

BOARD OF DIRECTORS

January 17, 2023

APPROVED MINUTES

Board Members Present: Thema S. Bryant, PhD; Cynthia de las Fuentes; Frank C. Worrell, PhD; Michael L. Hendricks, PhD; Kathleen S. Brown, PhD; Arthur C. Evans Jr., PhD; Eric M. Butter, PhD; M. Lynne Cooper, PhD; Luz Maria Garcini, PhD, MPH; Debra M. Kawahara, PhD; Tamara S. Lyn, PhD, ABPP; Mary Ann McCabe, PhD, ABPP; Robin E. Mockenhaupt, PhD; Arlene Noriega, PhD; Tiffany Parisi, MPH; David T. Susman, PhD

Board Members Absent: Candice N. Hargons, PhD

A. In executive session, the Board voted to approve the following members to the Commission on Accreditation for a three-year term (2023-2025) except where noted:

APPIC: Michele Willingham, PsyD and Philip Lanzisera, PhD, ABPP

BSA: Joseph Hovey, PhD

APAGS: Sreenath Panchagnula, PhD (2023; one-year term)

Public Member: Candance Ganz, EdD, and Karl Gauby, PhD

CDSPP: Janay Sander, PhD

B. The Board voted to determine the APA Specialty Guidelines in Forensic Psychology are appropriate and do not present undue risk to the Association and referred the Guidelines to the Council Leadership Team for content review and to provide a recommendation to Council regarding extending the expiration date of the guidelines.

C. The Board voted to amend an item previously voted on by the Board and to recommend that Council approve amending the following Association Rules (bracketed/strikethrough material to be deleted; underlined material to be added):

50-4. CONTINUING COMMITTEES

50-4.1 In addition to the standing boards and committees authorized in the APA Bylaws, there shall be continuing committees of the Association which are selected by and report to Council through the board under which they are listed in the following rule. Unless otherwise stated in these rules, continuing committees that report directly to Council or through the Board of Directors are elected by Council.

50-5. LIST OF CONTINUING COMMITTEES

50-5.1 The list below presents APA continuing committees and their reporting lines.

Reporting directly to Council

Council Leadership Team

Reporting through the Board of Directors

Constitutional Issues
International Relations in Psychology
American Psychological Association of Graduate Students
Commission for the Recognition of Specialties and Proficiencies in Professional Psychology
Agenda Planning Group
Division/APA Relations
Early Career Psychologists
Needs Assessment, Slating and Campaigns
Advancement of General Applied Psychology

Reporting through the Membership Board

Fellows Committee

Reporting through the Publications and Communications Board

Council of Editors

Reporting through the Board of Educational Affairs

Commission on Accreditation
Continuing Education
Education and Training Awards
Committee on Associate and Baccalaureate Education
Committee of Teachers of Psychology in Secondary Schools

Reporting through the Board of Professional Affairs

Professional Practice and Standards
Committee on Rural Health

Reporting through the Board of Scientific Affairs

Animal Research and Ethics
Human Research
Psychological Tests and Assessment
Scientific Awards

Reporting through the Board for the Advancement of Psychology in the Public Interest

Women in Psychology
Psychology in the Public Interest Awards
Sexual Orientation and Gender Diversity
Disability Issues in Psychology
Children, Youth, and Families
Ethnic Minority Affairs
Aging
Socioeconomic Status

90-9. COMMITTEE FOR THE ADVANCEMENT OF GENERAL APPLIED PSYCHOLOGY

90-9.1. There shall be a Committee for the Advancement of General Applied Psychology that shall seek to promote, in settings outside the direct delivery of healthcare services, the utilization, application, and advancement of science where psychologists work to enhance performance, learning, and well-being of individuals, groups, organizations, and society as a whole.

The Committee shall consist of nine Members of the Association. At least one member of the Committee shall be an early career psychologist, and at least one member of the Committee shall be a Graduate Student member. Individuals will be elected by Council for staggered three-year terms.

