



Counselors and the Right to Test: Working Toward Professional Parity

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In today's era of increased accountability and high stakes decision making, the use of assessment instruments in clinical settings is becoming essential. As new testing practices and assessment tools are developed, the need for their availability and the availability of qualified professionals who are trained to administer, score, and interpret their results will continue to grow (Naugle, 2009). In this digest, we discuss some of the current issues affecting counselors' use of tests in clinical practice and highlight ways counselors can ensure their rights to parity in testing practice.

Historically, assessment, including various forms of testing, has been an integral part of the counseling process for counselors of all specialty areas. Illustrating this relationship, Fremer and Wall (2004) pointed out that the use of assessment and test results permeates all aspects of counseling, including: client selection and placement; diagnosis; accountability and evaluation; identifying trends or progress; and self-discovery. Despite this history, the use of assessment instruments is one of the most contentious and hard-fought battlegrounds facing the counseling profession today (Erford, 2007). Currently, battles between psychologists and counselors over the right to use tests are being waged in several states.

As professional counseling licensure laws have now been enacted in all 50 states, the issue of who is qualified to administer, score, and interpret psychological tests has become a matter of increased debate. While the enacted legislation for each state is clear about the scope of practice for counselors, there are some state laws that either limit or are ambiguous about assessment privileges for counselors. This fact is especially disconcerting considering that a recent survey of 62 psychology licensing boards in the United States and Canada revealed that approximately two-thirds (67.2%) believe that their jurisdiction prohibits licensed professionals (other than psychologists) from conducting psychological testing (Dattilio, Tresco, & Siegel, 2007).

Fair Access Coalition on Testing

Counselors often use assessment and test instruments in various aspects of their professional practice. Because professional practice acts supported by these psychology licensure boards can serve to limit the scope of practice of counselors, the Fair Access Coalition on Testing (FACT) was formed to protect counselors' rights to conduct assessment and testing services.

In addition to working on behalf of counselors, FACT works to protect the assessment rights of a wide range of other helping professionals. The overall goal is to protect professionals' rights to use a broad spectrum of assessment instruments. The FACT board is made up of representatives from test publishers, school psychologists, speech/language therapists, the National Board

for Certified Counselors (NBCC), the American Counseling Association (ACA), the Association for Assessment in Counseling and Education (AACE), and others.

Unfortunately, many counselors have been affected by policies or legislated acts that have unfair requirements for test administration. In many cases, these policies have been enacted in opposition to the guidelines for education, training, and experience that have been established by test publishers. According to the ACA ethical code (ACA, 2005), counselors are responsible for self-evaluation of their competency to administer and interpret assessment instruments. The International Test Commission's guidelines (ITC, 2001) identify this practice of self-evaluation as competency-based assessment. In other words, those professionals who conduct assessment practices are responsible for self-evaluation of their competency. The restrictions that have been imposed by psychology licensure boards have been related to title only and have not considered competency as a factor.

In an effort to guide the practitioner in competency-based assessment, many professional associations, regulatory boards, or credentialing agencies have established training, practice, and ethical standards dealing specifically with professional competence in the use of assessments. However, psychology licensure boards have consistently sought to restrict how other helping professionals determine competency.

What Role Does FACT Play?

FACT has worked on behalf of counselors and other helping professionals through a variety of advocacy and outreach efforts. FACT can initiate an action plan in a variety of ways. In some cases, individual counselors request assistance from FACT when their rights to practice assessment have been infringed upon. In other cases, organizations such as state counseling associations request assistance in establishing legislative leverage that would guarantee parity in assessment practice for counselors. Regardless of how the process is initiated, the coalition members of FACT work together to advocate for assessment parity. FACT also serves as a watchdog group in monitoring legislative agendas that might impact the assessment practices of individuals in the helping professions.

What Types of Issues Has FACT Addressed?

One of the ongoing issues facing the helping professionals with regard to assessment practice is the development of restricted test lists (RTL). Psychology licensure boards have provided state legislatures with lists of tests that they believe should only be used by psychologists. FACT has consistently worked to oppose such RTL's. Indiana has been one of the states where restricted test lists have been proposed. Initially, a bill

was passed that provided the state psychology licensure board with the privilege of establishing a restricted test list. However, after a wide range of advocacy efforts by the FACT coalition, the psychology board's privilege of creating an RTL was removed by the governor of Indiana (FACT, 2010).

The fact coalition worked in Kentucky on a similar issue. In Kentucky, the psychology licensure board introduced a bill that restricted test usage for counselors and also sought to prohibit a counselor from administering and interpreting psychological assessment instruments. In this case, FACT provided the Kentucky Counseling Association with research and information that would help them to develop strategy to address the RTL and the limitation on the scope of practice of the counselor. FACT's efforts were successful in getting the RTL removed and in defeating the proposed bill. The efforts also led to the attorney general withdrawing the complaint letter against the individual counselor (FACT, 2010).

Of course, advocacy efforts have varying degrees of success. For example, in Wisconsin the current rules remain restrictive. At present, counselors are required to complete specific coursework, to have supervision by a psychologist, and to obtain a signed affidavit from a psychologist for every test they wish to use. At present, FACT is advocating for the adoption of model language that includes competency evaluation similar to that used by test publishers (FACT, 2010).

Where Can Counselors Turn for Help?

Given the wide range of clinical applications testing holds, it is critical that counselors increase their awareness of the current struggles many face in attempting to gain access to certain testing rights and privileges regardless of the setting in which they work or their area of specialization (Naugle, 2009). Fortunately, there exists a number of resources counselors can access to help them become more informed and allow them to practice good test use.

One source of information is the American Counseling Association. In their policy statement on test user qualifications, ACA asserts that the right to test should be based primarily on user competence obtained through education, training, and experience in the field of testing. The *Standards for Qualifications of Test Users* includes seven areas in which professional counselors must demonstrate they possess the appropriate knowledge and skills required to appropriately utilize tests in their practice of counseling. Further clarification of the knowledge and skills required to test are included in the *ACA Code of Ethics*.

Another excellent resource is the Association for Assessment in Counseling and Education (AACE), a division of the American Counseling Association. AACE is an organization of counselors, educators, and other professionals that advances the counseling profession by providing leadership, training, and

research in the creation, development, production, and use of assessment and diagnostic techniques, including tests. On its web site (www.theaaceonline.com), counselors can find a number of resources related to the use of testing and assessment in counseling. On the resources page, a number of assessment and testing documents are available for download including: the *Code of Fair Testing Practices in Education*, the *Responsibilities of Users of Standardized Tests*, the *Standards for Qualifications of Test Users*, and the *Rights and Responsibilities of Test Takers*. Counselors also can find reviews of several assessment instruments that should help facilitate the selection of appropriate instruments given the client and/or situation.

Summary

As every counselor has learned, assessment instruments provide insight about an individual's various areas of functioning (e.g., emotional, behavioral, and environmental) and help the counselor to form a profile that informs the treatment planning process. Thus, assessment is a central component of counseling. Therefore, it is essential that counselors have parity with other professions in this area of practice. In this entry, we have reviewed some of the key issues that impact parity with regard to assessment practice and have provided information about organizations that either advocate for parity or provide essential support for counselors who practice assessment.

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