

AASP Ethics Committee Report Comparing the APA and AASP Ethics Codes Submitted to the AASP Executive Board Fall, 2007

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Brief Background and Overview

At the 2006 conference for the Association of Applied Sport Psychology (AASP), the AASP Ethics Committee was asked by Aynsley Smith (Professional Standards Division Head) to undertake a review of the ethics codes of the American psychological Association (APA) and AASP with the intention of identifying the similarities and differences between the two documents.

This review began in the summer of 2007, and was undertaken by two members of the AASP Ethics Committee (Dr. Kristen Dieffenbach and Carmen Tebbe). These two individuals, with the help of Dr. Jack Watson (AASP Ethics Committee Chair), systematically overviewed the APA ethical standards and the relevant AASP ethical standards. Upon this overview, these individuals overviewed the similarities and differences between the two sets of ethics codes.

Brief Summary of APA Introduction

- Discusses intent, organization, procedural considerations, and scope of application of Ethics Code
- Ethics Code applies only to psychologists' activities that are part of their professional roles, not their private conduct
- APA may impose sanctions on its members for violations, including termination of APA membership, as well as notifying other governing boards
- APA may also take action against a member after conviction for a felony, expulsion/suspension from state psychological association, and suspension/loss of licensure
- Ethics code is not intended to be a basis of civil liability – does not determine whether the person is legally liable in a court action, whether contract is enforceable or whether any legal consequences will occur
- When making decisions, psychologists must consider the APA Ethics Code in addition to applicable laws and psychology board regulations

- If the Ethics Code establishes a higher standard of conduct than the law, psychologist must meet the higher ethical standard
- If a conflict occurs, psychologists must make known their commitment to the Ethics Code and attempt to resolve the conflict; if conflict is unresolvable, psychologists may adhere to requirements of law, regulation or other governing authority

Consistencies and Differences between the Codes for the Introduction

Consistencies

- Both Codes discuss the purpose and organization of the Introduction
- Both Codes indicate that if the respective Code is in conflict with organizational rules/codes, one must make known his/her commitment to the Code and attempt to find a reasonable resolution

Differences

- The APA Code indicates that APA may impose sanctions on its members, including notification of governing boards and termination of membership, whereas the AASP Ethics Code does not indicate this

Brief Summary of APA Ethics Code General Principles

Designed as aspirational goals to guide psychologists toward highest ideals of psychology – not enforceable rules, whereas the Ethical Standards are enforceable rules

A: Beneficence and Nonmaleficence

- Do no harm
- Psychologists strive to be aware of their own mental and physical health and how it may affect their work

B: Fidelity and Responsibility

- Relationships of trust are built and psychologists must clarify their roles, accept responsibility for behavior, and consult when necessary
- Psychologists must be concerned about ethical com-

pliance of their colleagues

- Psychologists strive to offer pro bono work when appropriate

C: Integrity

- Avoid deception
- Promote accuracy, honesty, and truthfulness in all professional roles

D: Justice

- All persons should have access to and benefit from quality treatment
- Take precautions to consider one's own biases and boundaries of competence

E: Respect for People's Rights and Dignity

- Respect dignity and right to privacy, confidentiality, and self-determination
- Respect multicultural issues
- Do not knowingly condone activities of others that are not multiculturally sensitive

Consistencies/Differences between the Codes for General Principles

Consistencies

- The AASP Ethics Code is similar in that it includes the General Principles of Integrity, Professional and Scientific Responsibility, and Respect for People's Rights and Dignity
- Although the organization and definitions are different, both Codes seem to support the same issues.

Differences

- The AASP Ethics Code also includes Competence, Concern for Other's Welfare, and Social Responsibility.

APA Ethics Code Section 1: Resolving Ethical Issues

- 1.01: Take reasonable steps to correct/minimize misrepresentation of work
- 1.02: When ethical responsibilities conflict with laws, take reasonable action to explain commitment to code. If conflict is unresolvable, clients may adhere to requirements of.
- 1.03: When demands of an organization create a conflict, psychologists must make known their commitment to the Code and attempt to resolved the conflict that permits adherence to the Code
- 1.04: Attempt to resolve violations by colleagues on an informal basis
- 1.05: When informal resolution of a violation is not feasible, psychologist must take further action to resolve the conflict. This standard does not apply when confidentiality would be violated or when psychologists have been retained to review the work of another psychologist who's professional conduct is in question

1.06: Cooperate with ethics investigations. Failure to cooperate is a violation

1.07: Do not file or encourage filing of reports without regard for all pertinent facts.