110-14. RULES GOVERNING SIMULTANEOUS SERVICE

110-14.1 Members of the Board of Directors shall not serve simultaneously on APA advisory groups, other than as ex-officio or liaison; in any elected positions in any Divisions or state/provincial/territorial psychological associations; or on governing bodies of advocacy or political action organizations for psychologists or psychology that are national in scope.

110-14.2 Members shall not serve simultaneously on any of the following advisory groups, except as ex-officio and/or non-voting members or if other exceptions are provided below.

Boards

Advancement of Psychology in the Public Interest
Convention Affairs
Educational Affairs
Membership
Policy and Planning
Publications and Communications
Professional Affairs (except that one member is also a member of the Committee on Professional Practice and Standards)
Scientific Affairs

Committees

Advancement of General Applied Psychology

Aging
Animal Research and Ethics
Associate and Baccalaureate
Education, Children, Youth and Families
Continuing Education
Council Leadership Team
Team Disability Issues in Psychology
Division/APA Relations
Early Career Psychologists
Ethics
Ethnic Minority Affairs Fellows
Finance
Health Equity (ad hoc)

Human Research
International Relations in Psychology
Needs Assessment, Slating and Campaigns
Professional Practice and Standards (except that one member is also a member of the Board of Professional Affairs)
Rural Health
Sexual Orientation and Gender Diversity
Socioeconomic Status
Psychological Tests and Assessment
Teachers of Psychology in Secondary Schools
Women in Psychology

Commissions

Commission for the Recognition of Specialties and Subspecialties in Professional Psychology
Commission on Accreditation

The Board voted to recommend that Council approve the following motion:

That Council requests that the Committee on Applied Psychology conduct an annual self-assessment and recommend any changes to its charge as defined in the Association Rules as necessary. Council also supports the Committee on Applied Psychology establishing a liaison relationship with APA boards and committees to ensure applied psychology is represented across the association.

D. The Board 1) voted to amend its December 11, 2021, action taken on the allocation of \$10,400 of 2022 President Frank Worrell's Presidential Activities Fund to support one in-person meeting in 2022 of the Presidential Trans Women of Color Anti-Violence Task Force; 2) approve that the \$10,400 from 2022 President Frank Worrell's Presidential Activities Fund be used to provide a) \$1300 for honoraria to organizations participating in focus groups for the initiative and b) stipends of \$1300 each to seven members of the Presidential Trans Women of Color Anti-Violence Task Force in lieu of holding an in-person meeting, with the understanding that the CEO has approved an exception to APA's policy that "APA expects its members who are in governance to provide services on a voluntary basis with only expenses being reimbursed"; and 3) approve spending these funds in the third year of 2022 President Frank Worrell's Presidential cycle.

BOARD OF DIRECTORS

February 7, 2023

APPROVED MINUTES

Board Members Present: Thema S. Bryant, PhD; Cynthia de las Fuentes; Frank C. Worrell, PhD; Michael L. Hendricks, PhD; Kathleen S. Brown, PhD; Arthur C. Evans Jr., PhD; Eric M. Butter, PhD; M. Lynne Cooper, PhD; Luz Maria Garcini, PhD, MPH; Debra M. Kawahara, PhD; Tamara S. Lyn, PhD, ABPP; Mary Ann McCabe, PhD, ABPP; Arlene Noriega, PhD; Tiffany Parisi, MPH; David T. Susman, PhD

Board Members Absent: Candice N. Hargons, PhD; Robin E. Mockenhaupt, PhD

A. In executive session, the Board voted to approve the appointment of Katherine Arenella, PhD, to the Committee on Sexual Orientation and Gender Diversity for a term that begins immediately and ends on December 31, 2024. Dr. Arenella will replace Dr. Elizabeth Aranda, PhD, who resigned from the committee.

