

Commentary:

**DIFFERENCES IN COMPETENCY AND QUALIFICATION
REQUIREMENTS BETWEEN APA AND ACA CODE OF
ETHICS: A REPLY TO GERSON**

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Abstract

The present article is a reply to Gerson's (2019; see this present issue of JISS) commentary regarding our article published in JISS: "*Differences in Competency and Qualifications between APA and ACA Code of Ethics*" (Firmin, DeWitt, Zurlinden, Smith, & Shell, 2019; see this present issue of JISS). I address six main issues related to Gerson's commentary: (1) He seemingly interjects—or projects—his own suppositions onto the factually-based study that we conducted. (2) Gerson highlighted the aspirational “guidelines” that the APA promulgates for various specialties but such guidelines are completely and totally unrelated to the study that we conducted. (3) Gerson makes some factual errors of which I make note. (4) Our reasonable recommendation to compare two codes was without cause extended to suggest that undergraduates should compare all codes. (5) Gerson belittles the details between the two codes but I argue that it is the differences—and not the similarities—that are important for the argument we make in the article. (6) For an inexplicable reason, Gerson advocates that professional psychologists and counselors are not expected to obey 100% of their respective ethical codes. I argue that such reasoning is the result of ignoring the thesis of our present article and eventually will lead to ethical charges/allegations.

Keywords: Ethics, ethical codes, ACA, APA, counseling, psychology

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COMMENTARY

My response to Gerson's (2019; see this present issue of JISS) commentary regarding our article comparing the APA and ACA competency and qualification requirements (Firmin et al., 2019; see this present issue of JISS) centers on six main replies. First, Gerson for some reason interjects—or projects—his own suppositions onto the factually-based study that we conducted. He opines that we made our examination as being representative of the differences between the professions (p. 57). He further supposes that we somewhat juxtapose the two professions in a competitive and polarizing stance (p. 59). For reasons that evidently are arbitrary and unclear, Gerson spends paragraphs expounding on what he considers to be philosophical differences between the two professions (pp. 58-59). However, such pontifications simply misdirect the reader away from the data-driven differences that we report in the study's results (Red Herring argumentation). A careful and objective reading of our article finds Gerson's allegations to be false. Rather, our stated and fulfilled objective was simply to compare the details of rules/standards of two professions (p. 44). We began/ended our study and analysis with no presuppositions or bents/biases between these professions but, rather, highlighted some critical differences between the profession's codes—plain and simple.

Second, Gerson highlighted the aspirational “guidelines” (p. 59) that the APA promulgates for various specialties. Such guidelines are completely and totally unrelated to the study that we conducted, however. As we clearly stated (p. 47), the objective was to compare “enforceable” standards; that is, we compared rules for which professionals can be sanctioned. The guidelines have an aspirational place in the world of psychology—but they have no role in the world of professional counseling. As such, it makes no logical sense to interject them into the present discussion. Proverbially, apples need to be compared to apples and not apples being compared to apples and grapes. If the ACA someday decides to promulgate a set of aspirational guidelines, then certainly a profitable study and discussion—that compares the two sets of aspirational standards—should ensue. But, until such a time, the only comparison that logically even makes any sense is to compare one enforceable standard with another enforceable standard. Similar to the point made in the above paragraph, Gerson evidently has some “preconceived” notions that he desires to import or to interject into our present study.

Third, Gerson makes some factual errors of which I make note. For example, he states that APA has “dozens” (p. 59) of specialty guidelines when, however, the specialty guidelines website (<https://www.apa.org/practice/guidelines/>) lists 22. Gerson states that each of the APA divisions establish guidelines (p. 59) when, in fact, they do not all do so. More importantly, however, Gerson indicated that APA has a homogeneous curricular core and professional counselors do not (p. 58). He mistakenly states that “vocational guidance counselors” and “school counselors” do not follow a common core with other professional counselors (p. 58). However, the Council for Accreditation of Counseling and Related Educational Programs (CACREP) has established standards

(<https://www.cacrep.org/section-2-professional-counseling-identity/>) for all professional counseling programs: addiction counseling, career counseling, clinical mental health counseling, clinical rehabilitation counseling, college counseling and student affairs, marriage, couple, and family counseling, and school counseling. As such, Licensed Professional Counselors (LPCs), the functional equivalents of licensed psychologists—do, indeed, share a common educational-requirement core with one another. This misunderstanding by Gerson evidently led to his further error in stating that only psychologists consider the MMPI to be a standard assessment instrument (p. 59). To the contrary, all LPCs are required to have completed a graduate course in “*Assessment and Testing*” of which attention to the MMPI is a typical staple component. Additionally, the MMPI is covered in the LPC licensure preparation materials and, presumably therefore, also covered as part of the licensure examination process that all LPCs are required to pass.

Fourth, for some reason, Gerson wrote: “I do not see where there is an expectation for one profession or academic major to compare itself to all other possible similar professions” (p. 59). Of course, no rational college senior would take the time in order to compare all the different professional ethical codes. Rather, as we advocate in our article (p. 48), seniors should only compare two: APA vs ACA. Gerson takes our reasonable recommendation (compare two codes) and expands it to absurdity (compare all possible codes). At best, this clouds the recommendation and, at worst, it insinuates to us something that we did not even remotely advocate.

Naturally, I am completely befuddled by Gerson’s statement that “significant differences exist in the ethics codes is not convincingly supported by detail” (p. 60). Much to the contrary, we provided a chart (p. 46) that explicitly listed such details. In fact, I think this issue is a crux-difference between Gerson and the original article’s co-authors. Viz, Gerson seems to have little interest in the minutia of ethical differences but, rather, concentrates on “big pictures,” as well as philosophical differences between the psychology and counseling professions and codes. Unfortunately, however, that is a damnable error. When a professional stands in front of a state licensure board and/or an ACA/APA ethics committee, whatever philosophical/big picture differences may or may not exist—are completely irrelevant. Rather, the professional’s career, honor, and financial future rests squarely in the *details*.

