



Division 40: The Society for
Clinical Neuropsychology of
the American Psychological
Association



National Academy of
Neuropsychology



American Board of
Professional
Neuropsychology



American Academy of
Clinical Neuropsychology



Cultural Neuropsychology
Council

March 1, 2025

Dear APA Ethics Code Revision Taskforce:

We are writing to share our views on the draft language of the Revision Taskforce with respect to Test Security and Third-party observers. We would first like to acknowledge the obvious care taken by the Taskforce members in navigating difficult professional obligations. As you know, the IOPC is a coalition of all the major national Neuropsychology organizations with advocacy expertise in the United States representing over 6,500 neuropsychologists. We have asked prominent content experts to review the current draft, and we urge you to consider alternate language they have drafted which we believe more directly identifies professional responsibilities necessary to protect the integrity of the instruments and testing assessment and evaluation (TAE) processes. We believe our suggestions reflect the recently adopted *APA Resolution on Protecting Psychological Test Security, Test Validity, and Public Safety* (Feb. 2025).

We urge the adoption of the following language with respect to Standards 10.05, 10.07, and 10.11:

10.05 Maintaining Security of Test Materials

a) Test materials refer to manuals, test instruments, administration and scoring procedures, protocols, and test questions and stimuli.

Psychologists protect the integrity and security of TAE test materials and techniques, including separation or redaction of test materials from the client's/patient's/recipient's test data.

(b) Psychologists protect the integrity and security of TAE by refraining from (1) making public the administration, scoring, and interpretation of test materials; (2) providing individuals with coaching or prior knowledge of the content of TAE; and (3) facilitating or enabling another to do so.

(c) In preparation for TAE, psychologists engage with client/patients/recipients in a manner that is instructive and that supports compliance with test security protocols, within the context of electronic administration, telepsychology practices, and other professional activity.

(d) Psychologists educate non-psychologists who retain, contract with them, or otherwise use or make decisions about TAE, regarding the importance of test security for society and the practice of psychology.

10.07 Release of Test Data

(a) Test data refer to raw and scaled scores, client/patient/recipient responses to questions or stimuli, and psychologists' notes, recordings, and observations concerning client/patient/recipient statements and behavior during TAE.

(b) Protected TAE materials are test materials as defined by 10.05(a), and also include recordings of testing, test data sheets on which client/patient responses are recorded, clinical score reports issued by test publishers, or other test information, that if released to non-psychologists could jeopardize the integrity, accuracy, effectiveness, and continued validity and reliability of psychological tests.

(c) Psychologists limit or prevent access to protected TAE materials when there is the possibility of misuse, misrepresentation, unauthorized dissemination, potential threats to validity and reliability, threats to test security, and/or any potential harm to the client/patient/recipient/third-party client could result. Psychologists do not release protected TAE materials to non-psychologists.

(d) Psychologists may establish agreements with a third-party regarding the acceptable use of test data to identify and restrict, as applicable, (a) intended use; (b) others who would have access; and (c) purpose for additional dissemination. Psychologists may withdraw from contracts and from engagements in legal cases when previously established test security protection requirements are, or may be, violated. (Consult also Standards 2.08, Misuse of Psychologists' or Others' Work; 2.09, Conflicts Between Ethics and Law, Regulations, or Other Governing Legal Authority.)

(e) If test security measures, such as redaction, are considered necessary due to an authorization to release data of the client/patient/recipient/third-party client to non-psychologists, psychologists document their rationale and take reasonable steps to address the matter, which may include obtaining consultation or other remedies prior to complying with or refraining from releasing test data.

10.11 TAE by Unqualified Persons

(a) Psychologists only facilitate, enlist, engage, or endorse TAE by persons with sufficient qualifications, except those who are engaged in formal training and are under the active and direct supervision of a psychologist or other qualified supervisor. (Consult also Standard 1.04, Delegation of Work to Others.)

(b) Psychologists, and individuals under their supervision, who administer, score, and interpret TAE only do so consistent with their level of training and competence.

(c) In forensic cases, psychologists make test data available to other psychologists retained in the case upon lawful request.

Ensuring the necessary safeguards for test security in the proposed Ethics Code is of the utmost importance to psychologists who regularly conduct neuropsychological testing, including the one of the largest Divisions within the American Psychological Association (Division 40: The Division of Clinical Neuropsychology). Recently, in a large-scale survey of licensed neuropsychology and

psychology practitioners (N = 628), respondents overwhelmingly favored keeping test materials secure and not divulging information to attorneys ($\geq 98\%$) and there was near consensus (94.5%) that a protective order issued by a judge is not sufficient to ensure test security.

We stand together as a field in requesting that the APA Ethics Code Taskforce amend proposed revision standards 10.05, 10.07 and 10.11 to more fully maintain test security and the integrity of psychological and neuropsychological assessments. These edits underscore that we, as neuropsychologists, require necessary protections within the Code in order to uphold the integrity of psychological test materials to ensure valid results, decrease the likelihood of test contamination which could threaten public safety, ultimately leading to reduced access to services by further narrowing the pool of linguistically and culturally competent providers available to serve under-resourced and justice-involved populations.

Thank you for your hard work and devotion to our profession and for considering the position of our members.

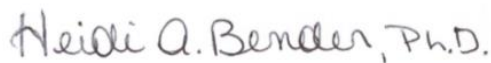
Sincerely,



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