1.08: Do not discriminate against psychologists solely based on the fact they have had an ethical complaint filed against them.

Consistencies/Differences between the Codes for Resolving Ethical Issues

Consistencies

- Both Codes encourage informal resolution of ethical violations.
- Both Codes suggest that one talk to supervisor or administrator when a violation occurs

Differences

- The APA Code indicates that psychologists must take further action if a resolution is not found.
- The AASP Ethics Code does not address the importance of taking a violation to the next level.
- The APA Code indicates that failure to cooperate with an ethics investigation is an ethical violation; however, the AASP Ethics Code does not mention this.

APA Ethics Code Section 2: Competence

- 2.01: Psychologists must provide services within their boundaries of competence, based on their education, training, supervised experiences, and consultation.
 - Psychologist may not offer services to individuals whom they have not received appropriate training for except in the case of an emergency
 - If psychologists intend on offering services to a population new to them, they must pursue relevant training and supervised experiences in this area
 - If a client does not have access to appropriate mental health services, psychologists with closely related prior training/experience may provide services, making reasonable effort to obtain competence
 - For emerging areas without generally recognized standards for preparatory training, psychologist must take reasonable steps to ensure competence of their work
 - When providing forensic services, psychologists must become familiar with the judicial or administrative rules regarding their role.
- 2.02: In the case of an emergency, psychologists may provide services for populations in which they are not trained
 - services must cease when the emergency has ended.

- 2.03: Psychologist must make continual efforts to maintain their competence
- 2.04: Psychologists must base their work on established scientific and professional knowledge
- 2.05: Psychologists who delegate work to others must
- Avoid delegating work if it creates a multiple relationship that would likely lead to exploitation or loss of objectivity
 - Ensure the individual has enough competency to perform the work
 - Provide adequate supervision to ensure competent service delivery
- 2.06: Psychologist refrain from offering services that are likely to result in less competent work due to personal problems
- Psychologists who become aware of personal problems that may interfere with work must either seek appropriate consultation.

Relevant AASP Sections to Competency: Sections 17 & 18
 General Principle A reflects AASP's position regarding competency. This principle states that members must recognize the boundaries of their professional competency, maintain knowledge related to their services, and make recognize need for ongoing education. Members can only provide services for which they are qualified for through education, training, or experience. If AASP members are working in an area in which professional standards do not exist, members must take careful precautions to protect the welfare of their clients.

Standard 2 discusses boundaries of competency. Specifically, those trained in clinical and counseling psychology must be aware of their limitations in their sport science background, and those trained in sport sciences must be aware of their limitations in clinical work. In Standard 5, the AASP Code discusses the importance of being aware of how personal problems may affect one's work. Standard 13 discusses the importance of delegating responsibilities to those who can be reasonably expected to competently provide the service, and the importance of supervision during this work

Consistencies/Differences between the Codes for Privacy and Confidentiality

Consistencies

- Both Codes emphasize the importance of only working within your competency, which is defined by education, training, and experience.
- Both Codes state that when working in a new area, one must make reasonable effort to become as competent as possible in that area.
- Both Codes emphasize the importance of being aware of how personal problems may affect one's work.

- Both Codes state the necessity of pursuing and basing work on established scientific and professional knowledge, as well as making continual efforts to maintain competency.
- Both Codes states that one must not make claims or take actions that exceed one's own limitations.
- Both Codes emphasize the importance of only delegating work to those who can competently provide the service, as well as the necessity to provide supervision regarding this work.

Differences

- The APA Code states that during an emergency, psychologists may provide services in an area in which they are not entirely competent, whereas AASP does not make this distinction
- The APA Code states that supervised experiences are necessary criteria for competency, whereas the AASP Code only requires experience.
- The APA Code states that a psychologist should not delegate work when it may cause a multiple relationship that is likely to result in a loss of objectivity. The AASP Code does not make this claim.
- The APA Code mentions the necessity of learning judicial and administrative rules regarding forensic roles, whereas the AASP Code does not mention this.