B. In executive session, the Board voted to approve the following members to the Commission on Accreditation for a three-year term (2023-2025) except where noted:

CUDCUP: Arthur Cantos, PhD

NCSPPP: Suzanne Hollman, PsyD

BPA Independent Practice: Dinelia Rosa, PhD

BPA Independent Practice: Rita Sandidge, PhD, LP

BPA Institutional Practice: Jack Schaffer, PhD, ABPP (2023; one-year term)

C. The Board voted to recommend that Council approve the following amendments to the Association Rules (bracketed/strikethrough material to be deleted; underlined material to be added):

60. COUNCIL LEADERSHIP TEAM

60-1.1. There shall be a Council Leadership Team (CLT) that shall a) manage a procedure to select and oversee Council's strategic issue discussions; b) assist the Agenda Planning Group in prioritizing and determining the appropriate disposition of new items coming through the triage system; c) assist the President in determining the priorities for Council and the order of business for meetings of Council; d) initiate and oversee the work of any boards and committees reporting directly to Council; e) provide a recommendation to Council on all motions brought before Council for its consideration; f) regularly review the structure and function of Council (including orientation of new members) and handle complaints about Council functions and operations; and g) lead Council in reviewing and approving the strategic plan and ensure that APA policies are aligned with APA's mission and strategic plan.

60-1.2 CLT shall consist of twelve members, all of whom shall be current or former members of Council. CLT is comprised of a Chair; Chair-elect; Past Chair; the APA President; the APA President-

elect; the APA Treasurer; the APAGS Chair, Chair-elect or other designee from the Executive Committee of APAGS; an Early Career Psychologist Representative; three members-at-large and the Chief Executive Officer (without vote).

Council members shall nominate current Council members who have served at least one year on Council or current CLT members whose terms are expiring for the position of Chair-elect. Association Rule 110-1.2 provides additional details regarding the selection process. Council members shall nominate current Council members who have served at least one year on Council for the positions of Early Career Representative and member-at-large. CLT will conduct a needs assessment for upcoming CLT vacancies to be shared with Council prior to the nominations process. The Chair-elect, Early Career Representative and three members-at-large shall be elected by Council for three-year terms from slates of at least two candidates. Each year a Chair-elect and member-at-large are elected and every third year an Early Career Psychologist representative is elected. The candidate on each slate receiving the highest number of votes will be elected. The Chairs, members-at-large and the Early Career Psychologist representative cannot serve two consecutive terms in the same position and there is a lifetime limit of two elected terms on the Council Leadership Team (except when serving ex officio). The APA President, APA President-elect, APA Treasurer, APAGS Designee and Chief Executive Officer serve ex officio on CLT.

90-3. AMERICAN PSYCHOLOGICAL ASSOCIATION OF GRADUATE STUDENTS COMMITTEE

There shall be an American Psychological Association of Graduate Students (APAGS) Committee whose mission shall be to (a) promote the highest standards in the research, teaching, and practice of psychology in order to further the education and development of all students involved in the study of psychology; (b) represent all graduate study specialties of psychology, and facilitate exchange of information between these groups; (c) promote graduate student leadership development in order to communicate and advocate the concerns of graduate students; and (d) establish and maintain channels of communication between APAGS and schools, universities, training centers, institutions, and other members of the psychological community.

The APAGS Committee shall consist of nine members, three of whom serve three-year terms (the chair-elect, chair, and past chair), six of whom serve two-year terms. All shall be Graduate Student Members of the Association.

Each year, a call for nominations for the four open positions that will become vacant in the following year shall be broadly disseminated. Following the call, the committee shall prepare a slate of candidates for each position and hold an election in which all APAGS affiliates are eligible to vote. Association Rule 110-1.2 provides additional details regarding the selection process for APAGS Chair-Elect. Following the election, names of the winners of the election shall be forwarded to the Board of Directors as information.

The APAGS Committee shall report to Council through the APA Board of Directors.

110-1. ELECTION COMMITTEE

110-1.1 The Election Committee shall consist of three members, including the immediate Past President, who serves as Chair, and the two other most recently retired APA Presidents.

It shall be the responsibility of the Chair of the Election Committee (or his/her designee) to contact the nominees for President-elect to determine their willingness to appear on the final ballot. It shall also be the Chair's responsibility to notify the candidates for President-elect, Treasurer, Recording Secretary and Board of Directors of the election results.

