

GEORGIA PSYCHOLOGICAL ASSOCIATION RULES AND PROCEDURES OF THE ETHICS COMMITTEE

Date of Adoption: November 17, 2012

Revised: August 15, 2015

Membership in the Georgia Psychological Association (Association) is voluntary. By virtue of their membership in the Association, psychologists shall abide by the most current American Psychological Association (APA) Ethical Principles of Psychologists and Code of Conduct and relevant specialty guidelines and the Code of Ethics and Supplemental Code of Conduct promulgated by the Georgia State Board of Examiners of Psychologists (Psychology Board) and shall cooperate fully with the Ethics Committee (Committee) in the performance of its duties.

The Committee operates pursuant to the Bylaws of the Association. The following procedures govern the conduct of the Committee in its service to the Association.

ARTICLE 1. OBJECTIVES AND AUTHORITY OF THE COMMITTEE

Section 1. Definitions

- A. "Committee" means the Ethics Committee of the Georgia Psychological Association, unless otherwise specified.
- B. "Ethical Principles" refers to the current edition of the Ethical Principles of Psychologists and Code of Conduct and relevant specialty guidelines as adopted by the American Psychological Association and the Code of Conduct and Supplemental Code of Conduct adopted by the Psychology Board.
- C. "Association" means the Georgia Psychological Association.
- D. "Board of Directors" refers to the Association's Board of Directors as defined by the Association's Bylaws.
- E. "Psychology Board" means the Georgia State Board of Examiners of Psychologists.
- F. "Georgia Code" means the Official Code of Georgia Annotated.

Section 2. Objective

The fundamental objective of the Committee shall be to promote the application of ethical principles to all manifestations of psychological work by the members of the Association through education, consultation and promotion of activities that focus on issues related to the field of psychology.

Section 3. Authority

The Committee is authorized to:

- A. Formulate rules for the Committee for adoption by the Association;
- B. Adopt rules and procedures governing the conduct of all the matters within the Committee's jurisdiction;
- C. Provide educative assistance to member psychologists;
- D. Engage in "Peer Review" under the Georgia Code (OCGA: 31-7-131);
- E. Respond orally to inquiries from members in an effort to provide consultation on ethical issues;
- F. Take such other actions as are consistent with the Bylaws of the Association, the Ethical Principles, and these Rules and Procedures; and to provide consultation to psychologists in considering their ethical obligations. Neither the Committee nor the Association can guarantee that unethical behavior will not occur or that a member of the public, individual patient or client will never be harmed by the actions of an individual psychologist.

- G. Inform the Association's Executive Committee of actions that have been taken against current and prospective members by other entities.

ARTICLE 2. GENERAL OPERATING RULES

Section 1. General Provisions

- A. Association Documents
The Committee shall base its actions on applicable governmental laws and regulations, the Bylaws of the Association, the Ethical Principles, these Rules and Procedures and the Code of Ethics and Supplemental Code of Conduct adopted by the Psychology Board.
- B. Rules and Procedures
The Committee may adopt rules and procedures governing the conduct of the Committee within its jurisdiction and may amend such rules from time to time upon two-thirds vote of the members of the Committee, provided that no amendment shall adversely affect the rights of a member of the Association. Changes to the Rules and Procedures may be initiated by the Committee and must be approved by the Board of Directors.
- C. The Ethics Consultation Record Forms related to requests for consultations provided by the Committee will be kept confidential and shall be stored for three years under the authority of the Executive Director of the Association. A log of each caller's name and the date of the call will also be maintained confidentially under the Executive Director of the Association.

