



Position Paper

Secretive Recording of Neuropsychological Testing and Interviewing:
Official Position of the National Academy of Neuropsychology[†]

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Abstract

Neuropsychologists are occasionally asked to have neuropsychological testing observed via the presence of a third party, through one-way mirrors, or with audio or video monitoring or recording devices. The primary reasons for not allowing observation are its effect on the validity of the examination results and the security of copyrighted test materials. To overcome the problem of observer effects on the examinee's performance, some individuals have suggested that examinations be monitored or recorded without the examinee's awareness (i.e., secretly). However, secretive recording of neuropsychological interviews and testing is deceptive, which is inconsistent with ethical principles. In addition, such recording may affect the behavior of the examiner. For these reasons, neuropsychologists do not, and should not, encourage, condone, or engage in secret recording of neuropsychological interviews or testing.

Keywords: Secret; Recording; Neuropsychological; Evaluation; Forensic; Ethical

Secretive recording of neuropsychological interviews and testing is inappropriate. The rationale for not engaging in, encouraging, or supporting secretive recording of neuropsychological interviews or testing is described subsequently.

Neuropsychologists are occasionally asked to have neuropsychological testing sessions observed via the presence of a third party, through one-way mirrors, or with audio or video monitoring or recording devices. With the exception of a few specific contexts (e.g., training purposes), the profession of neuropsychology has taken a strong stance against the observation of evaluations in any format (American Academy of Clinical Neuropsychology, 2001; National Academy of Neuropsychology, 2000). The primary reasons for not allowing observation include its effect on the validity of the evaluation results and the security of copyrighted test materials (McCaffrey, 2005). Specifically, the following concerns exist: (1) tests were not standardized with observation or recording devices present, which limits the applicability of normative data in such instances; (2) the presence of

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a third party or device can affect the examinee's performance; (3) the examiner's behavior may be affected; (4) test security may be compromised, allowing prospective examinees to determine their responses in advance of the evaluation; (5) copyright laws may be violated; and (6) evaluation content may be misused. For these reasons, the mandate to avoid recording neuropsychological testing sessions applies to all situations, including those in which examinees or their legal representatives are aware of, and provide consent for, such recording.

To overcome the problem of observer effects on the examinee's performance, some individuals have suggested that evaluations be monitored or recorded without the examinee's awareness (i.e., secretly). Although this suggestion may help to eliminate the effect of the observer on the examinee's performance (i.e., points 1–2 above), the other areas of concern remain (i.e., points 3–6 above). In addition, an element of deception is introduced into the evaluation context. Under most circumstances, deception in the context of neuropsychological examinations or in research conflicts with ethical requirements (American Psychological Association, 2002, Ethical Standards 4.03, Recording; 8.07, Deception in Research; and 9.03, Informed Consent in Assessments). Secretive recording of neuropsychological interviews and testing is deceptive and is therefore inconsistent with the respect for autonomous decision making that underlies most clinical services (Beauchamp & Childress, 2001).

In addition to instances in which secretive recording of neuropsychological interviews or testing is requested of the examining neuropsychologist, there have been instances in which treating neuropsychologists have encouraged their patients to secretly record independent neuropsychological examinations performed by other neuropsychologists. This practice, although not affecting the examiner's behavior, can affect the examinee's presentation and performance and, therefore, affect the validity of the examination results. In addition, the examiner, like the examinee, has a right to be protected from intentional deception in the examination process. Thus, this practice is also inappropriate and inconsistent with ethical practice.

Furthermore, examinees often spontaneously confide information to examiners while testing is in process that the examinees consider confidential and want to be kept 'off the record.' If this were to occur while an examinee is being recorded, the neuropsychologist would be obligated to inform the examinee that the information had been secretly recorded. This situation would very likely have a detrimental effect on the rapport between the examinee/patient and the neuropsychologist and compromise the work being performed. In addition, obtaining consent retrospectively is unethical. Thus, just as psychotherapy is never recorded without the patient's consent, neuropsychological interviews and testing must never be recorded secretly.

In summary, neuropsychologists do not, and should not, encourage, condone, or engage in secret recording of neuropsychological interviews or testing. For the protection and benefit of the individual examinee, the public, referral sources, and the examining neuropsychologist, secretive recording of neuropsychological interviews or testing should not be introduced into the neuropsychological examination process.

Conflict of Interest

None declared.

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