Ethics Committee - Frequently Asked Questions Regarding Ethical Issues Related to the Use of Artificial Intelligence and Social Media in Psychology[1]

Introduction

The purpose of this FAQ is to respond to common questions around psychologists' use of social media and emerging artificial intelligence (AI) technology. It is important to note that technology is developing at a rapid pace and thus the interpretations in this FAQ may change with continued advancements. Additionally, APA is currently working on an updated *Ethical Principles of Psychologists and Code of Conduct* (the "Ethics Code") which will include guidance around ethics and technology.

Ethical Decision Making

An ethical decision-making model or framework can be incorporated as a tool for analyzing an ethical dilemma and arriving at a decision. Existing models utilized by psychologists generally have the following features in common:

- clear articulation of the ethical dilemma and who will be impacted by the decision;
- reviewing the Ethics Code;
- reviewing relevant laws and regulations;
- determining possible courses of action;
- assessing the impact of each course of action on different stakeholders;
- consultation;
- making a decision; and
- monitoring outcomes and modifying as needed.

These core components are also reflected in the simpler "four-bin" approach which considers ethical, legal, clinical, and risk management "bins" (Behnke et al., 2014). Haug & Gandhi (2021) also recommend consideration of sociocultural factors as a separate bin to identify the influence of intersectional identities, systems, and power dynamics. Once the dilemma is differentiated and clarified, the bins are reintegrated by analyzing how each bin relates to the other bins, and how conflicts between bins might be resolved. The clinician might also reflect upon how the course of action promotes or impedes social justice.

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[1] This FAQ was drafted by Laura Lamminen, PhD, ABPP, Nancy Haug, PhD, ABAP, and Heather Ciesielski, PhD, ABPP, members of the APA Ethics Committee, with the support of the APA Ethics Office staff, to provide their initial thoughts about ethical dilemmas confronting psychologists as technology and artificial intelligence continue to advance and evolve (November 2023).

Ethical Concerns Specific to Psychologists: Common Questions/Dilemmas

ChatGPT and Clinical Training Question: My students are using Chat GPT to complete assignments and write assessment reports. How should I address this and when it is considered appropriate vs. unethical?

Answer: ChatGPT is a language-based artificial intelligence that is revolutionizing education, teaching, and training. It is evolving quickly with newer versions that are highly advanced. As educators, it is our responsibility to understand the capabilities of this technology and to be proactive (vs. reactive) in discussing with students when it can be used as a tool to enhance learning and when it compromises academic integrity or has the potential to do harm.

This question falls primarily within the Ethical bin (Behnke et al., 2014). Relevant ethical concerns include Standard 2.01 (Boundaries of Competence) and Standard 4.01 (Maintaining Confidentiality), particularly in this emerging area where guidelines do not yet exist. To improve competency in this area of technology, psychologists who teach or train students might undertake their own experimentation with ChatGPT when creating assignments or scoring assessments and writing reports. Psychologists can determine whether AI-based tools can be used to supplement specific learning objectives and assist clinical training (Glaser, 2023). For example, spell check, grammar editors, and writing tools are generative AI applications that can facilitate student learning. Clinicians and trainees should not input identifiable client data into ChatGPT or other machine learning tools to protect confidential information.

Other relevant Ethics Code Standards include 7.01 (Design of Education and Training Programs) and 7.06 (Assessing Student and Supervisee Performance). Psychologists can create syllabus policies or organizational statements around the use of AI-based tools and emphasize that students document and demonstrate critical thinking skills that go beyond the ChatGPT output. Psychologists should consider using AI detectors to enforce course policies and deter the use of AI-based tools to cheat on exams or plagiarize without citation. Work submitted should clearly indicate what is the student's original work and what part is generated by the AI. Rather than relying on written exams or multiple-choice tests which are subject to being compromised, oral exams may be an alternative way to assess competencies.

Within the Risk Management bin is the potential for harm caused by inaccurate, biased, or unethical information that is generated by ChatGPT. In Standard 9.09 (Test Scoring and Interpretation Services), psychologists are responsible for the accuracy of test interpretation. Cite ChatGPT if it is employed in any aspect of testing or report writing (see APA publishing policies on the use of generative AI in scholarly materials).

In considering the Sociocultural and Clinical bins, psychologists and their trainees should learn how to write effective ChatGPT prompts, and verify responses for bias or prejudice, ensuring socially just values and clinical relevance. While ChatGPT has potential to enrich clinical training as an assistant or consultant when used without sharing confidential clinical data, it is not currently a replacement for human decision-making or critical thinking skills.

AI Bot Question: An Artificial Intelligence Bot was added to my clinical consultation group that I was running without my permission. This consultation group discusses private and confidential client information. What is my responsibility as a psychologist to consider use of this type of technology?

