Monitor on Psychology
Volume 34, No. 8 September 2003

Ethics Rounds

Academic and clinical training under APA's new Ethics Code

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Learning Objective: Discuss how the APA Ethics Code addresses mandatory disclosures of personal information and mandatory therapy in academic and clinical training programs.

On June 1 of this year, APA's new Ethics Code became effective. The Council of Representatives had unanimously adopted the new code a year ago at APA's Annual Convention in Chicago. Council's action was the result of a five-year revision effort by the Ethics Code Task Force, which had been charged with the responsibility of drafting an Ethics Code that would speak to all psychologists across the broad range of our discipline.

Several standards in the new code relevant to academic and clinical training represent important changes from the 1992 code. In reviewing highlights of these changes, it is worthwhile both to examine the language of the standards and to consider what this language tells us about the values of our profession.

Student disclosure

Standard 7.04, which is entirely new to the Ethics Code, balances the autonomy and privacy of students with the need for programs to ensure competency and protect safety. The standard balances these interests by saying that programs may not require personal disclosures, unless one of two conditions is present. These conditions represent exceptions to Standard 7.04's rule against required self-disclosures.

STANDARD 7.04
Student disclosure of personal information
Psychologists do not require students or supervisees to disclose personal information in course- or program-related activities, either orally or in writing, regarding sexual history, history of abuse and neglect, psychological treatment, and relationships with parents, peers, and spouses or significant others except if (1) the program or training facility has clearly identified this requirement in its admissions and program materials or (2) the information is necessary to evaluate or obtain assistance for students whose personal problems could reasonably be judged to be preventing them from performing their training- or professionally related activities in a competent manner or posing a threat to the students or others.

The first condition is that the program has "clearly identified" the disclosure requirement in its admissions and program materials. The "clearly identified" clause helps students make an informed choice about their training. With this information, students are in a better position to determine how well a particular program will meet their training interests and needs.

At the same time, the "clearly identified" clause allows academic programs and training facilities flexibility in fashioning language that captures their unique circumstances. An academic program, for example, may have a required course on family or systems therapy. If students were expected to draw their own genograms,

the program would note this requirement in its admission and program materials. (If students were offered an alternative to the assignment, the disclosure would no longer be required and so would not fall under Standard 7.04.) Likewise, were trainees at an internship site expected to reveal aspects of their own histories in supervision, the site would indicate that this type of supervision is part of its training. (Countertransference supervision, in which supervisees were invited to share their reactions toward clients or patients, would not necessarily fall under the standard, if no further disclosures from the supervisees were required.)

Standard 7.04 provides psychologists who write admission and program materials with flexibility in how they describe their requirements, provided required disclosures are identified. The standard also, of course, permits language that invites or encourages students to ask if they would like to know more about the requirements.

The second condition in Standard 7.04, serving as an exception to the rule against required self-disclosures, promotes competence and protects safety. This condition lays out several ground rules for when a disclosure of personal information may be required. The information must be "necessary" to have the student evaluated or get the student help, and there must be a reasonable judgment that the student's problems either prevent the student from performing in a competent fashion or pose a threat. If the ground rules are met, psychologists may invoke the second condition in order to obtain personal information from a student.

Standard 7.04 balances several interests. The standard is privacy-oriented, insofar as it protects personal information. Through its exceptions, the standard limits that protection in order to prevent harm and to ensure that students are competent to engage in professional activities. Also, by providing that students receive notice ("clearly identified") about necessary disclosures of personal information, the standard promotes autonomy and enhances informed decision-making.

Like Standard 7.04, Standard 7.05 is entirely new to the code. Note three things about this new standard. First, Standard 7.05 furthers the values of autonomy, privacy and health. When therapy is required, students may decide whom they will choose as a therapist and so with whom they will share private information. Clause (b) allows the process of therapy to develop more fully by removing concerns that what is talked about in therapy will play a role in the student's academic progress.

STANDARD 7.05
Mandatory individual or group therapy
(a) When individual or group therapy is a program or course requirement, psychologists responsible for that program allow students in undergraduate and graduate programs the option of selecting such therapy from practitioners unaffiliated with the program. (See also Standard 7.02, Descriptions of Education and Training Programs.)

(b) Faculty who are or are likely to be responsible for evaluating students' academic performance do not themselves provide that therapy. (See also Standard 3.05, Multiple Relationships.)

Second, the standard allows students a choice and disallows a category of therapists but does not otherwise limit a program's ability to require therapy or to assess the quality of an outside therapist. Standard 7.05 thus promotes the privacy, autonomy and health of students and, at the same time, protects a program's concept of what

constitutes excellent education and training in psychology. Both sets of interests are central to the standard.

Third, because the standard applies only to graduate and undergraduate programs, it allows greater freedom to specialized postgraduate programs, such as psychoanalytic institutes, to consider how best to conduct their training.

