

Termination: Ending the Therapeutic Relationship-Avoiding Abandonment

By Elizabeth M. Felton, JD, LICSW, Associate Counsel
and Carolyn I. Polowy, JD, General Counsel
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Social workers' therapeutic relationships with their clients eventually come to an end. However, the way they end and how the social worker handles terminations can have ethical and legal implications. This article will address some of the more common issues that may arise during termination and ways to enhance client care while avoiding allegations of abandonment.

Termination

Social workers should assess a client's ongoing treatment needs prior to initiating termination. The *NASW Social Work Dictionary* defines termination as: "The conclusion of the social worker–client intervention process; a systematic procedure for disengaging the working relationship. It occurs when goals are reached, when the specified time for working has ended, or when the client is no longer interested in continuing. Termination often includes evaluating the progress toward goal achievement, working through resistance, denial, and flight into illness. The termination phase also includes discussions about how to anticipate and resolve future problems and how to find additional resources to call on as future needs indicate."¹

There are many reasons why therapy ends. A client may terminate at any time for any reason. Ideally, termination occurs once the client and therapist agree that the treatment goals have been met or sufficient progress has been made and/or the client improves and no longer needs clinical services. However, there are many valid reasons that are discussed below as to why the therapist-client relationship may end the treatment before it is completed. Some of those reasons include:

- Client has mental health needs that are beyond the social worker's area of expertise. For example, the client requires a different level of treatment (e.g., inpatient or crisis intervention) or more specialized treatment (e.g., trauma or substance abuse) than the social worker provides in the practice setting

¹ Robert L. Barker, *NASW Social Work Dictionary* 433, (5th ed. 2003).

- Therapist is unable or unwilling, for appropriate reasons, to continue to provide care (e.g., therapist is retiring/closing practice or client threatened therapist with violence)
- Conflict of interest is identified after treatment begins
- Client fails to make adequate progress toward treatment goals or fails to comply with treatment recommendations
- Client fails to participate in therapy (e.g., non-compliance, no shows, or cancellations)
- Lack of communication/contact from the client

It is recommended that therapists have a final session with their clients to review the overall progress before ending therapy, but sometimes this cannot happen, e.g., when the client stops communicating with the therapist. It is suggested that therapists create a policy for their practice so that cases are routinely closed after a certain amount of time without any contact from a client, for example: “If I do not have contact or communication from you for a period of _____ days, I will assume that you no longer intend to remain active in this therapeutic relationship and your case will be closed. You can return to therapy in the future if you decide to continue treatment.” One way to establish that timeframe is to think about how long you want to be the therapist of record without seeing a client.

- Non-payment of agreed upon fees:

Before a social worker terminates for non-payment, the following criteria should be met:

- 1) The financial contractual arrangements have been made clear to the client, preferably in writing.
 - 2) The client does not pose an imminent danger to self or others.
 - 3) The clinical and other consequences of the non-payment (i.e., disruption of treatment/interruption of services) have been discussed with the client.
- NASW Code of Ethics, 1.16c*

Certain circumstances may support a delay of the termination. For instance, it is not recommended that a therapist end treatment with a client who is in crisis at the time termination is being considered. A social worker has a responsibility to see that clinical services are made available when a client is in crisis. Postponing termination is preferred, if possible, until steps are in place to handle the crisis.

Abandonment

Abandonment is a specific form of malpractice that can occur in the context of a mental health professional's termination of services. Abandonment, also referred to as 'premature termination,' occurs when a social worker is unavailable or precipitously discontinues service to a client who is in need.

In a malpractice case based on abandonment, the client alleges that the therapist was providing treatment and then unilaterally terminated treatment improperly. The client must show that he was directly harmed by the abandonment and that the harm resulted in a compensable injury. The client's dissatisfaction with the outcome is not sufficient to establish the therapist's negligence. The client must also show that the termination was not his fault, e.g., that he kept his appointments, complied with treatment recommendations, and paid his bills.²

It is critical to be able to establish both the reason for termination and the manner in which it is carried out. After beginning a therapeutic relationship with a client, a social worker must not terminate therapy abruptly without referring the client to another mental health practitioner. If the social worker does not properly terminate the client-therapist relationship, the social worker exposes himself to allegations of abandonment which could lead to a lawsuit, a complaint to the state licensing board, or a request for professional review by the NASW Ethics Committee.³ Proper termination that has been documented is a defense to abandonment allegations, and it supports good client care.

