



Telepsychology: Update on Ethical Resources for California Psychologists

Lisa Isaac, PhD

Although electronic provision of medical services is the fastest growing segment of health care delivery, clinical and ethical guidelines for using electronic media remains in its infancy. Telepsychology services are one of many clinical areas where technology is outpacing the development of clear standards of practice, laws and regulations, and ethical guidelines. There are limited resources available to clinicians to help them navigate the complexities of telepsychology, and few psychologists are aware of existing legislation and ethical guidelines related to the practice of behavioral telehealth (Maheu & Gordon, 2000; Koocher & Morray, 2000). This article summarizes existing ethical resources pertaining to telepsychology for California psychologists.

Telepsychology is the provision of mental health services via electronic media, including (but not limited to) Internet-facilitated services (like Skype-based therapy and chat-room support groups), email correspondence (for in-between session contacts), and telephonic assessments (for clients who are geographically remote). Many authors have comprehensively outlined the particular ethical challenges in practicing telepsychology, including concerns of risk management, informed consent, security, and confidentiality.

Beyond delineating the ethical *challenges* specific to providing psychology services remotely or in a non-face-to face format, there are very limited guideposts for navigating these challenges.

APA Code of Ethics

The APA Ethics Committee Statement on Services by Telephone, Teleconferencing, and Internet released in 1997 recommended that psychologists follow current relevant standards (i.e., the 1992 version of the APA Ethics Code) in delivering services by electronic media (APA, 1997). These standards include boundaries of competence (especially protecting from harm), assessment and therapy (informed consent, advertising, and fee structures), and confidentiality. The current APA Ethics Code is not specific with regard to telephone therapy, teleconferencing, or any electronically provided services. Essentially, the current APA guideline is that therapy that uses the telephone or the Internet must follow the same ethical guidelines as in-person therapy.

California Laws

The APA Practice Directorate conducted a nationwide review of telehealth laws in 2010 and found that 22 states had telehealth laws, but only 3 states (California, Kentucky, and Vermont) had telehealth laws that apply to psychologists (APA 2010). California laws regarding telehealth apply to “electronic media” such as interactive audio

or video, but exclude phone conversations or email. The current California telehealth laws are primarily focused on disclosure issues such as risks to privacy and confidentiality as well as clients’ access to health information (CA Board of Psychology, 2000). Thus, there are no specific California state laws governing the provision of email or telephonic clinical mental health services.

California Regulations

The California Board of Psychology issued a statement on telepsychology services. Clinicians are encouraged to assess their telehealth competence, ensure that their malpractice carrier covers telehealth services, seek consultation from colleagues, maintain careful documentation, inform clients of potential issues surrounding confidentiality and privacy, provide clients with emergency plans, and maintain transparency in billing third parties for electronically provided services. This is an important first step connecting the ethical

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challenges in telepsychology to strategies for risk management and compliant practice.

A Model for Telepsychology Guidelines

The Ohio Psychological Association recognized that psychologists and their clients are at a "substantial risk of harm" due to the lack of guidance for telepsychology services. The association's Communication and Technology Committee developed a comprehensive set of guidelines that psychologists can use when providing clinical services via communication technology. These guidelines include specific recommendations regarding the appropriate use of telepsychology, the relevant legal and ethical requirements, specific components of informed consent and disclosure, methods for securing transfer of client information via technology, considerations in accessing and storing data, agreements about fees, recommendations for supervision, and issues specific to electronic psychometric assessment. The Ohio Telepsychology Guidelines represent a comprehensive resource for practicing psychologists.

Summary

Although mental health services using electronic media is a rapidly evolving frontier with challenges specific to remote (non-face-to-face) clinical input, there are relatively few ethical guidelines for clinicians that specifically address telepsychology service delivery. The APA Ethics Code does not prohibit telepsychology and advises that current ethical standards be applied to both in-person and remote therapy. California laws do not address email or telephone therapy, but do emphasize appropriate disclosure, privacy, and confidentiality in Internet therapy interactions. The California Board of Psychology has made an initial effort encouraging clinicians to be aware of competency, consultation, documentation, informed consent, and billing concerns specific to telepsychology services. Perhaps the most comprehensive resource currently available is the Ohio Psychological Association's recent set of guidelines for psychologists suggesting how psychologists can use technology in clinical services, and recommending best practice standards to remain compliant with ethical codes of conduct and laws. 

References

For a complete reference list, go to *The California Psychologist* section of the Publications page on CPA's website: www.cpapsych.org.

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