Student publication credit

New language in Standard 8.12(c) adds what is potentially a far-reaching aspect to the Ethics Code. This language obliges faculty advisors to begin discussing publication credit with students "as early as is feasible and throughout" the process "as appropriate." The phrase "as appropriate" vests in the advisor the discretion to determine when such discussions make sense. As a clear example, discussions are appropriate when the nature of the working relationship changes in a manner relevant to authorship credit.

STANDARD 8.12
Publication credit
(c)...Faculty advisors discuss publication credit with students as early as feasible and throughout the research and publication process as appropriate. (See also Standard 8.12(b), Publication Credit.)

Alongside this discretion lies the import of the new sentence: The issue of publication credit needs to be raised and addressed with students and it is the faculty advisor's responsibility to do so. To the extent that problems arise because discussions about authorship credit take place far along in the process--and as director of APA's Ethics Office I see many problems of this sort--this sentence from Standard 8.12(c) is designed to have those discussions take place before considerable work is done and expectations crystallize. The standard recognizes the difference in faculty-student power and position by calling upon the faculty person to initiate the discussions and ensure that discussions take place in an ongoing manner.

The language from Standards 7.04, 7.05 and 8.12(c) quoted above is new to the Ethics Code. Students and faculty in academic and training programs will want to review the language carefully, not only to see what the Ethics Code requires, but also to consider how the code safeguards and implements values fundamental to our profession.

Monitor on Psychology
Volume 36, No. 4 April 2005

Ethics Rounds

Disclosing confidential information in consultations and for didactic purposes: Ethical Standards 4.06 and 4.07

Learning Objective: Describe a process for determining when it is ethically appropriate to disclose confidential information in consultations and for didactic purposes.

Disclosing confidential information involves psychology's core values. Psychologists therefore consider the nature, purpose and manner of the disclosure when sharing confidential information outside the treatment relationship.
Print version: page 76

Confidentiality is a core value of our profession. It is, as they say, bred in our bones. Yet confidentiality is not our only core value. When values central to our work conflict--that is, when we encounter an ethical dilemma--we look to the APA Ethics Code for guidance. Ethical Standards 4.06 and 4.07 illustrate how the code negotiates between competing values when psychologists disclose confidential information for treatment- and nontreatment-related purposes.

General Principle A, "Beneficence and Nonmaleficence," begins, "Psychologists strive to benefit those with whom they work..." General Principle E, Respect for People's Rights and Dignity, begins, "Psychologists respect...the rights of individuals to privacy, confidentiality, and self-determination." What happens when during the course of a treatment, a psychologist seeks a consultation, the effectiveness of which will depend on the psychologist disclosing identifying information about the client, and the client will not consent to the disclosure? This dilemma will be familiar to psychologists whose work is with clients who struggle with personality disorders. On the one hand, obtaining helpful consultations during the course of treatment is a primary way in which psychologists demonstrate beneficence. On the other hand, demonstrating respect for people's rights and dignity entails protecting confidentiality and preserving a client's autonomy. When your client does not want you to obtain a consultation that requires revealing identifying information, however helpful to the treatment the consultation may be, these two values crash head-on: What you judge to be in the best interest of your client's treatment is contrary to your client's wishes.

Ethical Standard 4.06 guides psychologists through the tension that arises between these competing values:

4.06 CONSULTATIONS

When consulting with colleagues, (1) psychologists do not disclose confidential information that reasonably could lead to the identification of a client/patient, research participant, or other person or organization with whom they have a confidential relationship unless they have obtained the prior consent of the person or organization or the disclosure cannot be avoided, and (2) they disclose

information only to the extent necessary to achieve the purposes of the consultation....

The first clause of Standard 4.06 assigns priority to the competing values. The standard gives highest priority to beneficence: Above all, benefit your client. Put another way, it is permissible to disclose confidential information without your client's consent if the disclosure is necessary for the consultation to be effective.

In assigning priority to beneficence, Standard 4.06(2) remains protective of confidentiality by limiting the disclosure to necessary information. This clause echoes Standard 4.04(a):

4.04 MINIMIZING INTRUSIONS ON PRIVACY

(a) Psychologists include in written and oral reports and consultations, only information germane to the purpose for which the communication is made.

Both Standards 4.06(2) and 4.04(a) are reminiscent of the minimum necessary clause in HIPAA's privacy rule, which limits the information disclosed to the minimum necessary to achieve the purpose of the disclosure. (See HIPAA Privacy Rule, www.cms.hhs.gov/hipaa, section 164.502.)

