

**POLICY AS REGARDS RELEASE OF  
PSYCHOLOGICAL TEST DATA**

It is clear from statute C.R.S. 14-10-127 (3) and CJD 04-08 that parties to a parental responsibilities/parenting time evaluation have a right to request the underlying data. This becomes a problem for psychologists in regards to psychological test data. The American Psychological Association (APA) "Ethical Guidelines for Psychologists" states that psychological test data must not be released if doing so could cause harm to the client. Further, proprietary agreements with the test manufacturer prohibit the release of data to those not qualified to interpret testing results. Psychologists conducting these evaluations are therefore faced with a dilemma when they receive a request for underlying data related to an evaluation. On the one hand, the statute gives clients the right to the data. Yet psychologists are under ethical and legal constraints.

The best resolution of this dilemma is as follows: Upon request, I will provide copies of test data to another psychologist. This does not represent a conflict of ethical principles or proprietary agreements. Specifying another psychologist is the most expeditious means of obtaining evaluation test data and can easily be accomplished. If, however, the parties are insistent on obtaining psychological test data without utilizing a qualified professional, I request that they obtain a court order for release of these protected materials. Such a court order would supersede my professional ethical standards and allow me to respond without being in violation of those standards.

I respect your rights to understand and review the materials on which I base my evaluation reports. The above policy is not intended to obstruct those rights. Since these questions often arise, however, I have decided that it would be most helpful if all parties are notified of this policy at the outset of the evaluation process.

**01/2018 Julie Van Heyningen, Psy.D, P.C.**