

Ethics Code Task Force (ECTF) Meeting Summary – March 10-11 2022

Since its inception, the Ethics Code Task Force (ECTF) has met virtually one or more times per month and periodically, during the year, for extended days to continue its work on revising the APA Ethics Code. For the first several years, the ECTF met in-person for its extended all-day meetings, however, since 2020, the ECTF has been meeting virtually for all meetings, including bi-weekly meetings and extended all day meetings. Whenever the ECTF has met for full day meetings, it has provided an opportunity to representatives from APA boards and committees, divisions, state associations and other stakeholder groups by allocating one-hour at the end of each full day to provide an update on discussions by the ECTF members and receive comments.

Towards the end of 2021, the ECTF had begun its discussion of the comments received related to the posting of the draft Principles developed by the Task Force. The draft Principles were posted for a 90-day comment period beginning on July 15, 2020. At its end of the year, all day meetings, in 2021 (November and December), the Task Force reviewed comments received related to the following draft principles: Human Rights and Civil Rights; Interrelatedness, Systems, and Environment; Integrity; and Beneficence and Nonmaleficence. In addition to reviewing the individual comments received related to these specific principles, the Task Force reviewed comments that centered on common themes received by various groups.

The ECTF met for its first extended meeting in 2022 on March 11, 2022. In addition, the ECTF met for its regular 1 ½ hour meeting on March 10, 2022. The ECTF discussed the following two principles during these two March meetings: Scientific Mindedness and Respect for the Welfare of Persons and Peoples. The following notes provide a brief review of the discussions by the Task Force members of the comments received. However, as a reminder, the following notes do not reflect all the points discussed by the Task Force members, including the extensive discussions by members related to the various concepts outlined in reference to each of the draft principles.

The ECTF began its discussion of the principle of Scientific Mindedness, with considering whether the principle has the uniqueness needed to be a foundational principle. Several individuals and groups that provided comments noted the need for consideration of combining the principles of Scientific Mindedness and the Interrelatedness of People, Systems and the Environment. Following its discussion of the many comments received, the task force members decided that Scientific Mindedness would remain as a principle within the revised Code. It was noted that the following concepts would need to be incorporated into the principle or the paragraph (yet to be written) that linked the principle with the standards in the revised Code: a) concepts of equity, diversity and inclusion (EDI); b) language that reflected that psychologists guard against the misuses of science; and, c) statements that centered on the “application of empirical evidence derived from diverse methods of inquiry.” In addition, there was discussion concerning how best to include concepts related to the peer review process and transparency. Members noted that these points were unique and specific and would be better included in the standards section.

The ECTF began its extended full-day meeting on March 11th, 2022 with a brief discussion of the principle, Respect for the Welfare of Persons and Peoples, and the comments provided by groups and individuals related to the principle. Several of the Task Force members noted the extensive comments and the strong perspectives reflected in the comments provided by individuals. Amongst the issues discussed by the Task Force members were the following suggestions reflected in the comments: a) possible changes related to the name of the principle; b) recommendations on changing the language to be less directive; c) changes to the language to reflect more of an ethics perspective rather than a political advocacy stance; d) thoughts related to the redundancy of the principle with another (i.e.,

Beneficence); and e) questions related to the term “Persons and Peoples,” specifically if this term was meant to represent communities and groups, plus organizations.

During the meeting, the task force members also began an extensive discussion about how the following issues will be addressed within the revised Code: a) the use/issues in stating language related to discrimination in the standards; and, b) sexual misconduct related to clients/patients. As a result of its discussion, the task force members agreed that the following language will be used in the revised Code related to unfair discrimination: Unfair Discrimination – proposed revision- (unlined - additions; strikeouts – deletions)

- “In their work-related activities, psychologists do not engage in unfair, biased, or prejudiced treatment of persons or peoples based on, differences, including but not limited to such as age, gender, gender identity/diversity, race, color, ethnicity, culture, national origin, immigration status, language, religion, sexual orientation, physical or mental disability, veteran status, and socioeconomic status. ~~or any other basis proscribed by law.~~”

Regarding the standard of sexual misconduct, the Task Force began the discussion with a review of the current Standard outlined in the Code and its application. One of the questions that the members discussed focused on how the concept will be reflected in the revised Code. Currently the standard, which is outlined in the therapy section only focuses on sexual relationships with the individual client/patient and is grounded in a number of concepts (i.e., privacy, transference issues, once a client and therefore always a client). Several members noted the need to address the standard as it related to the work of psychologists within corporations and communities. Other issues discussed included the following: a) the timeframe related to the contact with the patient/client; b) the type of service being provided, such as it relates to consulting, contracts, assessment, etc.; and c) how or does the standard differ across practice settings. During the discussion of this standard, several recommendations emerged which the task force discussed that included the possibility that the standard will reference relationships beyond sexual relationships, and that the revised standard will retain the current language that relates to the timeframe and its limit when interacting with the client/patient.

Review of the Task Force Meeting Discussions with Liaisons: As the Task Force has done in the past during its full-day meetings, the Task Force invites liaisons from various APA groups (i.e., Boards and Committees, Divisions) to join the Task Force in a discussion hour at the end of the meeting. Appointed liaisons were invited to register to participate in the open meeting discussion that occurred from 4:00-5:00 pm (eastern time). Following the introduction of the liaisons and Task Force members, the members provided a review of the discussions by the Task Force related to the two principles of Scientific Mindedness and the Respect for the Welfare of Persons and Peoples. In addition, an overview was provided related to the changes in the language of the discrimination standard (changes/edits, etc.), and possible changes related to the standard of sexual misconduct.

Following the general overview of the meeting, liaisons were invited to make comments and ask questions of the Task Force. Amongst the questions and comments provided by the liaisons were the following: a) questions about the general timeline for revising, soliciting public comment, and completion of the revised Code; b) questions about how the task force members determined the inclusion of the principle, Scientific Mindedness; c) concerns about how some state licensing boards accept the principles as enforceable; and, d) questions related to the inclusion of a decision-making model.

The meeting ended with a reminder to everyone that the next full-day meetings of the ECTF will be May 19- 20, 2022.