110-1.2 As part of the selection process, prospective candidates for the Board of Directors, upon being slated, will be asked to identify and report to the Election Committee any instance within the last ten years in which the member:

(1) has been the subject of an adjudicated finding or resolution by settlement of:

a) malpractice;

b) unethical or unprofessional conduct resulting in a sanction by a voluntary professional organization, academic institution, state licensure board, or other governmental body;
or

c) a conviction of, or a settlement or plea agreement involving, a felony or a misdemeanor that carries a prison sentence of more than one year (with the exception of drug possession charge), or convictions involving fraud, embezzlement, tax evasion, financial abuse and other financially-related misconduct; or

(2) is currently the subject of a criminal indictment, civil complaint of malpractice, or formal complaint of unethical or unprofessional conduct by a voluntary professional organization, academic institution, state licensure board, or other governmental body.

The Election Committee will determine whether the prospective candidate can remain on the slate.

110-8. PRESIDENT-ELECT ELECTION

110-8.1 The election of APA President-elect is conducted by the Election Committee. Association Rule 110-1.2 provides additional details regarding the selection process.

110-8.2 Candidates are nominated by Fellows, Members, Associate members with voting privileges, and Graduate Student members with voting privilege. Nominations are made by preferential ballots, and up to five names may be listed in rank order. Nomination ballots are sent on or about February 1. The balloting period closes within 45 days. Only APA members are eligible for nomination.

110-8.3 The APA President-elect shall be elected by Fellows, Members, and those Associate members and Graduate Student members who have been granted voting privileges. The election ballot shall be preferential and shall list five candidates. Final election ballots shall be sent on or about September 15. The balloting period shall close within 45 days.

Each candidate is invited to submit a statement, to be sent with the election ballot, of no more than 1,000 words, stating his or her opinion of issues facing psychology and of the role APA should play regarding these issues.

110-8.4 Results are reported to the Board of Directors. Tallied results are reported to Council no more than 30 days after the ballot closes. Election results are published on APA's website.

110-9. RECORDING SECRETARY AND TREASURER ELECTION

110-9.1 Nominations are solicited from the voting Members of the Association. The slate is determined by the Board of Directors. There shall be at least two nominees on the final election ballot for Recording Secretary and Treasurer. Only APA members are eligible for nomination. Association Rule 110-1.2 provides additional details regarding the selection process.

110-9.2 Members of the immediately previous Council shall elect the Recording Secretary and the Treasurer. The elections for APA Recording Secretary and Treasurer are conducted by an independent audit firm. Preferential ballots are used.

110-9.3 Results, with the final tally of votes cast, are reported to Council within 30 days.

110-13. ELECTION OF THE MEMBERS-AT-LARGE OF THE BOARD OF DIRECTORS

110-13.1 The Needs Assessment, Slating and Campaigns Committee (NASCC) conducts a comprehensive needs assessment and develops position descriptions based on the needs assessment for the open Board member-at-large seats. The descriptions are broadly disseminated to the membership when nominations are solicited. In the slating process, NASCC aims to maintain a Board balanced across areas of the discipline, diversity broadly defined and special skills or competencies relevant to current issues.

Members-at-large are elected by and from the voting Members of the Association. Slates of at least two candidates are developed by NASCC from the nominations received, and at least two alternates shall be identified from the nominees. In the slating process, NASCC will ensure there is always at least one early career psychologist member on the Board of Directors. Association Rule 110-1.2 provides additional details regarding the selection process.

110-13.2 The election of the members-at-large on the Board of Directors is conducted by an independent audit firm. The election ballot is a preferential ballot.

NASCC sets limitations and criteria on campaigning and monitors adherence. It is also responsible for disseminating information about each candidate to the membership electronically and with the ballot.

110-13.3 Results, with the final tally of votes cast, are reported to the membership within 30 days.