APA Ethics Code Section 3: Human Relations

- 3.01: In work-related activities, do not discriminate based on multicultural issues.
- 3.02: Do not engage in sexual harassment – code defines sexual harassment
- 3.03: Do not engage in other means of harassment based upon multicultural issues
- 3.04: Take reasonable steps to avoid harming clients
- 3.05: Refrain from entering a multiple relationship when the relationship could be reasonably expected to impair objectivity, competence, or effectiveness. Multiple relationships that are not reasonably expected to cause impairment or harm are not unethical.
- When awareness of a multiple relationship arises, take reasonable action to resolve
 - When multiple relationships are unavoidable due to the law or affiliation to an institution/organization, take reasonable precaution to clarify role expectations
- 3.06: Avoid taking on a professional role when it may impair your competence or cause harm
- 3.07: When providing services for a third-party, be sure to clarify the nature of service and who will be the client

- 3.08: Do not exploit individuals that you have a supervisory, evaluative, or authority position over
- 3.09: Cooperate with other professionals.
- 3.10: Obtain informed consent before providing services
 - Use language that is reasonable understood to that person
 - When individuals are legally incapable for giving informed consent, provide an explanation, seek assent, consider person's best interest, and obtain permission from legally authorized person.
 - Appropriately document written or oral consent, permission, and assent
- 3.11: When providing services through an organization, provide to the client the nature of services, intended recipients of the information, which of the individuals are clients, relationship the psychologist will have with each person and the organization, probable uses of the information, who will have access to the information, and limits of confidentiality
- 3.12: Make reasonable efforts to plan for facilitation of services in event of treatment interruption.

Consistencies/Differences between the Codes for Human Relations

Consistencies

- Both Codes thoroughly address the need for sensitivity to multicultural issues, as well as the importance of not discriminating based on multicultural differences.
- Both Codes state that one must take reasonable steps not to harm their clients
- Both Codes emphasize the importance of clarifying the nature of services when providing for a third-party
- Both Codes address the issue of refraining from harassment
- Both Codes emphasize the importance of refraining from multiple relationships

Differences

- APA Code goes into more detail regarding the nature of sexual harassment.
- APA Code goes into more detail regarding when multiple relationships may be necessary due to organization or institutional affiliation
- The APA Ethics Code emphasizes the importance of planning for facilitation of services in the case of treatment interruption; however, the AASP Ethics Code does not address this.

APA Ethics Code Section 4: Privacy and Confidentiality

- 4.01 Practitioners have a primary obligation to protect confidential information in any form of storage medium.

- 4.02 The limitations of and foreseeable uses of confidential information should be clearly explained to clients. Confidentiality should be discussed at the start of and repeated as necessary during a consultation relationship. Information regarding the risks to privacy when working in an electronic medium should be clearly stated.
- 4.03 Prior to recording the voice or image of clients, written permission must be obtained.
- 4.04 Written reports and consultation will contain only information necessary to the consultation.
- 4.05 Disclosure of confidential information can be made with appropriate permission. This information can be disclosed without client consent only in specified legal circumstances.
- 4.06 Collegial consultation should maintain anonymity and only disclose relevant information.
- 4.07 Consultation information used in writing, lecture or similar forms will be appropriately disguised and written client permission or legal permission will be obtained.

Relevant AASP Sections to Privacy and Confidentiality: Sections 17 & 18

17 Appropriate informed consents will be obtained for all educational and counseling relationships using appropriate language. Informed consent will be obtained without coercion and will be documented. If an individual can't legally give consent, it should be obtained from a legal representative. When working with an individual unable to give consent, interventions will be planned with their interests in mind, explained to them, and their approval will be sought.

18 Members must maintain and safeguard the confidentiality rights of clients and colleagues. When consulting, the limitations of confidentiality and foreseeable use of information will be disclosed. Members will not disclose identifiable information without consent or authorization.

Consistencies/Differences between the Codes for Privacy and Confidentiality

Consistencies

- While the APA Ethical Standards provides more depth, both documents cover the basic fundamentals of privacy and confidentiality in consultation.

