

## **Policy for Counselor's Death or Sudden Incapacitation**

In the event of a sudden death or incapacitation, Lacamas Counseling is agreeing to act as the Professional Executor for the employed and independently contracted providers of Lacamas Counseling as it impacts the clients of Lacamas Counseling.

Lacamas Counseling with full authority will:

- Act on behalf of the deceased or incapacitated provider in making decisions about storing, releasing, and/or disposing of professional records, consistent with relevant laws, regulations and other professional requirements.
- Carry out any activities deemed necessary for proper administration of professional will.
- Delegate and authorize other persons determined by them to assist and carry out any activities deemed necessary for proper administration of professional will.

Lacamas Counseling agrees to do the following on behalf of the deceased or incapacitated provider:

- Attempt to contact any clients by phone to cancel any upcoming appointments.
- Send a letter to notify all current clients of the counselor's incapacitation or death, offer consultation or referral to new providers, and instruct clients on how they can access their records.
- Send a letter to notify past clients, within 5 years of the last date of service, of the counselor's incapacitation or death and how they can access their records.
- Promptly notify the professional liability carrier of the counselor's incapacitation or death.
- Notify the licensing boards of the counselor's incapacitation or death (i.e. Washington State Department of Health).
- Maintain and manage client records and record requests for 5 years from last date of service, WAC 246-809-035, or according to the relevant and most recent state regulations and ethics standards; and destroy client documents after recordkeeping retention period has been met.
- Notify Personal Executor to change the providers professional phone voicemail to indicate incapacitation or death and contact Lacamas Counseling for further professional questions. Personal Executor should maintain business phone for 2 months after incapacitation or death.
- Monitor and manage Lacamas Counseling email for 2 months after counselor's incapacitation or death.
- Notify all current Insurance Panels and Employee Assistance Programs of the counselor's incapacitation or death.
- Use discernment in addressing all financial matters pertaining to clients.
- Invoice and bill the estate of the deceased or incapacitated for expenses that are incurred in executing these instructions. Unless otherwise ordered by the court, Lacamas Counseling will bill at the hourly rate of \$150.
- Coordinate execution of Professional Will in conjunction with the Executor of the Personal Will.

Each provider within Lacamas Counseling agrees to provide Lacamas Counseling with:

- Current and active copy of their Professional Liability Insurance
- Current and active copies of Professional Licenses
- Current information of in-network insurances and Employee Assistance Programs.
- Current contact information for Executor of the Personal Will
- Inform and instruct Executor of the Personal Will to contact Lacamas Counseling immediately after the event of sudden death or incapacitation in order to carry out the actions of the professional will with speed
- Inform their Executor of the Personal Will of the necessary passwords for business computer, business phone, and voicemail access code.