110-13.4 NASCC will conduct a needs assessment and develop a slate of at least two candidates for the Public Member of the Board of Directors. The Board of Directors will select a candidate from the slate submitted by NASCC. If needed, the Board may request additional candidates from NASCC. The Public Member shall serve a three-year term. Association Rule 110-1.2 provides additional details regarding the selection process.

110-13.5 The Chair and Chair-elect of Council's Leadership Team serve as ex-officio members of the Board of Directors.

Slates of recommended candidates and alternates shall be submitted to the Board of Directors for review of 1) unrecognized conflicts of interest~~[-2) ethics violations,]~~ and ~~[3]~~2) consistency with the results of NASCC's annual needs assessment. If, by majority vote of the Board, a candidate is

unacceptable for one of these reasons, or if a candidate(s) has dropped out after NASCC slating, the Board will vote on a recommended substitution from the alternates. The Board will inform NASCC of any recommended substitutions and the reasons for its recommendation. NASCC will consider the Board's review and feedback, and, by majority vote, determine the final composition of candidate slates.

D. The Board voted to recommend that the Council of Representatives adopt as Association policy the following Resolution on Confidentiality and Reproductive Health:

APA RESOLUTION ON CONFIDENTIALITY AND REPRODUCTIVE HEALTH

In March 2022, the American Psychological Association (APA) reaffirmed its "commitment to reproductive justice, including equal access to legal abortion, affordable contraception, comprehensive sex education and freedom from sexual violence, with a particular emphasis on individuals from marginalized communities." Since June 2022, when the U.S. Supreme Court issued its decision to overturn *Roe v. Wade*, many states have proposed, enacted, or resurrected a range of laws to prohibit, significantly restrict, or protect reproductive rights and health care. Given the value of psychology relevant to health care discussions and decision making and given concerns about these new and emerging legal and regulatory requirements, including how they might impact confidentiality in professional practice, the APA hereby issues the following Resolution. The Resolution is informed by the APA Ethics Code, APA policy on reproductive health, and human rights.

WHEREAS confidentiality is central to the practice of psychology;

WHEREAS the public benefits from confirmation that psychologists do not share information provided to them in confidence in their role as psychologists aside from information they have a duty to report, clearly disclosed in their consent form;

WHEREAS psychologists must be able to speak freely with their patients and patients must know they have confidentiality when speaking with their psychologists, a concept recognized by U.S. Attorney General Merrick B. Garland that, despite the U.S. Supreme Court's overturning of *Roe v. Wade*, "under fundamental First Amendment principles, individuals must remain free to inform and counsel each other about the reproductive care that is available in other states;"

WHEREAS Standard 4.01 of the APA Ethical Principles of Psychologists and Code of Conduct (Ethics Code) states that psychologists have a "primary obligation... to protect confidential information";

WHEREAS Standard 4.05 of the Ethics Code provides that psychologists may disclose confidential information only with the appropriate consent of the patient, but may disclose confidential information without such consent only as mandated or permitted by law for a valid purpose;

WHEREAS Standard 1.02 of the Ethics Code provides, "If psychologists' ethical responsibilities conflict with law, regulations, or other governing legal authority," psychologists have the ethical obligation to "clarify the nature of the conflict, make known their commitment to the Ethics Code, and take reasonable steps to resolve the conflict consistent with the General Principles and Ethical

Standards of the Ethics Code. Under no circumstances may this standard be used to justify or defend violating human rights”;

WHEREAS Standard 3.04 of the Ethics Code states that “psychologists take reasonable steps to avoid harming those with whom they work” and disclosing confidential information without a patient’s consent may harm the therapeutic relationship and the patient;

WHEREAS a 1969 Resolution of the APA Council labeled the termination of pregnancy a civil right of a pregnant woman and a 1989 Resolution of the APA Council decried attempts to recriminalize abortion and limit access to reproductive options;

WHEREAS, the APA Council passed a Resolution in February 2022 that states, "reproductive justice, including abortion rights, is a human rights issue" and reaffirmed “its denunciation of abortion restrictions and commitment to obtaining reproductive justice.”

