



The CPA Ethics Committee: On Call and On Demand

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"I got a call from the mother of an adult patient. She told me her daughter had a sexual relationship with a former therapist. Do I have a duty to inform the Board of Psychology or confront the former therapist?"

"My Psychological Assistant received a subpoena for her records on a recent case. The patient has not given his consent. Are there ethical issues we should consider?"

"I saw a couple in counseling and the wife quit. I have continued to work with the husband. They are getting divorced and the husband has asked me to write a letter supporting his bid for full custody. Is this a problem?"

"What are the ethical issues when a psychologist is asked to release psychological test data?"

"Is it appropriate for psychologists to post personal information on the internet and Facebook?"

"Does the Ethics Code apply to supervisors and supervision? I think my supervisor has disclosed confidential information I disclosed about myself in supervision in the evaluations provided to my graduate program."

These are just some of the issues raised by callers to the CPA Ethics Committee and discussed in articles by Ethics Committee members in *The California Psychologist* (answers below).

Each year, as part of their membership benefit, hundreds of CPA members call the Ethics Committee for consultation. Although not an emergency service, the all-volunteer members of the Ethics Committee are committed to responding to callers within 48 hours, and often return calls the same day, before or after work. Members of the Ethics Committee reflect the professional and cultural diversity of California psychologists. Most have taught law and ethics courses and bring a wealth of specialized knowledge to the consultation process.

If you have a question for the Ethics Committee, members of CPA and CPAGS can reach the Ethics Committee by calling the CPA Central Office at 916-286-7979 Extension 114. Articles published in the Ethics Corner of *The California Psychologist* can be downloaded from the Ethics on Call page of the CPA website.

Answers:

1. It depends. Sometimes psychologists are obligated to report ethical violations to licensing boards when the behavior is likely to have substantially harmed a person. However this does not apply when doing so would violate confidentiality (1.05).

2. Definitely. Psychologists have an obligation to maintain confidentiality (4.01) and discuss the limits of confidentiality with clients when new circumstances arise. (4.02). Although psychologist's are permitted to disclose confidential information when it is required by law, psychologists unfamiliar with the laws regulating responding to subpoenas should get consultation from an attorney (2.01).

3. Although many psychologists will transition from couples to individual treatment, this can be a complicated process. In this case, the caller is considering taking on the role of making recommendations in a custody matter. The psychologist still has an obligation to maintain the confidentiality of the wife (4.01) and must have an objective basis for any recommendations (9.01). There are very specific ethical guidelines governing the recommendation of child custody and prior to making any recommendations in custody cases, a psychologist should be familiar with the rules governing the legal process (2.01 (f)) (Nicholas and Donner, 2009).

4. Before releasing psychological testing, psychologists should understand the difference between test data (raw and scaled scores, client/patient responses to test questions or stimuli, and psychologists' notes and recordings concerning client/patient statements, 9.04) and test materials (manuals, instruments, protocols, and test questions, 9.11). It also depends on who is asking for the testing. Unless the patient or client consents, psychologists only release test data when required by law or by a court order.

5. The Ethics Code applies only to professional activities, not purely private activities. However if a psychologist identifies her/himself as a psychologist, then the Ethics Code applies (Donner, 2009). Information posted by a psychologist on the Internet should be objective (9.01) and accurate (5.01).

6. The Ethics Code applies all the professional activities of a psychologist, including supervisors and supervisees. However supervisee evaluations should be based on actual performance (7.06) and the limits of confidentiality should be clarified in the supervision contract (Jordan, 2008). □

References

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