



California Psychological Association Ethics Committee: A New Mission

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In January, the California Psychological Association Board of Directors approved a new mission for the CPA Ethics Committee. The new mission is to deal with questions of ethics and professional conduct in a solely educative and consultative manner rather than through investigating complaints against members.

For most of its history, like many state psychological associations, the primary function of the CPA Ethics Committee (CPAEC) was to investigate, hear and adjudicate ethics complaints against members, and to make recommendations to the CPA Board of Directors regarding suspension and expulsion. The CPAEC was also charged with the goal of “protecting the public” by investigating and resolving complaints.¹

This process took great time and energy. There were investigative subcommittees, hearings and appeals. The time commitment of staff and committee members was enormous, and was a financial drain as well. Our adjudicative role exposed CPA to serious litigation and liability risks.

The goal of protecting the public is a laudable one. The unethical practice of psychology is not in the best interests of patients, the public or the profession. The CPAEC is dedicated to serving all three. However, the adjudicative function of the Ethics Committee process was redundant. The American Psychological Association and the California Board of Psychology accept and investigate ethics complaints against psychologists. Few statistics are available about the number and types of cases that were adjudicated by CPA, however it was entirely possible that a CPA Ethics Committee investigation might occur after the Board of Psychology or the American Psychological Association had already disciplined a psychologist. Not only was the process redundant and time consuming, but the adversarial role of the Ethics Committee left some CPA members viewing the Ethics Committee as more of an enemy than an asset. The Ethics Committee was perceived as a place where

psychologists were punished, not helped. Despite the historical goal of the Ethics Committee to educate, members of the Ethics Committee were perceived as adversaries, not educators.

It is well known that preventing a problem is undeniably better than treating it, whether in preventing disease, crime or even tooth decay. Unfortunately, by the time a CPA member was under investigation, whether by the Ethics Committee, the BOP or the APA, it was already too late. A psychologist under investigation is suffering a tremendous burden, and a complaint means some other person or persons is suffering as well. If such problems can be prevented, the benefits to the public and to the profession are immeasurable. The oldest ethical principal is to do no harm. When harm can be avoided, all those involved benefit. Protecting the public can mean much more than punishing offenders, it can become a wholly transformative process. Prevention is not only preferable to punishment, it is much more cost effective, humane and consistent with our own Ethics Code and psychologists commitment to do no harm and to do good.

Under the leadership of previous Ethics Committee chairs Dr. David Martin and Dr. Pamela Harmell, the Ethics Committee began a radical undertaking; transforming itself into a wholly educative and consultative body. The CPAEC has long provided a telephone consultation service as a benefit of CPA membership. However, this program was burdened by the possibility that a caller requesting assistance might eventually become a member under investigation. Psychologists calling the CPAEC are now permitted a careful consideration of issues without the caller or the Ethics Committee member being hampered by the possibility of adjudication somewhere down the road.

Today, this service (see the telephone number below) gives all CPA members access to much more than just the responding Ethics Committee member. Through the use of the Ethics Committee e-mail list serv, Ethics Committee members consult with each other on many

of the questions and concerns raised by our callers. This approach permits far-reaching discussions of the complex issues raised by our callers and results in a valuable benefit for our members.

Although our membership changes, the Ethics Committee is a professionally, culturally, ethnically and geographically diverse group. Our current members include clinicians from the Veterans Administration and Kaiser Hospitals. Our members also come from theoretically diverse backgrounds as well, including psychoanalysis, health and behavioral medicine, research, criminal and forensic psychology. There are custody evaluators, prison psychologists, and academics on the committee. One member is a past president of the California Board of Psychology and another, a former member of the BOP. Ethics Committee members have also contributed a wide variety of articles to *The California Psychologist* and *Briefings*, the Division 1 Newsletter. These have included articles on child treatment issues, the USA Patriot Act, confidentiality, HIPPA, record-keeping guidelines and *Ewing v Goldstein* and the role of psychologists in torture and interrogations. Although Ethics Committee members may not provide callers with all the answers or make decisions for callers, we can provide an array of resources and options that assist in the ethical decision making process.

As part of the expansion of the educative role of the CPAEC, the Ethics Committee draws upon not only the diverse experience of its members, but also upon a broad selection of professional resources such as the CPA Division 1 Expertise Series, the extensive library of articles by the APA Ethics Director and other relevant, peer reviewed literature. The rich exchange and experience of Ethics Committee members permits a divergent set of perspectives. Ethical dilemmas typically involve complex clinical and professional issues. Simple answers almost never apply. When CPA members call for assistance and support, the Ethics Committee is prepared to address the callers concerns in a comprehensive and wide-ranging fashion.

Telephone consultation is only part of the approach the Ethics Committee takes to the prevention of ethical problems. As part of its commitment to education, the Ethics Committee has also approved its first educative paper, drafted by former Ethics Committee member

and past chair Dr. Jan Sonne. This paper, titled *How to Avoid Doing What You Ordinarily Would Not Do and Causing Harm: Ethical Decision-Making in Professional Practice* is available to CPA members through the Central Office and is available on the CPA Website. Future educative papers will be made available as they are completed. Topics of interest will be drawn from the very issues CPA members present to the telephone consultation service.

Because an ounce of prevention is worth than a pound of cure, the Ethics Committee offers four hours of prevention each year at the CPA annual convention. This year, the Ethics Committee presented a panel covering four areas of interest to CPA members, a "Mixed Bag" of ethical and professional concerns. Topics included issues related to the use of the Internet and E-Mail in psychotherapy, clinicians in the courtroom, ethical issues in health psychology, self-disclosure, termination and referral issues.

The CPA Ethics Committee is committed to excellence and to remaining an innovative and valuable resource for CPA members. To achieve this end, we invite the reader's input. As the Ethics Committee adapts and grows into its new role, we want and need you to tell us we can best serve you.

In 2002, the California Board of Psychology adopted the APA Ethical Principles Of Psychologists and Code of Conduct (2002) as its standard of ethical conduct relating to the practice of psychology. More than ever, their decision makes consultation and training on ethical and professional issues an essential aspect of clinical practice. The CPAEC wants to ensure that all CPA members have access to a comprehensive and sophisticated set of tools that address the range of ethical dilemmas that confront psychologists in their professional life. CPA members can receive free consultation from members of the Ethics Committee by calling the CPA Central Office at (916) 286-7979. Members with questions, comments or suggestions are encouraged to contact the author at mbds@sbcglobal.net.

¹ Rules and Procedures for the CPA Ethics Committee, Approved by the Board of Directors, May 17, 1992.

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