Differences

- The AASP guidelines do not cover situations in which an individual might be taped or recorded.

APA Ethics Code Section 5: Advertising and Other Public Statements

- 5.01 Public statements include both paid and unpaid print or electronic materials to which psychologists put their name. Statements should not bear false statements about training, credentials, expertise, services or other relevant information.
- 5.02. Those who use public media to promote services are responsible for these statements. They do not compensate for publicity and paid advertisements must be labeled as such.
- 5.03 To the best of their abilities, members are responsible for ensuring that materials describing workshops, seminars or other non degree educational programs are appropriately represented.
- 5.05 When providing advice in the media, precautions are taken to ensure it is within the bounds of training, follows the ethics code and does not indicate professional relationship.
- 5.05 Do not solicit testimonials from current clients or others potentially under undue influence
- 5.06 Individuals should not ambush chase or directly or indirectly seek business from vulnerable individuals. This does not preclude the provision of disaster or community outreach

Relevant AASP Section to Advertising and Other Public Statements: Section 16

16 Individuals are responsible for the accurate representation of their work to other and to make a reasonable effort to correct errors.

Consistencies/Differences between the Codes for Advertising and Other Public Statements

Consistencies

- Both documents clarify an individual's responsibility for accurate self representation.

Differences

- Obligations regarding comments or advice given to the media are covered in the APA guidelines but are not discussed in AASP guidelines.
- APA guidelines protect potential clients in vulnerable situations and provide allowances for emergency situation care.

APA Ethics Code Section 6: Record Keeping and Fees

- 6.01 Professionals keep, maintain, store and dispose of client records to facilitate future work, to allow for replication of study, meet institution standards, allow for proper bookkeeping, and ensures legal compliance.

- 6.02 Maintain confidentiality of records. Code all information that is accessible to non-authorized individuals. Appropriate transfer of data is planned in the event services must be transferred or discontinued.
- 6.03 Psychologists may not withhold records due to non-payment if requested or needed for emergency treatment.
- 6.04 Fees should be set as early as possible. If a collection agency is required for the collection of fees, the client must first be notified and given time to pay.
- 6.05 Bartering is only acceptable if it is not counter to the treatment and exploitative.
- 6.06 Reports to payers or funding sources shall be written to ensure accurate reporting of nature of service provided, fees, findings, etc.
- 6.07 Outside of an employer/employee relationship, division of payment to each is based on actual services provided not on the referral itself.

Relevant AASP Sections to Record Keeping and Fees: Sections 14 & 15

14 Professional and scientific work are appropriately documented.

15 Reasonable fees are agreed upon as early as possible. Anticipated limitations to services due to financial limitations are discussed as early as possible. Services are not leveraged based on potential future achievement or for testimonials in lieu of fees.

Consistencies/Differences between the Codes for Record Keeping and Fees

Consistencies

- Both codes require services fees to be set as early as possible in the relationship.

Differences

- The APA guidelines provide guidelines for the safe keeping of confidential records.
- The APA guidelines make the provision that records can not be held on the grounds of non-payment alone if needed for care.
- The AASP does not allow for the bartering of services for future financial gain or testimonial, while the APA code does allow for barter in certain circumstances
- APA covers the division of fees to service providing partners.

APA Ethics Code Section 7: Education and Training

- 7.01 When responsible for training programs, reasonable steps are taken to make sure requirements for knowledge and experience necessary for licensure are met.

- 7.02 Materials regarding any education and training program descriptions are current, accurate and available to all. Requirements should clearly explain the pathway for pursuing the degree.
- 7.03 Psychologists ensure syllabi and course materials are accurate and provides for accurate evaluation. An instructor reserves the right to add or modify content as needed, as long as students are aware of how modifications and the implications for their training.
- 7.04 Students will not be required to disclose private information regarding sexual history, abuse experiences, relationships or psychological treatment in written or oral coursework unless this requirement has been clearly identified in program admissions materials or is necessary for evaluation or to obtain assistance for a student who would not be able to perform training or professional related duties or they present a danger to self or others.
- 7.05 Students at all levels must be made aware of non-program affiliated counseling options when group or individual therapy is a required. Therapy provided to student is not to be done by faculty with grading or performance evaluation responsibilities with regard to the student.
- 7.06 Student and supervisee evaluations are to be provided in a timely manner, using relevant requirements, and a standardized procedure explained prior to the start of any work.
- 7.07 Practitioners do not have sexually based relationships with students or supervisees connected to their department or training or work places or whom they have to evaluate or grade.