An important reason that we conducted the present study was to help clinicians focus on the “details” of the ethical codes—rather than philosophical notions. To underscore one of our salient examples (p. 51), whether or not a professional possesses education, training, **AND** supervised experience—or in contrast—only possesses education, training, **OR** supervised experience is the difference between losing a license to practice, being forever shamed on a state licensing board violators list, and potentially facing a million-dollar-lawsuit. I literally cannot overemphasize how essential the *details* are in such ethical complaints. Lawyers are not going to care about “big picture” ideas, when they argue cases in court in behalf of their counselors/psychologists. Proverbial

“good” lawyers are going to win/lose their cases based on the precision of wording, finding details that were not fully-filled, emphasizing minutia that professionals overlooked, and the like. Toward all those ends, our present article helps professionals to microscope the ethical codes and help ensure that they always avoid potential charges/allegations.

And finally, I was completely aghast when having read: “The emphasis on avoiding punishment and the expectation of 100% compliance with the ethics codes is both naïve and inaccurate” (p. 59). If a psychologist/counselor is only 99% compliant with his/her ethical code, then he/she can fully-expect to (a) be disciplined by the state licensure board and (b) be expelled from the respective profession (APA or ACA). What thinking professional is willing to endure such shame, humiliation, hardship, and loss?! When we become licensed and/or join professional organizations, nobody signs a 99% agreement. Rather, of course, we agree to abide by all (yes, 100%) of the content in the ethical code. There is a different place for discussing “higher ideals” but this present article is not such a place. Rather, we rightly focus readers’ attention on the details of code compliance because professionals will proverbially “hang” on them—if they are not followed to the letter (i.e., not just the spirit).

I felt disappointment that Gerson repeatedly attempted to divert attention away from the potential value of our article. Metaphorically, it was like we wrote an article regarding the importance of, say, building homes from fieldstone so they are safer during inclement storms. Rather, than addressing this thesis (e.g., he might have argued, say, it is better to use bricks or poured-cement homes, rather than fieldstone), Gerson instead wrote about why grey homes are not as attractive as colored homes, how basements add value to the future salability of homes, and the location of fieldstone-homes drive the price indexes. Those would be fine matters to address in different articles—but they did not address our specific argument. Placing the two ethical codes side-by-side in line-by-line and words-for-words fashion has the potential of saving some psychologists/counselors the pain of future ethical violations. We hope readers will walk away from the present written discussion clearly focused on the thrust of our article and understanding that the details are not just important—they are critical.

I will close the present article with a personal anecdote. Some years ago, I was asked to supervise a Ph.D. student in counselor education. She needed a one-year, full-time internship in order to qualify and meet her degree requirements. Jane (a pseudonym) already was a master’s-level LPC in my state and she was earning her Ph.D. as an “added credential” to her present counseling license. As Jane’s supervisor, I am a licensed psychologist in the state of Ohio; as such, I am expected to obey 100% of the rules and guidelines promulgated by the state board. Jane, in contrast, had absolutely no obligation to obey the Ohio psychology licensure always. In contrast, she had to follow every guideline that had been established by the Ohio Board for Professional Counselors. Obviously, I had no obligation to obey the counselors’ ethical code.

Jane and I meet for bi-weekly supervision and, to the best of our knowledge, we followed every letter of each ethical code. Before our first meeting, I instructed Jane to print both the Ohio psychology code and the Ohio counselor code; I did the same. Independently, we read and highlighted the codes—paying very close and particular attention to the *DIFFERENCES* in the state laws—where such differences existed. We literally read the codes with highlighters in our respective hands, penciled many notes, and post-it-noted multiple pages. After having spent two meetings together that had been dedicated to this protocol, we felt reasonably confident that we grasped the detailed-differences between the Ohio psychology and professional counselor ethical expectations. We made a list of these differences and then wrote-out plans for how Jane would engage in specific professional practices that met the requirements of *BOTH* ethical codes. This is because Jane could not engage in behaviors that violated psychology ethical requirements—when she worked under my Ohio psychologist license. Obviously, Jane had to obey all of her own counselor requirements—and, as Jane’s supervisor—I was responsible to know these and ensure that she followed 100% of them. There were some activities in which Jane agreed she would not engage (for her one-year, full-time internship), during the stint when she worked under my professional license.

Obviously, the process that I just described took a relatively long amount of time, it was very, very tedious, and we extended significant effort in order to accomplish the objective. But—at the end of Jane’s internship experience—there was also a significant feeling of satisfaction. Both Jane and myself felt as though we “did it right.” If either one of us were to have “gotten into trouble” that specific year—it was not going to have been due to our negligence in complying with ethical codes. For us, it was a matter of integrity. That is, if we both agreed to abide by our respective codes—then we had a moral obligation to do so—irrespective of how much time/effort it took for compliance to occur. The proverbial devil is always in the details. We were committed not to fall into the trap of ignoring such details but, rather, made such details our rightful focus for compliance.

As other professional practitioners face similar circumstances, we trust that our present article will help reduce some of the time/effort that is needed when comparing the APA/ACA ethical codes. Psychologists/counselors will continue having supervisor/supervisee relationships and, when these occur, we hope such practitioners will reference our article for potential assistance and some guidance. Our scholarly work agrees with Gerson’s statement that ethical codes mostly are similar (p. 59). Nonetheless, it is not the similarities that are important for avoiding ethical charges/allegations; rather, it is the details and, toward that end, we hope professionals will utilize our work.

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