

**Testimony re House Bill 5040
House Education Committee
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The Michigan Psychological Association stands in strong opposition to HB 5040. The American Psychological Association also opposes any "conscience clause" legislation.

HB 5040 would override academic accreditation standards and allow students to refuse to counsel or provide psychotherapy to an individual as part of an academic social work, psychology, or counseling program based on the student's "religious or moral conviction. In other words, students would enjoy enormous latitude to refuse to complete their academic assignments based solely on their personal beliefs.

In short, HB 5040 raises issues of:

- **Academic freedom**
- **Undermining national accreditation standards**
- **Violation of all three professions' codes of ethics**
- **Social justice and multicultural inclusion**
- **The public welfare**

The provisions of HB 5040 are in marked conflict with both the ethical principles of psychologists and the standards for accreditation of professional education and training programs in psychology, which are designed to prepare our workforce to meet our nation's increasingly diverse needs. The enactment of HB 5040 could result in Michigan redefining the parameters of competence needed for the profession of psychology and, in the process, endanger the accreditation of its psychology doctoral and internship programs, causing prospective graduate students in psychology to choose to continue their education in other states.

This bill would also create a conflictual situation for students who are licensed, since the provisions of the bill would override the APA Code of Ethical Conduct, which is incorporated into the licensure statute.

In addition, HB 5040 clearly has strong social justice implications. As we know, this bill was introduced after a student was dismissed from a graduate program for refusing to provide services to a gay client. This bill sanctions discrimination as well as allowing students to exclude themselves from gaining competence in working with diverse populations. Reducing discrimination in all spheres, including access to mental health services, is an important goal of APA and MPA.

Another goal is the academic freedom of professional education and training programs in psychology to determine what knowledge and skills students need to acquire to meet the responsibilities of a practicing psychologist.

The intrusion of state legislatures into the education and training of mental health professionals is very troubling to us. We see no justification for this action and are concerned about where it might lead. In this regard, it should be noted that there are already government regulatory bodies at the state level, such as the Board of Psychology, that provide the interface between the profession and state government. HB 5040 would place a barrier in the way of training students to fulfill what will ultimately be their ethical obligations regarding non-discrimination.

The U.S. Supreme Court has repeatedly rejected this framework by ruling that higher education faculty should be free to make “genuinely academic decisions” about a student’s compliance with an academic assignment. *Regents of the Univ. of Michigan v. Ewing*, 474 U.S. 214, 225 (1985).

The *Guidelines and Principles for Accreditation*, as endorsed by the discipline of psychology, require psychology training programs to ensure that all students attain an understanding of cultural and individual diversity as related to both the science and practice of psychology, along with the relevant skills and competencies to provide services to all segments of the general public. Students need to be trained in all aspects of diversity prior to receiving their degree, because they may grow and change in their beliefs, preferences in populations with whom they would like to work, geographic region, etc. They need to receive broad exposure to populations and issues while in training. It is through supervised training

that they learn most about their own abilities and begin to understand their strengths and limitations.

The goal of multicultural training and the code of ethical behavior is not to change a student's personal values. Rather, the goal is to provide students with assistance in wrestling with, and hopefully resolving, discrepancies between personal values and competent provision of services. In the process of acquiring professional values and ethics, personal values may be altered but this is not the goal of training. After training, licensed psychologists have the option of choosing which populations they will or will not serve. However, we often learn new information about clients during the course of treatment; adequate training in diversity prepares psychologists to beneficially and non-injuriously treat even those clients who they may have not elected to treat had they known at the outset the characteristics that emerged later.

Perhaps the most egregious aspect of HB 5040 is the potential disregard for the public welfare. All trainees need to be prepared to serve a wide variety of clients without harming them. All health care professionals adhere to a basic ethic requiring us to, above all else, do no harm. By standing in the way of training all psychologists in multicultural diversity, HB 5040 has the potential to allow great harm to the citizens of Michigan.