Answer: Some of the AI Meeting bots aim to provide data to make meetings more efficient. A meeting notes bot may be able to enter meetings if given permission by a member of the meeting and is able to video and audio record meetings. An email or message is sent to participants with a script of the meeting and can summarize and/or hyperlink a recording.

In consideration of Behnke's (2014) framework, Risk Management and Ethical are two important bins to consider. From a risk management perspective, does your company policy allow use of this type of notes bot, is it HIPAA compliant, do you inform clients that this type of program is being used and collects patient information? Any program or service used that receives information about a client or patient should be reviewed if it is outside of standard practice and foreseeable risks evaluated.

From an ethical perspective, principles to consider include Integrity as psychologists "seek to promote accuracy, honesty, and truthfulness in the science, teaching, and practice of psychology [and] …avoid unwise or unclear commitments," (APA, 2002; amended 2010 and 2017). Psychologists should weigh the pros and cons of this type of technology in their meetings and the intersection of using this with laws and organizational rules. Principle E, Respect for People's Rights and Dignity, suggests that psychologists respect dignity and worth of all people, which includes privacy and confidentiality. Relevant ethical standards include 4.01 (Maintaining Confidentiality), 4.02 (Discussing Limits of Confidentiality) and related 3.10 (Informed Consent). Clients should be made aware of external programs that may intercept confidential information at the outset of therapy or other psychological services and as new programs are used. Additionally, Standard 3.04 (Avoiding Harm) requires psychologists to take reasonable steps to avoid harm to those with whom they work. Information from an external system that houses confidential information may be breached and lack appropriate protections required by law.

Standard 6.01 (Documentation of Professional and Scientific Work and Maintenance of Records) also may be impacted. If bots or other information are used as part of documentation in a client's medical record, the information in the meeting must be reviewed and summarized accurately. Lastly, in consideration of Standard 6.02 (Maintenance, Dissemination, and Disposal of Confidential Records of Professional and Scientific Work); psychologists are responsible for maintaining "confidentiality in creating, storing, accessing, transferring, and disposing of records under their control, whether these are written, automated, or in any other medium,"(APA, 2002; amended 2010 and 2017). This includes protected health information housed on local devices, cloud services and external platforms.

Social Media Question: I am creating a professional social media page to expand the reach of my practice and to provide psychoeducation to the broader community. What are the factors to consider as I create and maintain this page?

With the significant increase in use of social media as a communication tool, these platforms have expanded to include not only social networking and personal communication, but professional communications and advertising as well. When using social media, the key bins (Behnke et al., 2014) for psychologists to consider are Clinical and Ethical, being aware of the intention they have for the information posted to their accounts. Both clinically and ethically, the principle of Integrity holds that psychologists "seek to promote accuracy, honesty, and truthfulness in the science, teaching, and practice of psychology." Therefore, clinical information provided by psychologists on social media should include only those practices that are supported by scientific research and for which the psychologist has the appropriate education, knowledge, and training (APA Ethics Code Standards 2.01 (Boundaries of Competence) and 2.04 (Bases for Scientific and Professional Judgments).

Many of the ethical considerations for psychologists' use of social media are found within section five of the Ethics Code, Advertising and Public Statements. Standard 5.01 incorporates both the principle of Integrity and the standards for Competence, specifically indicating that psychologists should avoid using false or deceptive statements about their practice, research, or training. Of note, these ethical considerations hold true for multiple aspects of social media including not only professional accounts or pages, but also personal accounts as that information may be attributed to the psychologist and shared as such (Smith et al., 2021). In adherence with Standard 5.04 (Media Presentations), it is recommended that psychologists employ the use of a disclaimer to clearly indicate that a professional relationship has not been created through a person's reading of, or interaction with, the professional or personal social media of the psychologist.

In addition to their responsibility for the information provided on their social media, psychologists remain responsible for statements made about their work by others (Standard 1.01, Misuse of Psychologists' Work), which can include information "shared" by others or similarly quoted elsewhere on the internet. Psychologists utilizing social media to post this information should remain vigilant of how their work is shared and interpreted, correcting any misuse of their work when it appears. Similarly, if psychologists notice any potential ethical violations by another psychologist on social media, Standard 1.04 maintains that they should "attempt to resolve the issue by bringing it to the attention of that individual, if an informal resolution appears appropriate and the intervention does not violate any confidentiality rights that may be involved."

Finally, psychologists should strive to maintain all ethical and legal standards for confidentiality within their online presence, including avoiding any use of potential client information such as testimonials (Standard 5.05) or any recordings.

Closing

Finally, the APA Office of Healthcare Innovation has helpful guidance on Technology, innovation, and measuring care in practice. They have also established the Mental Health Technology Advisory Committee (MHTAC) who are charged with assisting the OHCI to develop and advance initiatives such as telehealth, interoperability and health information exchanges, and digital interventions among other priorities. Additional information may be added by APA offices in the future and we encourage psychologists to review any updates as they are released.

References

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