not have the privilege unless supervised by a licensee.
 - c) The privilege belongs to the therapist.
 - d) All of the above.
25. A mandatory disclosure of information to clients:
- a) Must include a statement indicating that sexual intimacy between a therapist and client is allowable two years after the termination of the professional relationship between them.
 - b) Must be given to the client in writing and signed within the first three therapy sessions.
 - c) Is required when the sole purpose of the professional relationship is for forensic evaluation.
 - d) Is required by the Colorado Mental Health Statute and failure to provide this disclosure is a prohibited activity, which is also an unlawful act (a class 3 misdemeanor offense).
26. A 13 year-old girl is brought to a licensee, certified addiction counselor, or unlicensed psychotherapist by her mother. The mother states that the adolescent has been sexually molested by her 18 year-old brother. The girl states that she will refuse treatment if the therapist reports the abuse to the authorities. What would be the most appropriate course of action?
- a) The therapist agrees not to report the abuse because of the confidential nature of the communication.
 - b) The therapist encourages the mother to report the abuse.
 - c) The therapist postpones reporting the abuse until a therapeutic alliance is established with the girl.
 - d) The therapist informs the adolescent that the law requires that the abuse be reported and then does so.

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27. **A 14 year-old boy requests treatment from a licensee, certified addiction counselor, or unlicensed psychotherapist. The boy asks that his parents, who are his legal guardians, NOT be informed about the treatment. What is the required course of action?**
- a) The therapist provides treatment and agrees not to contact the parents because of the confidential nature of his communication.
 - b) The therapist asks the boy to identify another adult relative (other than the parents) to give consent for treatment.
 - c) The therapist insists that the treatment cannot be provided unless there is parental consent.
 - d) The therapist begins to provide treatment, while working with the client to find an acceptable way to involve the parents.
28. **Which one of the following statements about confidentiality is correct?**
- a) Confidentiality may be waived if the client files a suit or complaint against the licensee, certified addiction counselor, or unlicensed psychotherapist.
 - b) Confidentiality is waived if the client admits to having committed a crime.
 - c) Confidentiality is waived upon the death of the client.
 - d) Confidentiality may never be waived.
29. **According to Colorado law, a licensee, certified addiction counselor, or unlicensed psychotherapist violates CRS 12-43-222(1)(r) if he/she:**
- a) Hugs a client.
 - b) Takes a client out to dinner.
 - c) Engages in sexual contact with a former client after two years following termination of treatment.
 - d) Engages in sexual contact with a client within two years following termination of treatment.

COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

30. **An adult client tells her licensee, certified addiction counselor, or unlicensed psychotherapist that she and her former therapist were sexual partners while the two had a professional relationship. The therapist is required to:**
- a) Report the violation to the appropriate state licensing or grievance board whether or not the client desires a report.
 - b) Contact the local law enforcement agency.
 - c) Use this as a therapy issue only.
 - d) Report the violation to the appropriate state licensing or grievance board, if the client's consent is obtained.
31. **A doctoral student attends a national convention at her major professor's invitation so that she can assist him in presenting a workshop. During the convention, the professor and the student enter into a sexual relationship. Upon returning to campus, the professor tells the student that the interlude was a mistake and he shows remorse and apologizes. According to the Colorado Mental Health Statute, which of the following is true?**
- a) There is no violation of the Colorado Mental Health Statute.
 - b) The Colorado Mental Health Statute condones this behavior.
 - c) There is a violation of the Colorado Mental Health Statute.
 - d) If the professor can demonstrate no harm has been done, there is no violation of the Colorado Mental Health Statute.
32. **You have been seeing a client for two years. The client does not pay his/her outstanding bill after repeated requests by you to do so. You should:**
- a) Inform the client of your intent to use a collection agency. If the client does not pay, you may seek the services of a collection agency, disclosing limited information to the agency to the minimum degree necessary to collect the payment.
 - b) Turn the bill over to a collection agency only if you have a signed release of information from the client giving you permission to disclose information to the collection agency.
 - c) Inform the client that he/she has broken the therapeutic contract and you are at liberty to give the collection agency any information you deem will assist in collecting the outstanding bill.
 - d) Use the outstanding bill as a tax deduction because it is unethical to give a collection agency client information.

COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

33. **Not all dual role relationships are exploitative or interfere with the licensee, certified addiction counselor, or unlicensed psychotherapist's ability to perform his/her professional functions. Which one of the following constitutes an acceptable dual role relationship?**
- a) You are an instructor at a university and you accept, as a patient, a graduate student from one of your classes.
 - b) You allow a patient with limited income to pay for his/her therapy by cleaning your home while the therapy is ongoing.
 - c) You agree to treat a therapist who has been found guilty of an infraction of the Colorado Mental Health Statute, and you agree to send quarterly reports to the State Board that issued a license to the therapist.
 - d) You are treating a local family practice physician for depression and he/she agrees, in return to refer one patient a month to your practice.
34. **A licensee, certified addiction counselor, or unlicensed psychotherapist sees a person of a different cultural background for an initial consultation. The cultural differences are likely to have a significant impact on treatment. The therapist has never worked with someone of this cultural background before, but the client expresses a desire to work with the therapist. The therapist should FIRST:**
- a) Respect the wishes of the client, and begin working with the client. Throughout the treatment, the therapist should be open to discussing the impact of the differences.
 - b) Thoroughly discuss with the client the possibility of difficulties arising due to the cultural differences, so the client can make an informed choice. Then allow the client to decide whether to begin treatment.
 - c) Agree to work with the client, but specify that treatment will only focus on areas that are within the therapist's cultural expertise.
 - d) Make arrangements to obtain training, consultation or supervision to ensure that therapeutic progress takes priority over any cultural differences.

COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

- 35. You are supervising a person accumulating his hours for licensure, and he refers his spouse to you for treatment. What is the most appropriate course of action?**
- a) You carefully examine possible conflicts of interest and possible benefits. You agree to see the spouse under the condition that both the supervisee and the spouse sign releases of information so that you can guard against impaired objectivity.
 - b) You refuse to see the supervisee's spouse as this is a dual role to supervise and provide care to the spouse of a supervisee.
 - c) You let your supervisee and the spouse choose based upon a disclosure to both (informed consent) regarding the potential conflicts and potential benefits to each of them individually and their marriage.
 - d) You inform both the supervisee and the spouse that they must not discuss the spouse's therapy with each other in order to protect the purpose of your relationship with each one.
- 36. The State Mental Health Boards are responsible for which of the following activities?**
- I. Maintaining a database of all psychotherapists practicing in Colorado.
 - II. Administering an oral examination for licensure but not the jurisprudence examination.
 - III. Issuing injunctions to a licensee, certified addiction counselor, or unlicensed psychotherapist regulated by another state.
 - IV. Granting and denying the right to practice as a licensee, certified addiction counselor, or unlicensed psychotherapist.
- a) I and III only
 - b) I and IV only
 - c) I, II, and III only
 - d) I, II, III, and IV

COLORADO MENTAL HEALTH JURISPRUDENCE EXAMINATION

37. **When a person as a result of a mental illness appears to be an imminent danger to others or himself, or is gravely disabled, which of the following mental health professionals (with the proper training) is authorized to invoke emergency proceedings for a 72-hour hold and treat evaluation?**
- a) Psychiatrists, psychologists, psychiatric nurses, social workers, licensed marriage and family therapists, licensed addiction counselors, and licensed professional counselors.
 - b) Psychiatrists, psychologists, psychiatric nurses, and social workers only.
 - c) Psychiatrists, psychologists, and social workers only.
 - d) Psychiatrists, psychologists, psychiatric nurses, social workers, licensed marriage and family therapists, licensed professional counselors, and unlicensed psychotherapists.
38. **You are a licensee, certified addiction counselor, or unlicensed psychotherapist and have been treating a minor child in individual therapy for approximately one year. You have not treated either parent. Your client's parents are now getting divorced and you have been asked to testify in court regarding custody. All appropriate waivers of confidentiality have been obtained. The best course of action is to:**
- a) Refuse to testify, but offer a written report with custody recommendations.
 - b) Refuse to testify.
 - c) Testify and advocate for the custody arrangement that would be in the child's best interest, based on your knowledge of the child.
 - d) Testify regarding therapy, but clarify your role as an individual therapist only, and the limitations that result from this role regarding your ability to make objective and substantiated recommendations regarding custody.
39. **Persons required to list their credentials in the Grievance Board data base directory include:**
- a) Psychologists, social workers, marriage and family therapists, and professional counselors.
 - b) School psychologists practicing in a public school setting, custody evaluators, and as special advocates.
 - c) Unlicensed psychotherapists.
 - d) Unlicensed psychotherapists employed by a community mental health center.

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40. Which one of the following does **NOT** accurately reflect the distinction between consultation and clinical supervision?
- a) Clinical supervisors are paid by their supervisees, whereas consultants are not.
 - b) Clinical supervision involves close, ongoing review and direction of the supervisee's practice.
 - c) Consultation involves a relationship between persons with relative equal experience or status.
 - d) In consultation, the individual may or may not use the advice given.
41. The Mental Health Boards created to regulate the practice of psychology, social work, marriage and family therapy, professional counseling, and unlicensed psychotherapy are authorized to perform all of the following EXCEPT:
- a) Adopt an examination.
 - b) Create rules and regulations governing mental health practice.
 - c) Approve license applications and renew licenses.
 - d) Create standards for the practice of addiction counseling.
42. A male client who is coming in for antabuse monitoring has clearly been drinking. The most appropriate thing to do would be:
- a) Allow him to take his antabuse and let him get sick so that he will learn his lesson.
 - b) Withhold his antabuse and make him promise not to drink again.
 - c) Have him use a breathalyzer to support your suspicions, and report his use if required to do so.
 - d) Allow him to take his antabuse and some over the counter medication to help with whatever discomfort he is likely to experience.

END OF EXAMINATION