



"I heard someone say..." *Myths, the Ethics Code and Professional Life*

Michael B. Donner, PhD

"You have to call CPS if an adult patient tells you she was abused as a child and the perpetrator has access to children."

"If someone calls you on the phone and tells you a patient is dangerous, you have to call the police."

"If you get a subpoena you have to send them the records."

"You can't touch patients."

"You have to report domestic violence."

"You can't release psychological testing 'raw data.'"

California psychologists work in complex and diverse environments. Academia, corrections, forensics and private practice are just a few of the settings in which psychologists function. In addition to the day to day reality of serving in multiple roles in multiple settings, psychologists are expected to be familiar with and are held accountable to the standard of care, an ever-broadening array of laws, regulations, ethical standards, practice guidelines, literature and judicial decisions. The Laws and Regulations Relating to the Practice of Psychology (2005) published by the Department of Consumer Affairs runs 116 pages, and The American Psychological Association Ethical Principles Of Psychologists and Code of Conduct (2002) comprises five (5) Principles and 85 individual standards.

Regrettably psychologists rely too often on what they think they heard someone say, a statement usually focused on risks and liabilities rather than on clinical and professional judgment. Psychologists could rely on the information and training they received in graduate school, clinical training, supervision and continuing education programs. Unfortunately, with little time to pore over the immense amount of material that psychologists are expected to know, they recall distant lectures, desperately trying to summon up what they think they heard. This word of mouth transmission of information results in a frightening mythology of professional life. Even the most ethical and diligent psychologist has come to believe that the licensing board or the ethics committee is going to pounce on their slightest deviation from the rules that do not seem based on the realities of professional life. This is because professional life cannot be treated as a quiz, where there is a right answer. Effective psychology is an art and a science that relies on our ability to think and reflect, not just react and follow the rules.

Our Ethics Code has much to offer us in these scenarios. Much more than a capricious set of rules intended to intimidate and

punish, the Ethics Code offers a model for critical thinking about the professional work of psychologists. "The Ethics Code is intended to provide guidance for psychologists and standards of professional conduct" (p. 2). Standards, not hard and fast rules, are a sum total of education, training and experience. Although often intended to be imposed from without, the standards of the Ethics Code can better be viewed as the accumulated data of professional life developed from within.

The language of the Ethics Code encourages psychologists to use judgment, not merely follow rules. The words "reasonable and appropriate, potentially" are included in the standards when they would (1) allow professional judgment on the part of psychologists; (2) eliminate injustice or inequality that would occur without a modifier; (3) ensure applicability across the broad range of activities conducted by psychologists, or (4) guard against a set of rigid rules that might be quickly outdated" (p. 2). The meaning and purpose of this language about the standards is clear. The Ethics Code was intended to support professional judgment, be fair to the psychologist, and encourages psychologists to avoid rigidity and unthinking application of rules.

Don't quote the rules, but rather ask what would be fair; to the patient, the student, the participant in a research project. Does it make sense? Who would it help, who would it hurt? If a rule exists it should be applied fairly. A psychologist who follows the Ethics Code should be familiar with the standards, but must be equally aware of their limitations, unreasonable application, and "guard against a set of rigid rules" through careful reflection. Despite the innumerable laws and organizational demands of professional life, the practice of psychology, in all of its many parts, can be found to reflect the aspirations of the Ethics Code, not in rules and regulations; but in good, respect people, be fair, honest and responsible. These ideas can make the rules make sense.

References

American Psychological Association Ethical Principles of Psychologists and Code of Conduct (2002).

Michael B. Donner, PhD, is the Chair of the California Psychological Association Ethics Committee and the Alameda County Psychological Association Ethics Committee. Comment can be sent to mbds@sbcbglobal.net.