

Washington State Psychological Association

Ethics and Professional Standards Committee
A Professional Review Committee
Procedures Manual
November 3, 2007

I Mission

The mission of the Ethics and Professional Standards Committee, A Professional Review Committee (“Committee”) is to serve as a consultation resource to members of the Washington State Psychological Association (“WSPA”) and the public on specific questions of ethics and to plan and implement educational opportunities on ethics for the members of the organization.

II Professional Review Committee

No member of a Professional Review Committee shall be liable in a civil action as a result of acts or omissions made in good faith on behalf of the committee; ...nor shall a member... of a professional society...be so liable for good faith acts or omissions made in full or partial reliance on recommendations or decisions of a professional review committee. (RCW 4.24.240)

III Philosophy

A The Ethics Committee has a philosophy of ethical thought anchored to current ethical guidelines and the law related to psychology and with a perspective based on time, culture and broader ethical issues.

B The Committee members respect autonomy. We will be invested not in whether a member uses our thought but in providing thoughtful perspectives, opinions, suggestions, and resources.

C We shall have a philosophy of group process that includes a respect for differences, the creation of healthy working relationships among Committee members, the pursuit of our mission, and the co-creation of an enjoyable endeavor.

D We will embody an appreciation of our own biases and assumptions and strive to increase our perspective through self reflection and openness to ideas and information.

IV Committee Structure

A Membership

1 Chair

a The Chair is appointed by the WSPA Executive Board for a term of two years, not to exceed three consecutive terms. [WSPA Bylaws, Article VII, Section 3]

b Responsibilities of the Chair will include

- Committee process leadership
- Participation as a member of Council
- Liaison with the Executive Board through the Board representative
- Annual report summarizing Committee activities to the Executive Board

2 Committee Membership Requirements

- a WSPA membership
- b Approval by the Chair
- c License in good standing with no current investigations, proceedings or sanctions
- d Attendance at a minimum of two Committee meetings a year
- e Active involvement in Committee work
- f Maintenance of materials relevant to Committee functions
- g Agreement to follow policies and procedures of the Committee

3 Consultation Line Member Requirements

- a Approval by the Chair
- b Two years prior Committee involvement
- c Evidence of good knowledge base about ethics and standards
- d Evidence of ethical thought and judgment
- e Excellent interpersonal skills and good overall judgment

B Recusation—Members shall notify the Chair and recuse themselves from Committee involvement if and when they become the subject of an ethics complaint investigation, until that complaint is dismissed. Members will be assumed to be NOT guilty. The purpose of this recusation is to protect the fact and appearance of the Committee as an ethical resource for WSPA members.

V Process

A Confidentiality—All information pertaining to consultations shall be held in confidence, with the exception of reporting mandated by Washington Law.

B Self Education—Committee members are expected to engage in ongoing ethics and practice standards education, professional-level ethics discussions, ethical reflection, and self reflection.

C Authoritative Sources—The Committee shall base the consultation and education it provides on authoritative sources to include the Ethical Principles of Psychologists and Code of Conduct as adopted and revised by the American Psychological Association (APA), Health Insurance Portability and Accountability Act (“HIPAA”), Practice Guidelines approved by APA or the Washington State Board of Psychology, Washington State Law relating to psychologists, and other relevant educational resources felt to be germane.

D Committee Meetings

1 Meetings shall be held at reasonable intervals as needed.

2 The purpose of Committee meetings are Committee functioning and Committee member education and support.

3 A majority of members of the Committee shall constitute a quorum sufficient to conduct business. When a quorum is participating, a majority of the members casting votes may authorize Committee action. Voting can be conducted by electronic means.

4 Minutes shall be kept of Committee business and forwarded to the Board Liaison and the Executive Director.

VI Educational Role

A Education

1 WSPA Web Page

a One Committee member shall be responsible for the content and the updating of the Ethics section of WSPA's website. Content and suggestions for changes and additions shall be routed through this person for implementation after approval by the chair.

b Examples of content

- List of Consultation Line Members
- Continuing education options
- Links and resources
- Articles

2 Washington Psychologist

a One Committee member shall be responsible for articles in the Washington Psychologist (WP) and shall have editorial responsibility for the content of WP articles, with approval by the Chair.

b Examples of content

- List of Consultation Line Members
- Articles of educational value addressing an issue related to ethical thought and behavior.
- Updates and news items with ethical content.

c One article of educational value worthy of 1 hour of CE credit, with post test questions and appropriate permissions, addressing an issue related to ethical thought or behavior, shall be submitted to the WP each year.

3 Continuing Education

a One Committee member shall be responsible for coordinating continuing education events and publicizing these events for the members through coordination with appropriate Committee members.

b Areas of responsibility include

- Presentations at WSPA events
- Presentations at non-WSPA events
- Continuing education for Committee meetings with educational content.

4 Technology—One Committee member shall be responsible for the development and implementation of technology to better reach WSPA members, especially new members who are technologically more sophisticated.

5 Professional Resources—One Committee member shall be responsible for monitoring and updating authoritative resources for Committee reference, for consultation, and for submission to appropriate Committee members for distribution to WSPA members.

6 Specialization—Individual members might take on responsibility for expertise in specific areas relevant to law or ethics. Examples might include rural ethics, HIPAA, dual relationships, or forensic practice.

VII Consultation

A Policy

1 Along with other State, Provincial & Territorial Psychological Associations, the WSPA Ethics Committee offers consultation to members and other psychologists regarding ethical and professional matters. Such consultation to fellow professionals within our area of practice is standard among professions and in the interest of both psychologists and the citizens within the state.