Research, teaching and training are central to psychology. General Principle B, Fidelity and Responsibility, states, "Psychologists are aware of their professional and scientific responsibilities to society and to the specific communities in which they work." For many psychologists, advancing the science of psychology and preparing the next generation of psychologists are central to their professional lives and to their identity as psychologists. Ethical dilemmas involving confidentiality arise in each endeavor: We sometimes use confidential information to explain our work to our colleagues and to teach. Ethical Standard 4.07 governs how information is used for such purposes:

4.07 USE OF CONFIDENTIAL INFORMATION FOR DIDACTIC OR OTHER PURPOSES

Psychologists do not disclose in their writings, lectures, or other public media, confidential, personally identifiable information concerning their clients/patients, students, research participants, organizational clients, or other recipients of their services that they obtained during the course of their work, unless (1) they take reasonable steps to disguise the person or organization, (2) the person or organization has consented in writing, or (3) there is legal authorization for doing so.

Like Ethical Standard 4.06, Standard 4.07 assigns priority to the values found in the General Principles. The standard recognizes that using confidential information has an important role in our scientific and training activities. Unlike Standard 4.06, Standard 4.07 gives highest priority to confidentiality and self-determination: Before using confidential information, identifiable information for didactic purposes, psychologists must either obtain the individual's consent or disguise the information.

Note three additional points about Ethical Standards 4.06 and 4.07. First, the manner in which these two standards assign priority to values is consistent with the code's Preamble, which states that the code has as a goal "the welfare and protection of individuals and groups with whom psychologists work...." Beneficence has a direct relationship to a client's welfare and protection, while advancing science and teaching have a less direct connection. Given the code's Preamble, it makes sense that the code subordinates other values to beneficence.

Second, while Ethical Standard 4.07 gives a choice between obtaining consent or disguise, each of these alternatives has its own complexities. Asking a client permission to disclose confidential information will likely have an effect on the client, whether done during a treatment or after the treatment has ended. Psychologists should be sensitive to how they ask for permission, and how the client experiences both the request and the knowledge that personal information is to be disclosed. If a psychologist uses disguise, the psychologist may want to consider whether the particular disguise interferes with the scientific or didactic value of presenting the information. Certain disguises, for example, may detract or mislead from the very point the psychologist wishes to make by virtue of how the disguises interact with the clinical material. In addition, psychologists may want to consider how a client who learns of a presentation or publication would react to a disguise. As an example, clients have been known to react badly upon discovering that their gender, age or profession was altered, and have even concluded that the disguise reveals something about their psychologists' unspoken attitudes toward them.

Third, Standards 4.06 and 4.07 make a cleaner distinction between consultations and didactic presentations than is often found in real life. At many training institutions, for example, trainee and faculty presentations of clinical material achieve multiple goals: Such presentations teach, advance science and benefit the client. Careful editing and thoughtful supervision can often minimize the amount of identifiable information disclosed.

Disclosing confidential information involves values and serves goals that are fundamental to psychology. Ethical dilemmas arise not by virtue of a flaw or defect in our profession; they are rather a comment on the richness and complexity of what we do. The Ethics Code negotiates between conflicting values and assists in resolving ethical dilemmas in a manner that enhances our clinical judgment and supports a thoughtful approach to our clients and our work.

Monitor on Psychology
Volume 37, No. 9 October 2006

ETHICS ROUNDS

Notes from Istanbul

Learning Objective: Describe how another national psychological association addresses ethics and psychology.

Collaborating with psychologists around the world can inform and sharpen APA's approach to ethics.

Print version: page 80

This past May I was delighted to accept an invitation from a group of colleagues in Istanbul, who have recently completed writing the Turkish Psychological Association's first ethics code. Over my week-long visit, I met with psychologists and psychology students to discuss what ethical dilemmas are most pressing for psychologists in Turkey, to understand how the Turkish Psychological Association feels these dilemmas are best addressed, and to hear how psychology students in Turkey study ethics. I also had a chance to explore how our two associations may differ in our conceptualizations of ethical dilemmas and ethical decision-making. It was a wonderful opportunity for APA to learn from colleagues who live and work in a culture very different from our own and to benefit from an international perspective on APA's Ethics Code.

The derivation of the word "ethics"—from the Greek word that can mean "custom"—helps explain how we benefit from collaborating with colleagues from other countries. The etymology of "ethics" retains its force to this day; discussions about ethics inevitably rest upon a specific cultural context. A "culture-free" ethics is a contradiction in terms, insofar as any discussion of ethics involves a given set of individuals or groups at a given time and in a given place. To remove culture from the equation deprives those involved of the elements that make them and their setting unique. The notion of "ethics" as culture-bound is therefore not a criticism. Much to the contrary, a fuller appreciation for culture can make our understanding of ethics much richer and more interesting and our discussions of ethical dilemmas more satisfying and helpful. Discussing ethics with psychologists from another country and culture has the added benefit of pressing us to define more clearly how our own cultural presuppositions enter into and influence our thinking in ways that we are not entirely aware of.

