

ETHICS IN THE AGE OF SOCIAL MEDIA

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Workshop Objectives

1. Understand the ethical issues involved in searching for client information on-line.
2. Describe factors affecting how to handle information about a client inadvertently found on-line.
3. Learn how to better protect your personal on-line information.
4. List possible ways to better handle electronic records and telecommunications with clients, families, and other professionals.
5. Learn where to find additional information about technology and professional ethics.

Online Presence

What sites do your students/clients use?

What sites do you use? What about other family members?

Facebook

LinkedIn

Twitter

Instagram

Tumblr

Snapchat

Blogs

YouTube

Pinterest

Listservs

eHarmony

Google+

Psychologists' Online Presence

- 93% of graduate students in psychology have at least one SNS account (Asay & Lal, 2014).
- Digital natives vs. Digital immigrants
- Facebook has 1 billion users and is most popular SNS.
 - Many professional associations have facebook pages:
 - NASP with 25,000 likes
 - APA with 242,000 likes
 - Both ASPP and PPA have sites, as do many individual psychologists.

General Ethical Principles

APA Ethics Code (2010):

Principle A: Beneficence and Non-Maleficence

“Psychologists strive to benefit those with whom we work and take care to do no harm.”

Principle B: Fidelity and Responsibility

“Psychologists establish relationships of trust...[and] are aware of their professional...responsibilities to society and to the specific communities in which they work.”

APA Ethical Principles cont.

Principle C: Integrity

“Psychologists seek to promote accuracy, honesty, and truthfulness in the...practice of psychology.”

Principle D: Justice

“Psychologists recognize that...all persons [are entitled] to access to and...equal quality in the...services being conducted by psychologists.”

Principle E: Respect for People’s Rights and Dignity

“Psychologists respect the dignity and worth of all people, and the[ir] rights...to privacy, confidentiality and self-determination.

General Ethical Principles

NASP (2010):

Principle 1: Respecting the Dignity and Rights of All Persons

This includes respect for personal autonomy, self-determination, privacy, and just/fair treatment.

Principle 2: Professional Competence and Responsibility

This includes beneficence (responsible caring) and accepting responsibility for one's actions.

NASP Ethical Principles cont.

Principle 3: Responsible Use of Materials

This includes being truthful, keeping professional promises, and avoiding multiple relationships.

Principle 4: Responsibility to Schools, Families, Communities, the Profession and Society

This includes maintaining the public's trust, respecting the law, and promoting healthy schools.

Vignette #1

Josh, a student who is not your client, tells you he is concerned that his friend Mike is suicidal. You meet with Mike and he denies any suicidal ideation or intent, but you are not convinced. Would you search for posting online to see if there is any indication that he is thinking about harming himself?

Would it make a difference if Josh suspects Mike might harm another student?

Vignette #2

Your teenage daughter shows you some pictures she posted on Instagram. When she returns to her News Tab, you notice a posting from one of your clients smoking a bong. This client is having difficulty focusing on schoolwork, but denies any drug use. What, if anything, do you do with this information?

Research on Clinicians' Searches

25 – 50% of clinicians surveyed admitted to searching for information about clients online.

- Most thought impact positive or neutral.
- Most of them did not get clients' consent.
- Most did not discuss what they found with clients.
- Most did not consult with colleagues or supervisors.

(e.g., Harris & Kurpius, 2014; Kolmes & Taube, 2014)

Ethical Issues When Searching for Client Information Online

- Privacy and Boundaries
 - Is online information public or private?
 - Would you search for the same info. offline?
- Self-determination and Informed Consent
 - Do clients deserve to be asked before search?
 - How do you use the information you find?

What You Can Do

Six questions to ask BEFORE doing an online client search (Clinton et. al., 2010 in Lannin & Scott, 2013):

1. Why do I want to conduct this search?
2. Would my search advance or compromise treatment?
3. Should I obtain the client's informed consent?
4. Should I share the search results with the client?
5. Should I document the finding of the search?
6. How do I monitor my motivations and ongoing risk-benefit profile of searching?

Vignette #3

You join eHarmony and discover that Judy is a match. But after a couple exchanges, you realize that Judy is the mother of one of your clients. When the clients comes in for the next session, he asks about your dating life. How do you respond?