WHEREAS the APA and APA Services Inc, provide education, consultation, and advocacy for psychologists to engage in ethical, confidential practices in light of abortion laws;

WHEREAS the critical importance of maintaining the privacy of information relating to abortion and other sexual and reproductive health care has been reaffirmed by the U.S. Department of Health and Human Services’ Office of Civil Rights (OCR) guidance on Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule and Disclosures of Information Relating to Reproductive Health Care (June 29, 2022) including that “disclosures to law enforcement officials are narrowly tailored to protect the individual’s privacy and support their access to health services;”

WHEREAS the Ethics Code does not require that a psychologist follow the law when a conflict arises between the law and the Code, but instead allows “each psychologist [to]. . . weigh the consequences of their decision when navigating these [reproductive justice] issues and attempt to resolve the conflict in ways that are consistent with the APA Ethics Code based on their own circumstances.” FAQ at <https://www.apa.org/ethics/reproductive-rights.pdf>;

THEREFORE, BE IT RESOLVED that the American Psychological Association, in accordance with the APA policy on reproductive rights, and human rights, affirms that a psychologist’s allegiance to the Ethics Code, including ethical standards related to patient confidentiality, should be given the utmost attention and significance especially when psychologists are faced with ethical conflicts with a law requiring the disclosure of confidential information regarding sexual and reproductive health, including birth control; fertility treatment; contemplating, seeking, or having had an abortion; and related issues.

REFERENCES

- American Psychological Association (2022). APA Resolution Affirming and Building on APA’s History of Support for Reproductive Rights. Retrieved January 10, 2023, from <https://www.apa.org/about/policy/resolution-reproductive-rights.pdf>
- American Psychological Association (2021). APA Resolution on APA, Psychology, and Human Rights. Retrieved January 13, 2023 from <https://www.apa.org/about/policy/resolution-psychology-human-rights.pdf>

American Psychological Association. (2017). Ethical principles of psychologists and code of conduct (2002, amended effective June 1, 2010, and January 1, 2017).

<https://www.apa.org/ethics/code/>

US Department of Health and Human Services, Office of Civil Rights (n.d.). HIPAA Privacy Rule and Disclosures of Information Relating to Reproductive Health Care. HHS.Gov, Health Information Privacy. Retrieved January 10, 2023, from https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/phi-reproductive-health/index.html#footnoteref13_lcjws5e

US Department of Justice (n.d.). Attorney General Merrick B. Garland Statement on Supreme Court Ruling in Dobbs v. Jackson Women’s Health Organization. US Department of Justice, Justice News. Retrieved January 10, 2023, from <https://www.justice.gov/opa/pr/attorney-general-merrick-b-garland-statement-supreme-court-ruling-dobbs-v-jackson-women-s>

E. The Board voted to approve the CEO’s proposal for a process to update the 2019 APA Strategic Plan which involves input from the Board of Directors, Council, boards and committees, and Association members over the course of 2023.

F. The Board received a report from the Treasurer on the Delegation of Authority to the Board of Directors.

NOVEMBER 2, 2022 THROUGH FEBRUARY 6, 2023

Board Members Present: Frank C. Worrell, PhD; Jennifer F. Kelly, PhD, ABPP; Thema S. Bryant, PhD; Jean A. Carter, PhD; Kathleen S. Brown, PhD; M. Lynne Cooper, PhD; Arthur C. Evans Jr., PhD; Eric M. Butter, PhD; Anthony L. Chambers, PhD, ABPP; Susan D. Clayton, PhD; Mary Fernandes, PhD; Candice N. Hargons, PhD; Debra M. Kawahara, PhD; Tamara S. Lyn, PhD, ABPP; Robin E. Mockenhaupt, PhD; David T. Susman, PhD

Board Members Absent: None.

The Board confirmed the following actions by unanimous written consent in lieu of a meeting:

In early February, the Board voted to approve the appointment of Barbara Robles-Ramamurthy, MD, and Murray B. Stein, MD, MPH, to the panel that will update APA's (2017) *Clinical practice guideline for the treatment of Posttraumatic Stress Disorder (PTSD) in adults*.