This point, about respecting local customs and culture, was impressed upon me the first day I was in Istanbul. My hosts had arranged for Ms. Zeynep Sunbay, a student at Bogazici University, to give me a tour of the city. She took me to the sites tourists will visit, and to a favorite coffee shop for Turkish coffee and a grain that is served along with coffee. In the late afternoon we walked through the covered bazaar and the spice market and then out into an open space, in front of a mosque, where Ms. Sunbay purchased two small plates of grain and handed me one. As I lifted the plate to my mouth for a hearty swallow, Ms. Sunbay, alarmed, grabbed my arm; the grain was intended to feed the pigeons in the square and was not for human consumption. From then on it seemed best to watch and learn how things are done in my hosts' city.

The following day I met with the three psychologists who had developed the initial draft of the Turkish Psychological Association (TPA) Ethics Code: Yesim Korkut, PhD, Serra Muderrisoglu, PhD, and Melis Tanik, PsyD. It was exciting to listen to these three psychologists describe their work and to see how they had drawn from various texts, including the APA Ethical Principles of Psychologists and Code of Conduct (2002), to fashion an ethics code that was suitable for their colleagues and their association. Drs. Korkut, Muderrisoglu and Tanik are rightfully proud of what they have accomplished, yet also respectful of the hard work that lay ahead in teaching and implementing the new ethics code throughout Turkey.

In reviewing the TPA Code, I was interested in both how their code is similar to APA's, and in how it differs. I noted five differences of particular interest. First, the TPA Code explicitly prohibits psychologists from using coercion to obtain information or a confession; our colleagues in Istanbul may be considered prescient for having included such a prohibition. Second, among other things that psychologists cannot require students to disclose—such as sexual histories, histories of abuse or neglect, and histories of psychological treatment—are "political preferences." The explicit inclusion of "political preferences" in the code suggests a heightened sensitivity to how disclosing this type of information may affect an individual. Third, the TPA Code has an absolute prohibition against sexual involvements with former clients; this prohibition reveals a heightened awareness of the enduring possibility of exploitation once a professional relationship has been initiated. Fourth, the TPA Code makes explicit that a psychologist may choose not to accept a client for services, if the psychologist determines that the client will not benefit from the service. Fifth, the TPA Code does not permit disclosure of test data to a client. Test data may be released only to another professional who is qualified to interpret the data. Discussing any of these differences would lead to an interesting exploration of how the culture of psychology differs in Turkey from that of the United States.

Following my meeting with Drs. Korkut, Muderrisoglu and Tanik, I was scheduled to give an ethics talk for psychology students of Bogazici and Istanbul Universities, which highlighted similarities in our respective approaches to ethics. The talk was given at Bogazici University, which looks out over the deep blue waters of the Bosphorus, across to Asia. Having delivered my talk—to an auditorium filled with students at 6 p.m. on a Friday evening, marking a clear cultural difference between Turkey and the United States—I was struck how the students were posing questions that I could easily get at a talk in the United States: Does a psychologist have a duty to break confidentiality to report a past crime? How can we be sure that a psychological intervention will be helpful, and not harmful, to a client, and what are the ethical implications if we cannot be certain? Is it appropriate to report child abuse, when the behavior would not be considered "abuse" in a particular subculture? Our discussion impressed upon me the universality of ethics in psychology, and how we all struggle with closely related challenges.

The following day, I held a workshop for members of the Ethical Committee of the Istanbul Branch and of the General Office of the TPA, as well as for psychologists who will serve as independent investigators for cases involving ethics complaints. In the workshop, we discussed developing an ethics program that allows for ethics adjudication, education, and consultation. The discussion focused on the relationship of ethics adjudication to other program components, and explored which of the three components—adjudication, education or consultation—it made most sense for the Turkish Psychological Association to develop first. Our discussion was remarkably

similar to many I have had with colleagues about the priorities of APA's ethics program.

Having never visited Istanbul before, I was struck by the city's beauty and the warmth of the welcome I received from my hosts. I felt honored to be invited to participate in the early development of an ethics program, and delighted the TPA would feel that the APA Ethics Office has something of value to offer. While I departed Istanbul feeling that I had taken away much more than I had given, I hope to address that feeling by returning to Istanbul to participate in an ethics program at a future TPA event. Collaborating with colleagues from other national psychological associations will enhance APA's approach to ethics and press APA to come to a deeper and clearer understanding of the ethnic and cultural underpinnings to our own Ethics Code.

Monitor on Psychology
Volume 39, No. 3 March 2008

ETHICS ROUNDS

Ethics from an international perspective: Notes from Hong Kong

Learning Objective: Discuss how an ethics code from a different culture can deepen a psychologist's understanding of APA's Ethics Code.