2 The Committee does NOT provide legal advice nor tell members what to do in a specific situation. Rather, the intent of consultation is to share informed perspectives and promote reflection regarding ethical dilemmas or difficult clinical situations. No final opinion regarding a conflict situation can be offered as only one side has been heard.

3 Committee members also do not offer any evaluation or treatment services to psychologists seeking consultation, although they can suggest referrals.

4 Seeking consultation assumes no binding force of action and is offered collegially as a professional service to assist psychologists in their deliberations.

5 Members who seek such consultation regarding practice and ethical issues are behaving consistent with the ethics code.

B Process for Receiving Calls

1 Committee members who are not Consultation Line Members should refer any caller requesting consultation to a Consultation Line Member.

2 WSPA members are encouraged to call a Consultation Line Member by phone although other forms of communication can be accepted at the discretion of the Consultation Line Member.

3 Callers are encouraged not to give their names and are requested not to give the names of individuals or the institutions involved in the issues or situation they want to discuss.

4 A Disclaimer is explicitly stated at the onset of a call.

a The disclaimer should minimally address the following points:

- That we are a “Professional Review Committee.”
- Limits to confidentiality based on Washington mandatory reporting laws should they disclose a reportable behavior and we learn of their identity.
- That we keep a brief summary of the call, with no identifying data except for a call number, but that this summary could be subpoenaed by a valid court order.
- That consultation given by Consultation Line Members is peer-level, collegial consultation intended to provide and demonstrate an ethics dilemma methodology, that we do not give legal, medical, or clinical opinions.

b The disclaimer should also include the following points.

- Encouragement to seek additional consultation from others, including ethical, legal, and clinical sources.
- Encouragement to document their calls for consultation and instruction in how, why and where to do this.
- Suggestions of other resources that might be helpful to the caller.

c Sample Disclaimer—I am happy to provide collegial professional consultation. I am a member of the WSPA Ethics Committee: A Professional Review Committee, but I do not represent WSPA. This is a pro bono service; the purpose is to help you reflect on and perhaps think through a clinical situation in light of ethical principles, not to tell you what to do. We can not provide legal or medical advice nor do we assume any liability for patient care. With a few exceptions, the consultation is confidential within the Ethics Committee. However, you need to know that, consistent with mandating reporting laws in Washington, if you were to tell me about abuse to a child or disabled /elderly adult or threaten to harm

someone including yourself, I would have to report. Also, a brief summary of this call will be filed under the call number I will give you. It will disclose no names. You may refer to this consultation by that number in any notes you create. If requested by a valid court order, the Ethics Call summary might be admissible in a legal proceeding. So, this consultation should be recorded as you would another professional practice consultation. Is that acceptable?" Do you have any questions?

C Process for Documenting Calls

- 1 Calls are documented on the Ethics Peer Consultation Call Report (Appendix A)
- 2 Calls are given an eight-digit number based on the six-digit date, a modifier if more than one caller on a day, and a two-digit UIN assigned to each Consultation Line Member. This number is noted and it is noted whether this number was given to the caller.
- 3 Caller demographic information is recorded, including gender, whether the person is a professional or public caller, the caller's profession, whether the caller is a WSPA member, and whether the call is local or long distance.
- 4 The number of calls and the time involved with the consultation are noted.
- 5 Whether disclaimers were given is documented.
- 6 A brief description of the problem is documented.
- 7 Specific ethical and legal issues, raised by the caller's issue or situation, are noted.
- 8 Authoritative sources cited are documented.

D Process for Data Collection, Analysis, and Storage

- 1 The Ethics Peer Consultation Call Report is completed upon the completion of a consultation using the standard form or template.
- 2 The Call Report should be sent by email or mailed to the Committee member responsible for data collection and analysis with a copy sent to the Chair. Both shall protect the confidentiality of the data; the Chair shall destroy the copy after review.
- 3 Data will be entered into a database to enable organization and information retrieval for data analysis and programming.
- 4 Call Reports shall be destroyed eight years past their last retrieval.
- 5 Callers can request a copy of the Call Report.

E Process for Calls from Nonmembers—Non WSPA member callers eligible for membership are encouraged to join WSPA, with this pro bono volunteer service promoted as a member benefit.

F Process for Calls from the Public—The Committee does not provide consultation to the public. Callers are informed that an ethics consultation is an internal process, and they are referred to appropriate resources, such as a reference for ethical guidelines, the law, the Board of Psychology, a psychologist, or an attorney.

VIII Consulting Body—The Ad Hoc JD/PhD Committee serves as a consulting body for the Committee.

Washington State Psychological Association Peer Consultation Call Report

Remember to tell the caller to **use no names** when describing the situation:

Limitations Discussed:

Mandatory Reporting Individual Peer Opinion Not Legal Opinion

Assigned Number: _____
(six digit date plus 2 digit UIN)

Gave caller number: yes no

Suggestions about how, why, and where to record notes: yes no

Psychologist WSPA Nonmember Other Professional _____

F M Area Code: _____ Long Distance: yes no

Total number of calls: _____ Total amount of time consulting/helping: _____

Caller has already discussed the situation with others: yes no Who and When? _____
Details?

Caller also will discuss the situation with others: yes no Who and When? _____
Details?

Brief description:

Ethical issues:

Legal issues:

(Note authoritative sources cited: Code of Conduct 2003, WAC, RCW, Board, APA Professional Guidelines, Community standards, Other)