² Barbara A. Weiner, J.D. & Robert M. Wettstein, M.D., Legal Issues in Mental Health Care 164-165 (1993).

³ Richard S. Leslie, J.D., *Termination and Referral – When Does the Duty to the Patient End?*, October 2008.

The NASW *Code of Ethics* addresses the issue of termination of services in 1.16:

1.16 Termination of Services

(a) Social workers should terminate services to clients and professional relationships with them when such services and relationships are no longer required or no longer serve the clients' needs or interests.

(b) Social workers should take reasonable steps to avoid abandoning clients who are still in need of services. Social workers should withdraw services precipitously only under unusual circumstances, giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects. Social workers should assist in making appropriate arrangements for continuation of services when necessary.

(c) Social workers in fee-for-service settings may terminate services to clients who are not paying an overdue balance if the financial contractual arrangements have been made clear to the client, if the client does not pose an imminent danger to self or others, and if the clinical and other consequences of the current nonpayment have been addressed and discussed with the client.

(d) Social workers should not terminate services to pursue a social, financial, or sexual relationship with a client.

(e) Social workers who anticipate the termination or interruption of services to clients should notify clients promptly and seek the transfer, referral, or continuation of services in relation to the clients' needs and preferences.

(f) Social workers who are leaving an employment setting should inform clients of appropriate options for the continuation of services and of the benefits and risks of the options.

For more information, see [*NASW Code of Ethics*](#).

Tips for Termination

- Prepare for termination from the beginning. Termination should be discussed early so both parties can have a number of sessions to discuss ending therapy.

- If continued treatment is needed, provide referrals to several mental health professionals, with addresses and phone numbers. Three referrals is the “rule of thumb” minimum. If possible and with the client’s consent, assist in the transition to other health care providers.
- Conduct the final session face -to-face, if possible. Avoid ending with a text, in an email or with a voicemail message.
- Make sure the client understands when, why and how therapy will be terminated.
- Document discussions about termination.
- Formalize the termination with a personalized termination letter (not a form letter).

What to include in a termination letter?

It is good practice for a social worker to draft a termination of treatment letter to every client once treatment has ended, regardless of the reason, to formally end the therapeutic relationship. This provides clarity to the client, and it helps avoid any implication that the social worker has an ongoing therapeutic responsibility. The termination letter would be in the form of a business letter and include:

- Client’s name
- Date treatment began
- Effective date of termination
- State the reason(s) for the termination. (e.g., treatment goals have been met, client’s needs are beyond the scope of social’s workers practice or area of expertise, non-compliance with treatment recommendations, therapist is retiring/closing practice)
- Summary of treatment, including whether you feel further treatment is recommended
- If continued treatment is needed, provide three referrals to mental health professionals, with contact information
- Present the letter in person during a session or send it with delivery tracking and confirmation of service and/or certified return receipt
- Retain a copy of the letter and delivery documentation in the client’s file
- Mark the letter “confidential”
- Don’t mention confidential therapeutic treatment information

Conclusion

Addressing the termination of treatment is an important phase of the therapeutic process. For termination to be handled properly, discussions between the social worker and client should occur in advance and be addressed in a thoughtful and sensitive manner. It is best that clients not feel that they have been abandoned, for the sake of the client as well as the social worker. If continued treatment is needed, the social worker must make an effort to assist the client in obtaining ongoing services to ensure that these needs are adequately addressed. Proper documentation of the termination of the therapeutic relationship with the client will provide support for the social workers' effort to meet the clients' needs as treatment ends.

Resources and References

Barbara A. Weiner, J.D. & Robert M. Wettstein, M.D., *Legal Issues in Mental Health Care* 164-165 (1993).

“Codes of Ethics on Termination in Psychotherapy and Counseling,” Zuri Institute, Inc.

[NASW Code of Ethics](#) (2008)

Richard S. Leslie, J.D., *Termination and Referral – When Does the Duty to the Patient End?*, October 2008.

Robert L. Barker, *NASW Social Work Dictionary* 336, 433, (5th ed. 2003).