Speaking with our colleagues from around the world can deepen our understanding of ethics and help us more fully appreciate the values and perspectives we bring to our work.
Print version: page 64

One of the great privileges and pleasures of serving as director of APA's Ethics Office is occasionally having the opportunity to speak with colleagues from around the world about their work. I write this column from China, where I am a guest of the University of Hong Kong department of psychology. This week, I taught a class of 19 graduate students, met with practicing psychologists, discussed research ethics with the research and academic faculty, visited the university's counseling center and, overlooking Victoria Harbour, shared dinner with a group of psychologists revising the Hong Kong Psychological Society's Code of Conduct.

Teaching class

The official language of the University of Hong Kong is English, although walking the halls, one is more likely to hear Cantonese, a beautiful, lilting language. The 19 students in professor Tatia Lee's course on ethical and professional issues are in their second year of a two-year master's program in clinical psychology. The students expect to complete their degrees in August. At present, there is no licensure for psychologists in Hong Kong. Graduates with master's degrees can work independently, although many accept jobs in government settings for more experience once they have passed the civil service examination.

The students were bright and eager for our morning meeting—many had a cup of Starbucks coffee in their hands. I was struck by the similarities in the issues that psychology students in the United States address—child-abuse reporting, multiple relationships, self-disclosure—but what caught me most was the language with which the students captured central ethical issues. One student, Ms. Trista Chan, when discussing the importance of confidentiality in psychotherapy, said simply that confidentiality is important because "people speak to psychologists from deep within their hearts," an image that I found particularly compelling and that will stay with me for a very long time.

The university counseling center

Dr. Eugenie Leung, director of the university's counseling center, greeted me warmly as she welcomed me into her office and described the work she and her colleagues do with the university community. Dr. Leung explained that students come to the university with a variety of problems, many involving romantic relationships and difficulties adjusting to university life—challenges that would resonate with

psychologists in U.S. college and university counseling centers. I noted with interest that alcohol is not considered a significant problem at the university—drinking is apparently not a large part of the school's culture. She has noticed a rise in depression, anxiety and psychoses in both the community and student populations. Also similar to the United States, student suicide is a serious concern.

Dr. Leung stressed the importance in her work of outreach to the university community, with a focus on promoting positive psychology and character strengths. She showed me a poster for a series of programs she and her colleagues had sponsored titled "The Diversity of Love." The program offered speakers on a variety of topics from difficulties with parents ("My Fussing Mom/Dad!") to same-sex relationships ("Love Beyond Boundaries"). What caught my eye about the poster was its design: Dr. Leung and her colleagues had used images from chess to illustrate specific topics, with a black and white background mimicking a chessboard. Next to the description of a talk about the relationship between love and sex, sat a bishop chess piece looking unmistakably like a condom (you'll see the similarity if you get out your chess set); next to the talk about parents was a queen towering over a pawn. The poster struck me as an exceedingly clever way to couple familiar images with language to invite the students into discussions about uncomfortable and important topics with which many would certainly be struggling.

In my discussion with Dr. Leung, she mentioned several other interesting aspects of her work. She explained that while there was not undue stigma attached to coming to the counseling center, she hoped that being part of the one-stop student service center—the Centre of Development and Resources for Students, or "CEDARS"—would help encourage students to use its services. Dr. Leung mentioned that there is no limit on the number of sessions the students may have. At present, a student can be seen within two weeks of contacting CEDARS, although the university plans to increase the number of students and she believes this will likely affect how quickly a student can be seen. In response to my questions about the "Diversity of Love" program, she explained that the situation regarding stigma against homosexuality and bisexuality "is getting better." There is an independent gay and lesbian student organization, and CEDARS and the student population are supportive of a diversity policy. I asked Dr. Leung whether she and her colleagues have any contact regarding mutual interests and concerns with colleagues in U.S. university and college counseling centers. Dr. Leung said that she is working on and welcomes international connections. (APA members interested in Dr. Leung's work may contact her at e-mail or browse the CEDARS Web site www.cedars.hku.hk).

Revising the Code of Conduct

I had the pleasure of having dinner at the Hong Kong Yacht Club with Mr. Helios Lau, chief clinical psychologist for the Hong Kong Social Welfare Department and chair of the group revising the Hong Kong Psychological Society's (HKPS) Code of Conduct, and two senior psychologist colleagues in his department. The Hong Kong Psychological Society, with about 500 members, has four divisions: educational, counseling, clinical and industrial/organizational. Mr. Lau has the challenging task of revising the code in a manner that speaks to the entire society membership.

I was struck during our dinner by the similarity of issues that confront APA and HKPS members. How to maintain the security of psychological tests, especially in the context of litigation, is the subject of intense discussion. Also, and very surprising to

me, during my meeting with practicing psychologists the issue of multiple relationships (the population of Hong Kong is more than 7 million) was presented as being of considerable interest to the community of psychologists here.