Section 2. Committee Structure

- A. Composition
The Committee shall consist of at least 12 and a maximum of 15 members, one doctoral level student member, plus the Chair. The members shall be appointed by the Board of Directors from recommendations forwarded by the members of the Committee. Committee members may serve two four-year terms with the possibility of reappointment after a two year lapse. An exception to this rule can be made for members by virtue of his/her unique expertise. The student member may serve a one-year term. The immediate Past President of the Association serves as the liaison between the Committee and the Board of Directors but is not a member of the Committee.
- B. Frequency
The Committee shall meet at reasonable intervals as needed. The Committee will meet approximately every other month for approximately two to three hours per meeting and these meetings are typically held in the central office of the Association.
- C. Chair
The Chair shall be appointed by the President-Elect in accord with the Association's Bylaws and can serve as many years as the current President deems appropriate. The Committee shall elect a Vice-Chair to preside in the absence of the Chair.
- D. Quorum
A quorum consists of a majority of the Committee members. While discussion is allowed to occur in the absence of a quorum, no official business can transact unless a quorum is present and able to vote.
- E. Majority Vote
Except as otherwise expressly provided in these Rules, all decisions shall be made by a majority vote of those members present and voting.
- F. Attendance
Attendance at the meetings is critical and expected and each member must prioritize the work of the Committee prior to making the commitment to be a member. If any member misses more than two meetings within a 12 month period, the Chair of the Committee may initiate a process of securing a replacement member.
- G. Legal Counsel
The Committee may utilize the services of the Association's Legal Counsel in performing its functions. A

request for this consultation shall be made to the Past President of the Association, and the Executive Director.

ARTICLE 3. ADVISORY OPINIONS

Section 1. Structure of the Advisory Panels

The Committee will be organized in a manner that will facilitate an appropriate, timely and accurate response to requests for consultation on issues of ethics posed by the members of the Association.

- A. The Committee will establish topical panels which are reflective of current themes within the broad domain of ethics. Examples are Forensics, Clinical Practice Issues, and Business of Practice.
 - a. Forensics
This Panel addresses, but is not limited to, these issues: child custody, court testimony, response to subpoenas and release of information.
 - b. Clinical Practice Issues
This Panel addresses, but is not limited to, these issues: clinical boundaries, collateral contacts, therapy, confidentiality, assessment, competence, supervision and training, reporting to authorities, and standards of practice.
 - c. Business of Providing Services
This Panel addresses, but is not limited to, these issues: billing, insurance, social media, technology, and records management.
- B. Every member of the Committee will be assigned to membership on one of the panels based on the expertise of the member, with relatively equal membership on each panel.
- C. Each panel will have a Chair to facilitate the communication between the member requesting the consultation and the Committee.

Section 2. Process for Providing Consultation

The Executive Director will designate the member of the Association's staff who will serve as the staff liaison to the Committee. The liaison will receive the communication from current members and confidentially communicate those to the Committee through an established process (reference the "Ethics Consultation Addendum").

- A. In response to a request for consultation, an Ethics Committee member will endeavor to make initial contact within one business day, unless there is a time sensitive request in which case the Committee member will make every effort to provide a more immediate response.
- B. All responses formulated by the Committee shall be based on the most recent Ethics Code of the American Psychological Association with full consideration of all relevant specialty guidelines adopted by APA (e.g., Guidelines for Child Custody Evaluations, etc.) and the Code of Ethics and Supplemental Code of Conduct adopted by the Psychology Board.
- C. While the Committee does not provide written responses to requests for consultation, upon request it will provide confirmation that it has provided consultation.
- D. Please refer to the "Ethics Consultation Addendum" for specific operations of the Committee's response to consultations.

ARTICLE 4. REMOVAL OF PSYCHOLOGISTS FROM MEMBERSHIP IN THE ASSOCIATION

Section 1. Actions of the Georgia State Board of Examiners of Psychologists

In the event that a member of the Association has their license revoked by action of the Georgia Psychology Board, that member may be removed from membership in the Association.

- A. The Psychology Board regularly posts disciplinary action taken against psychologists on its website. The Committee will establish a process of monitoring the website for information about its members.

- B. While the Psychology Board has an array of actions it can take against psychologists, the Committee will inform the Executive Committee of psychologists who have actually had their license revoked. When the Committee becomes aware that a member of the Association has had his/her license revoked, the Committee will present that information to the Executive Committee of the Association immediately. The Executive Committee may then take action to recommend to the Association's Board of Directors that the membership of that psychologist be terminated.

Section 2. Actions by the Ethics Committee of the American Psychological Association

The Ethics Committee of APA has the power and authority to initiate the process of removal of members of APA from membership for violations of the Code of Ethics.

- A. The actions of the APA Ethics Committee are published in The American Psychologist annually.
- B. When APA has removed a member from its membership, the GPA Ethics Committee will take that information to the GPA Executive Committee for consideration and possible action. It will be the decision of the GPA Executive Committee whether to recommend to the GPA Board of Directors removal of the psychologist from membership in the Association.