Vignette #4

During an assessment of Anna, you learn that she is deeply disturbed and has little parental supervision. Anna discovers the identity of your son by tracking family photos in which he has tagged you. She invites him to a party and he asks to go. What do you do?

Vignette #5

A client you worked with for several years is doing well and recently left for college. She is studying psychology and asked to join your network on LinkedIn. Do you add her as a connection?

Would it change your answer if she was in graduate school?

Ethics Codes on Social Media

There is very little that explicitly deals with social media.

General Rule: What applies to in-person interactions applies to online interactions.

APA Ethics Code (2010) Introduction:

“This Ethics Code applies only to psychologists’ activities that are part of their scientific, educational, or professional roles as psychologists....These activities shall be distinguished from the purely private conduct of psychologists, which is not within the purview of the Ethics Code.”

Ethical Issues in Clients Finding Information About You Online

- Privacy
 - Professional vs. private conduct
 - Greater transparency and unintended self-disclosure
 - What do you do to protect your private info.?
- Boundaries and Multiple Relationships
 - Does the online encounter constitute a multiple relationship?
 - Boundary crossings vs. boundary violations

What You Can Do

1. Do not expect to avoid nonprofessional contact with clients and families
2. Separate professional and personal SNSs
3. Check all security settings
4. Remember nothing online completely private
5. Google self to see what is “out there”
6. Consider developing a social media policy (e.g. at www.apait.org/apait/resources/articles/kolmessocmed.pdf)

Electronic Communications

What ways do you use to communicate with clients,
families, and colleagues?

Telephone calls

Voicemail

Faxing

Texting

Email

SNS messaging

Listservs

Ethical Standards – Telepsychology

APA Ethics Code (2010)

Stand. 4.01: Maintaining Confidentiality

“...take reasonable precautions to protect confidential information obtained through or stored in any medium.”

Stand. 4.02c: Discussing the Limits of Confidentiality

“Psychologists who offer services, products, or information via electronic transmission inform clients/patients of the risks to privacy and limits of confidentiality.”

Ethical Standards cont.

NASP Ethics Code (2010)

Stand. II.4.7: Responsible School-Based Record Keeping

“To the extent that school psychological records are under their control, school psychologists protect electronic files from unauthorized release or modification (e.g., by using passwords and encryption), and they take reasonable steps to ensure that school psychological records are not lost due to equipment failure.”

Guidelines for the Practice of Telepsychology (2013)

Telepsychology = “the provision of psychological services using telecommunication technologies.”

These technologies include telephones, email, text, videoconferencing, and the Internet (e.g. SNS).

Includes stand-alone services, often provided remotely, and communications that augment in-person services.

Guidelines developed by a task force jointly established by APA, ASPPB, and APAIT.

Guidelines are “aspirational in intent.”

Contains eight (8) specific guidelines.

Telepsychology Guidelines cont.

Guideline 1: Competence of the Psychologist

Psychologists who provide telepsychology services strive to take reasonable steps to ensure their competence with both the technologies used and the potential impact of the technologies on clients/patients, supervisees or other professionals.

Telepsychology Guidelines cont.

Guideline 3: Informed Consent

Psychologists strive to obtain and document informed consent that specifically addresses the unique concerns related to the telepsychology services they provide. When doing so, psychologists are cognizant of the applicable laws and regulations, as well as organizational requirements that govern informed consent in this area.

Telepsychology Guidelines cont.

Guideline 4: Confidentiality of Data and Information

Psychologists who provide telepsychology services make reasonable effort to protect and maintain the confidentiality of the data and information relating to their client/patients and inform them of the potentially increased risks to loss of confidentiality inherent in the use of the telecommunication technologies, if any.

Telepsychology Guidelines cont.

Guideline 5: Security and Transmission of Data and Information

Psychologists who provide telepsychology services take reasonable steps to ensure that security measures are in place to protect data and information related to their clients/patients from unintended access or disclosure.

What You Can Do

1. Develop technical competence (\neq expertise)
2. Make sure that ALL electronic devices you use for professional purposes (computers, PDAs, tablets, cell phones) are encrypted and password protected.
3. Do not share personal devices you use for work with family members or friends.
4. Always consider that anything electronic may be seen by client or family.
5. Be thoughtful but not paranoid.