As I reviewed their current code of conduct (www.hkps.org.hk/www/code.htm), many aspects caught my attention. One paragraph states, "Should Members have cause to disagree with colleagues on professional issues, they must nevertheless refrain from criticizing colleagues in public or in a manner which casts doubt on their professional competence." I could not but help wonder how this clause would apply to posts on psychology listservs that I have seen. (The clause provides an exception for evaluating published work.)

It was also interesting to see two issues—self-disclosure and touch—the ethical aspects of which psychologists in the United States frequently ponder, explicitly addressed in the HKPS Code of Conduct. The paragraph on self-disclosure reads "Psychologists should exercise reasonable restraint in self-disclosures to clients, which should be made only if they contribute to the client's understanding of an issue, as an appropriate means of establishing rapport or trust, or as part of a therapeutic dialogue." The paragraph addressing touch states "Any physical contact (e.g., hug or pat) made by the psychologist should be made as a gesture of support and only if the clients indicate that they feel comfortable with such contact." I will be eager to follow the progress of Mr. Lau and his colleagues as they work toward a final draft of the revised code.

Tomorrow I am off to Guam, for a workshop with the Guam Psychological Association. I've had a wonderful experience here in Hong Kong and now look forward to discussing ethics with a group of APA's own members, albeit far from home. It's an impressive experience to see psychology so vibrantly practiced throughout the world, and leaves me feeling that I'll return to APA headquarters in Washington, D.C., much richer and more educated than when I set out on my trip.

Monitor on Psychology
Volume 39, No. 7 July/August 2008

ETHICS ROUNDS

Ethics in the age of the Internet

Learning Objective: Identify at least two ethical issues raised by the Internet.

In narrowing the gap between our personal and professional lives, the Internet raises challenging ethical questions.

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Our Ethics Code distinguishes between our professional and our private lives. The code's second paragraph in the "Introduction and Applicability" section states, "This Ethics Code applies only to psychologists' activities that are part of their scientific, educational, or professional roles as psychologists .... These activities shall be distinguished from the purely private conduct of psychologists, which is not within the purview of the Ethics Code."

The Internet is providing ample opportunity to reflect on the relationship between the private and the professional by making available in the public domain what has customarily been considered private conduct. When information moves from the private to the public domain, there is an increased likelihood of its having an effect on our professional lives.

Psychology, of course, is not the only profession confronting this issue. An April 28 article in The Washington Post, "When Young Teachers Go Wild on the Web," discussed how school districts are assessing the propriety of their 20-something teachers' Web site profiles. Changes in how we experience the private/public distinction brought about by technology carry with them profound ethical implications for the profession and raise vexing questions for both psychology and society. For example:

• How do we define "private" in the age of the Internet?

• How do we assess the impact of events in one's personal life on one's work-related activities?

• Does the availability of so much information place us at greater risk for confusing personal value judgments with assessments of professional competence?

I shall not attempt to answer any of these questions.

Language quoted above from the Ethics Code suggests there is a clear demarcation between private and professional behavior. We live in an age, however, when within the span of seconds a point and a click with a cell-phone camera can render public what would almost certainly have remained private just a short time ago. In the space of a few years, the realm of what is private has receded significantly with a corresponding expansion in the domain of what is public. Moreover, what becomes public on the Internet may remain available for a very long time.

Such a profound shift can be examined on multiple levels and it would not be surprising if evidence even on the neuronal level reflected a shift in the balance between the public and the private spheres. The shift challenges us to reflect on the implications for our professional lives: So much that had been confined to our private lives is now potentially disclosed and available to colleagues and others with whom we work. Another challenge is to explore how well we—at all stages of professional development—truly appreciate the extent to which the Internet makes our personal lives publicly available. It will be interesting and informative to see data regarding what percentage of our patients and clients seek personal, nonwork-related information about us on the Internet.

The concept of distinguishing between two separate aspects of a psychologist's life is found in other parts of the Ethics Code. For example, as the "Introduction and Applicability" section of the Ethics Code contrasts "private" with "professional," so Ethical Standard 2.06 contrasts "personal" with "work-related":

2.06 Personal Problems and Conflicts

(a) Psychologists refrain from initiating an activity when they know or should know that there is a substantial likelihood that their personal problems will prevent them from performing their work-related activities in a competent manner.

(b) When psychologists become aware of personal problems that may interfere with their performing work-related duties adequately, they take appropriate measures, such as obtaining professional consultation or assistance, and determine whether they should limit, suspend, or terminate their work-related duties.

Defining "personal" in the age of the Internet, like defining "private," is a significant challenge. One possible definition of "personal" for the purposes of the Ethics Code would be "taking place outside of a context or relationship related to work." Ethical Standard 2.06 focuses us on how challenges in our personal lives, for example substance abuse or a depression, can impair our abilities to function competently. Read more broadly, Standard 2.06 also highlights how our personal lives inevitably intersect our work lives.