ARTICLE 5. RESPONSIBILITIES AND OBLIGATIONS OF MEMBERS OF THE COMMITTEE

Section 1. Membership on the Committee

The Committee will strive to achieve and maintain the diverse representation of the Association in its membership. However, these factors must also be balanced with the necessity for representation of areas of expertise within the field of psychology and the importance of having members on the Committee who have experience and knowledge that is critical to the ability of the Committee to fulfill its mission and respond to the needs of the membership of the Association.

New members of the Committee may be solicited through GPA communications and/or be invited by the Committee based on specific expertise. All prospective members must submit a vita and two letters of recommendations from current members of the Association who possess direct knowledge of the applicant's area of expertise as it pertains to the needs of the Committee. In order for a person to apply for membership, the person must attest to any affirmative findings against him/her by any State Board, including public censure or a consent order. Also, the applicant cannot have any action against him/her by the APA Ethics Committee and/or the Ethics Committee of any state psychological association.

The student member of the Committee must be currently enrolled in an APA accredited Clinical or Counseling Psychology doctoral program and must have completed at least one graduate level ethics course. All student applicants must submit a letter that the student is in good standing. This letter must be written by the Department Chair or the Training Director of the student's psychology department. The student member who is selected by the committee will serve a one year appointment.

Members of the Committee have numerous responsibilities and obligations. Those include:

- A. Confidentiality.
Information that comes to the attention of the Committee is often sensitive and must be considered confidential. While issues and trends of the types of cases being brought to the Committee will be made public and discussed broadly within the organization, the specifics of cases will be regarded as confidential. Violation of this policy may result in removal from the Committee.
- B. Response to communication from a Panel Chair.
The functioning of the Panels depends heavily on the input and collaboration of the members of the Panel. Members of each Panel are expected to respond to requests for input and reaction promptly stipulated in the Rules and Procedures. If a member is unable to meet that requirement, it is his/her responsibility to inform the Committee and the staff liaison of any temporary un-availability. If being

unavailable becomes a pattern, the Chair of the Panel may request that the member be removed from the Panel and/or from the Committee for failing to meet his/her responsibilities.

- C. Response to communication from the Committee Chair.
The Chair of the Committee will send emails to the members with a request for a prompt response to facilitate the work of the Committee. Therefore members are expected to be alert to emails and other forms of communication and respond to those in a timely manner.
- D. All Committee members (including the student member) are required to be current members of the Association. Failure to maintain membership in the Association will automatically result in removal from the Committee.
- E. Considering the fact that there is no on-going clerical support for the work of the Committee, members are expected to contribute by sharing the responsibility for taking notes at meetings, creating files for cases and other clerical tasks associated with the Committee. The student member will have the primary responsibility of taking notes at meetings.
- F. As the scope of the Committee expands to include more education and promotion of activities that facilitate and support ethical practice, members of the Committee are expected to contribute to those activities through a commitment of time and expertise. Members are expected to contribute to these types of professional activities: writing articles for the GPA newsletter, presenting Association-sponsored workshops, facilitating Association-sponsored gatherings that focus on ethics, designing outreach efforts, conducting assessments of needs of Association members in the area of ethics education, etc. Each member should expect to engage in at least one of these types of activities per 12-month period.
- G. When ethical consultations are requested, the communications of Committee members are always verbal and not in written format (for liability purposes). This extends to ethical questions posed on any listserv, social media platform, etc. The Committee may suggest an ethical consultation with the Committee to GPA members but should not respond to ethical questions directly in writing or otherwise as a representative of the GPA Ethics Committee. The Committee may consult with one another in writing via the confidential Committee listserv, and those communications will be destroyed promptly upon completion. However, as needed, the Committee may communicate to the general GPA membership in writing for educational purposes (e.g., GPA Newsletter).
- H. GPA members are informed prior to an Ethics Committee consultation that, according to Standard 1.05 of the 2002 APA Ethics Code, "If an apparent ethical violation has substantially harmed or is likely to substantially harm a person or organization and is not appropriate for informal resolution . . . psychologists take further action appropriate to the situation. Such action might include referral to . . . state licensing boards or to the appropriate institutional authorities." An act committed by the GPA member that is reportable would include, but are not limited to, such acts as sex with a client, homicidal intentions, or abuse that needed to be reported to the Department of Family and Child Services.