Relevant AASP Section to Education and Training:

Principle A highlights the need for ongoing education and the need for proper education training for the work being done.

The first general educational standard regarding professional and educational standards, states that professionals provide educational supervision only as they are certified to do and within proper context.

Consistencies/Differences between the Codes for Education and Training

Differences

- The APA code provides guidelines for education settings and the safeguarding of students and their education when under the supervision of the practitioners.
- The AASP guidelines provide only minimal information regarding the practitioner's role and responsibilities regarding education and training.

APA Ethics Code Section 8. Research and Publication

- 8.01 Prior to conducting any research, practitioners will provide accurate information about research and obtain approval and conduct it within accepted protocols.
- 8.02 Consent will be obtained from all participants, with participants receiving all necessary information regarding the purpose of the work, their rights as participants, the principles of confidentiality, and contact information for study questions.
- 8.03 Any voice or image recording is done with prior permission unless research includes naturalistic observational that does not harm or identify subjects or the research design includes deception and permission to use recording is obtained during debriefing.
- 8.04 If study participants are students, clients or subordinates, steps will be taken to protect them from any negative consequences if they decline or withdraw from participation. If extra credit is provided as participation compensation, alternative opportunities are provided.
- 8.05 Informed consent is required only in research work that can be reasonably assumed to do no harm and that involves studies that look at normal educational practices, or collect anonymous data, naturalistic studies or archival work that does not place the participant at risk or where allowed for by federal or institution requirements.
- 8.06 Efforts are made to provide appropriate compensation so as not to corrupt participation. If professional services are provided compensation, the nature of the services and associated risks are clearly defined.
- 8.07 Deception is not used unless research can not be done in a non-deceptive manner and only if it is adequately justifiable by prospective nature of the work. Additionally, deception is not used if there is a reasonable expectation of pain or severe emotional distress. Participants are debriefed at the earliest possible time.
- 8.08 At the conclusion of a study, psychologists provide an appropriate debrief. If delay in debriefing is justifiable, reasonable efforts will be made to reduce risks. If participants have been harmed, psychologists make reasonable steps to reduce the harm.
- 8.09 Research animals are handled professionally and in accordance with the humane and accepted legal and institutional standards and laws.

- 8.10 Data is not created or fabricated.
- 8.11 The work of others is not plagiarized.
- 8.12 Credit is taken only for work personally done. Authorship accurately reflects relative contribution, including work done by students.
- 8.13 Data is only published once as original data. Subsequent publications are made only with proper citation.
- 8.14 Data is made available for any published results for verification by other trained professionals, while maintaining confidentiality of participants.
- 8.15 Reviewers for submitted material respect the confidentiality and proprietary rights of submitting authors.

Relevant AASP Sections to Research and Publication: Sections 19, 20, 21 and 23

19 Prior to conducting research, participants are properly informed in writing about their role and the type of research using appropriate language. Care is taken to protect vulnerable individuals from undue influence and if participation is part of a course of study, an alternative is provided. Assent is obtained from those who are not legally able to provide consent.

20 Research is conducted in accordance with recognized standards, with appropriate approval, takes care to minimize potential harm, and does not offer incentives that might unduly influence participants.

21 Deception is not used in research unless necessary, deception is not used to disguise information that may affect participants' willingness to participate, and any deception is explained as soon as possible.

23 Practitioners have obligations to honesty in data, research and publications. Credit is only taken for ones' own work.

Consistencies/Differences between the Codes for Research and Publication

Consistencies

- Both codes provide guidelines for conducting ethical research and for the dissemination of findings.

Differences

- The APA guidelines add additional information regarding providing data for data verification.
- Under the APA guidelines, the ethical obligations of reviewers are outlined.
- The care of laboratory research animals are outlined in the APA guidelines.
- APA guidelines specify the singular publication of data

as new findings.

- Guidelines are provided for surreptitious recordings in the APA guidelines.