A divorce and ensuing custody dispute, the death of a loved one, one's own or an adult child's wedding or commitment ceremony are all events that are deeply felt and that may intersect with similar events in the lives of our patients or clients. That intersection can become more complex, not always in a detrimental manner, as the information becomes available to our patients and clients. Again, research on how the Internet is narrowing the gap—or perhaps blurring the distinction—between our personal and our work-related lives will be interesting and instructive and will certainly have clinical implications.

Information *about* us is increasingly available by virtue of the Internet. The availability of more information to us likewise raises complex ethical questions. An earlier "Ethics Rounds" column (www.apa.org/monitor/jan07/ethics.html) offered a discussion vignette in which the director of a clinical training program, Dr. Net, struggles with whether and how to talk with his trainees about personal information they are posting on the Internet regarding their dating lives, as well as about their

involvement in online chat rooms. Dr. Net wants to make the interns aware of how these activities may affect their work, but is also concerned about being unduly intrusive into their private lives. While most training faculty would agree that it would be highly appropriate for Dr. Net to have this conversation with the trainees on a theoretical level, there is likely far less agreement about how actively faculty should search for information about trainees and training applicants on the Internet or how information that comes to a faculty's attention by way of third parties should be handled. Many private sector companies conduct Internet searches before making job offers. There does not appear to be a similar consensus in psychology.

Arguments on each side of this discussion are compelling. On one hand, more rather than less data is generally better; psychologists are trained to assess the usefulness of data for a given purpose; information on the Internet is publicly available information, no less so than what is posted on the bulletin board of a local coffee shop or supermarket; and Internet searches may be developing into the standard of practice in the private sector. On the other hand, acting upon information that a trainee or applicant has not provided to a program may be inconsistent with a respect for that individual's privacy and autonomy; information on the Internet is notoriously unreliable; and there is a "slippery slope" to seeking and relying on such information that risks turning psychologists into private investigators.

Our values and our view of the relationship between the personal and the professional will be central to these discussions. Over the past several years, APA's Ethics Office has been asked about applicants or trainees who have engaged in activities such as exotic dancing or a naturist lifestyle, which have come to a faculty's attention through the Internet. We are at a moment in our history when technology is highlighting issues that have been present in a much less dramatic form, much like a wave raises the height and energy level of the water's surface and thereby calls part of the sea to our attention.

The lens of culture may prove helpful in our thinking about this issue, in terms of how different generations view their relationship to the Internet and what information they choose to make available as a consequence. Culture is also important in terms of how our values play a role in reacting to and assessing information about our present and future colleagues that is now in a public forum and, even 10 years ago, would almost certainly have remained purely private. Ethics, values, culture and competence will therefore be central to our ongoing discussions about psychology and the Internet.

Monitor on Psychology
Volume 39, No. 10 November 2008

ETHICS ROUNDS

The intersection of psychologists' personal and professional lives

Learning Objective: Describe how the APA Ethics Code addresses the relationship between psychologists' personal and professional lives.

Ethical Standard 2.06, on psychologists' personal problems and conflicts, provides an opportunity to think more broadly about how our personal lives relate to the work we do.
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The Ethical Principles of Psychologists and Code of Conduct (2002)—our Ethics Code—can be read on many levels. Perhaps most superficially, APA members can read the code as a list of "do's and don'ts." More deeply, members can read the code as an invitation to explore how ethics permeates all we do in our roles as psychologists and to examine the relationship between our personal and our professional lives. Each way of reading the code, from the more superficial to the more nuanced, is legitimate and even necessary, especially if we think in developmental terms as psychologists often do.

This distinction between aspirational ideals and enforceable rules of conduct is found in the code's very first paragraph:

> **Introduction and Applicability**
> The Preamble and General Principles are aspirational goals to guide psychologists toward the highest ideals of psychology. Although the Preamble and General Principles are not themselves enforceable rules, they should be considered by psychologists in arriving at an ethical course of action. The Ethical Standards set forth enforceable rules for conduct as psychologists.

Shortly after this passage, in its preamble, the code introduces the notion that there are ethically relevant aspects to the relationship between a psychologist's personal and work lives. The code introduces this idea by emphasizing the role of a "personal" commitment to professionally ethical behavior:

> **Preamble**
> The development of a dynamic set of ethical standards for psychologists' work-related conduct requires a personal commitment and lifelong effort to act ethically; to encourage ethical behavior by students, supervisees, employees, and colleagues; and to consult with others concerning ethical problems.

In the ethical standards, the code elaborates ethical aspects of the relationship between a psychologist's personal and professional, or work-related, lives. Ethical Standard 2.06 is especially on-point and becomes an interesting study in how psychologists conceptualize the relationship between what goes on in their work-related and nonwork-related lives:

2.06 Personal Problems and Conflicts

> (a) Psychologists refrain from initiating an activity when they know or should know that there is a substantial likelihood that their personal problems will prevent them from performing their work-related activities in a competent manner.
>
> (b) When psychologists become aware of personal problems that may interfere with their performing work-related duties adequately, they take appropriate measures, such as obtaining professional consultation or assistance, and determine whether they should limit, suspend, or terminate their work-related duties.

Ethical Standard 2.06 sets a minimum standard of behavior by requiring that psychologists "refraining from initiating an activity" when personal problems prevent competent performance in work-related activities.

Standard 2.06 also provides an opportunity for psychologists to think beyond situations in which "personal problems or conflicts" interfere with their competence, to consider more generally the relationship between their own life circumstances and professional activities. This opportunity arises largely from the language of the standard's title, which has the connotation of a deficit or failing—"problems" and "conflicts." Limiting one's ethical analysis strictly to times when we fall short in our personal lives misses the richness of the work we do and the complexity of how our personal lives intersect with those of the individuals with whom we work. Broadening our ethical analysis of Standard 2.06 is likewise consistent with the code's spirit, which invites us to move beyond reading the code as a list of obligations and prohibitions to a more subtle and nuanced consideration of the relationship between our personal and work lives.

A metaphor for enhancing a practitioner perspective on Standard 2.06 is that of our personal lives and the lives of our clients as two rivers flowing alongside one another, which from time to time come together. What becomes important to explore is not always the fact of the intersection, but rather the quality, effects and timing of the intersection. The reason is that events and themes in our lives can intersect with those in our clients' lives in ways that significantly interfere with, or significantly enhance, the work we do together.

An example of a personal problem or conflict that Standard 2.06 speaks to directly is current substance abuse, which can render a psychologist incapable of providing a competent service and can be hugely harmful to a professional relationship. A psychologist with a history of substance abuse, however, who is now clean, sober and in treatment can draw upon personal experiences to assist a client in his or her own struggles. To return to our metaphor, the timing of the intersection between events in our lives and those in the lives of our clients will likely bear a strong relationship to the effects that events in our personal lives will have on our work. A weakness or vulnerability at one point in a psychologist's life may be a strength at another.

Each of us will experience the loss of a loved one, a marriage or commitment ceremony, and many of us will have or adopt a child. No event as powerful as each of these in our own lives will leave our work untouched, regardless of how slight the

trace may be. The ethical challenge is to explore the nature and extent of the impact on our work. When it happens that our clients are encountering the same situation in their lives as we are in our own, the value of a consultation rises dramatically, to help us become more fully aware of the relationship between our personal and professional lives. Obtaining a consultation may be especially valuable for events that generate negative stress, such as a difficult divorce, and may be essential when we and our clients are simultaneously facing such a challenge.

An exceptionally gifted clinical psychologist took the opportunity during an ethics workshop to share her own experiences regarding the relationship between her personal life and her clinical work. She talked about going through a difficult period with her adolescent children, and remarked that during those times she likely would not have been very helpful to another parent or adolescent patient struggling with similar conflicts. Now that her children are grown and doing well, she thought that these experiences would probably enhance her ability to work with parents and their adolescent children. I found this psychologist's way of thinking about the relationship between her personal life and her professional work an elegant application of our Ethics Code.

Personal values present another occasion to reflect on the intersection of our personal and professional lives. Clients who have values deeply disparate from their treating psychologist may represent special challenges as their behaviors and attitudes evoke strong feelings in the therapist. Such differences do not necessarily arise from a Standard 2.06 problem or conflict, but may certainly call for an examination of how a treating psychologist is reacting to what he or she may experience as offensive or even disturbing. While some psychologists, especially those of a psychoanalytic orientation, would view such self-examination largely in clinical terms (the "countertransference"), self-reflection and self-awareness have important ethical aspects as well.

Psychology training programs are excellent opportunities to highlight the importance of ethical self-reflection and awareness. Ethical Standard 7.04, in the code's "Education and Training" section, sets forth the conditions under which training programs may require disclosure of personal information when personal problems likely interfere with a trainee's professional responsibilities:

> **7.04 Student Disclosure of Personal Information**
>
> Psychologists do not require students or supervisees to disclose personal information in course- or program-related activities, either orally or in writing except if (2) the information is necessary to evaluate or obtain assistance for students whose personal problems could reasonably be judged to be preventing them from performing their training- or professionally related activities in a competent manner.

As with Standard 2.06, this ethical standard, when placed in the larger context of the Ethics Code, invites trainees to explore more broadly the relationship between their personal and work-related lives.

Psychologists will often encounter the same challenges, good and bad, that our clients encounter in their lives. At times, the code may require us to withdraw from our work (Standard 2.06), or allow a training program to take a more parent-like

role in exploring a trainee's personal challenges as they relate to the trainee's professional responsibilities (Standard 7.04). These rare circumstances aside, the code provides an opportunity to explore the relationship between our personal lives and our clients' struggles from the perspective of our ethics.