APA Ethical Code Section 9: Assessment

- 9.01 Psychologists base their expressed opinions on adequate and appropriate information and technique appropriate to substantiate their opinions.
- 9.02 When using assessments, only properly validated and appropriate for the situation measures are conducted and results are interpreted.
- 9.03 Consent must be obtained as described in 3.1, unless assessment, evaluation or diagnostic services are being provided by mandatory law, is implied due to implementation in educational or vocational setting. If an interpreter must be used, the psychologist must obtain permission from the subject to use the interpreter and the psychologist remains responsible for the security and confidentiality of materials. Use of interpretation services is noted in any related reports.
- 9.04 Test data includes raw findings, scaled scores, responses to questions or stimuli and any related notes or recordings. Such data that includes patient responses will be released upon patient release. However, as regulated by law, responses that may cause patient potential harm due to misuse or misrepresentation may be withheld by the psychologist.
- 9.05 Test construction is done using proper psychometric procedures and validation.
- 9.06 Interpretation of all testing results is based upon proper test evaluation as well as the considerations regarding the individual test taker.
- 9.07 The use of unqualified testing services or individuals conducting testing is not promoted except in supervised teaching situations.
- 9.08 Outdated tests and measures should not be used for assessment, intervention, decisions or recommendation purposes.
- 9.09 When providing assessment or scoring services, tests should be chosen based on validated research and should be appropriately described. Maintain responsibility for results whether hand or electronically scored.
- 9.10 Assessment results are appropriately explained to test takers unless being used for a purpose that precludes the sharing of results (e.g., job testing).

9.11 Reasonable efforts are made to test integrity and security, with test referring to materials other than test data.

Relevant AASP Section to Assessment: N/A

Consistencies/Differences between the Codes for Assessment

Differences

- APA provide ethical guidelines for test construction, test administering, data handling, and results use for assessment and testing
- The AASP Ethical Standards does not address the use of assessments in any depth. The sole mention of assessments occurs in AASP General Ethical Standard Two, Boundaries of Competence Section C. This section states that members have the responsibility to stay current with profession issues as they relate to assessment, therapy, teaching, research, organizational consulting or other professional activities associated with their work.

APA Ethics Code Section 10: Therapy

- 10.01 Inform clients as early as feasible about the nature and anticipated course of therapy, fees, involvement of third parties, limits of confidentiality, and provide sufficient opportunity for the client to ask questions
- When the therapist is a trainee, part of the informed consent includes informing the client that the therapist is in training, as well as providing the name of the supervisor.
- 10.02 When providing couples or family counseling, be sure to clarify at the outset the nature of services and who the client will be. Take reasonable steps to clarify roles.
- 10.03: When providing group therapy, describe the roles and responsibilities, as well as the limits of confidentiality.
- 10.04: When providing services to those who are receiving services elsewhere, consider treatment issues and client's welfare and discuss these issues with the client and consult with the other treatment provider.
- 10.05: Do not engage in sexual intimacies with current clients.
- 10.06: Do not engage in sexual intimacies with close relatives or significant others of current clients.
- 10.07: Do not accept as clients persons who you have engaged in sexual intimacies.
- 10.08: Do not have sexual intimacies with former clients for at least two years after termination of treatment.

- Only ethical in the most unusual circumstances - the burden of demonstrating the appropriateness of the decision lies with the psychologist.

10.09: Make reasonable efforts to provide for appropriate resolution of responsibility for client care after treatment ends, with paramount consideration given to client's welfare.

10.10: Terminate therapy when it becomes reasonably clear that the client no longer needs services.

Consistencies/Differences between the Codes for Therapy (Providing Services)

Differences

- The APA Code states that a trainee must inform the client he/she is being supervised and provide the name of the supervisor. The AASP Code does not make this claim
- The APA Ethics Code states that a psychologist cannot engage in sexual intimacies with a former client until 2 years have passed from the termination of services. The AASP Ethics Code states that one may not engage in sexual intimacies with current clients; however, does not state that one cannot have sexual intimacies with former clients and it does not state whether you can accept as clients individuals in which you have previously had as clients
- The APA Ethics Code states that one should terminate treatment when it becomes evident that the client no longer needs services; however, the AASP Code does not clarify termination of services.