

Division 42 Listserv FAQ updated June 2019

## Division 42 Listserv FAQ

Welcome to the Division 42 Listserv, **The Community for Psychologists In Independent Practice!** We hope you will find the Listserv to be an essential resource and a fascinating source of collegial interaction with one of the largest and most active Divisions of APA. Please take some time to familiarize yourself with the Listserv Policies and Procedures. Feel free to jump in on conversations and start some of your own and peruse the website ([www.division42.org](http://www.division42.org)) for additional information.

### OVERVIEW AND BRIEF INTRODUCTION TO LISTSERV ETIQUETTE:

*(please see detailed information under separate headings in this FAQ)*

Thank you for taking a moment to familiarize yourself with Listserv rules and procedures. We are a big and active listserv community that is a fantastic resource! These policies are set in place to follow APA guidelines and to facilitate Division 42 members' enjoyment and navigation of our Listserv.

- use topic headings\*
- be collegial; unprofessional postings are not tolerated
- don't advertise
- filter out subjects that disinterest you
- contact the Listserv Moderation Team with questions anytime
- familiarize yourself with Division 42 and APA Listserv guidelines
- use the listserv as a resource
- remember that the Division 42 listserv is "reply-all" by default
- keep in mind antitrust regulations when posting

\*Topics are listed below; please see the FAQ below for full descriptions of each topic

"INTRODUCTION, CLINICAL, BUSINESS, NEWS, CHAT, POLITICAL, CAMPAIGN MESSAGE, ETHICS, FORENSIC, TECH, RAMBLING, RESEARCH, R&P, STUDENT POST, ECP POST, LIST/HOUSEKEEPING, RETIREMENT, HUMOR, LISTSERV MODERATION, OTHER"

### 1. Where can I learn more about the Listserv?

General listserv policies can be found as follows: Access our listserv policies here:

<https://division42.org/listservfaq>

More detailed help about how to manage your listserv settings can be viewed on our website here:

<https://division42.org/community/division-42-listserv/>

### 2. How can I get the digest form of the Listserv?

Division 42 has 500-1000 list members, each with various hardware and software configurations. This contributes to many variations of how things look in digest form when the email arrives to your inbox. One setting will not work for everyone, so please remember to try other digest formats if you do not like the choice you initially selected.

Change your listserv settings to digest form by following the steps below:

- Go to: <http://lists.apa.org/cgi-bin/wa.exe?A0=DIV42>
- Select 'Subscriber's Corner'
- Select 'My Settings' tab
- Select [Settings] next to Div 42
- Under the 'Subscription Type' category select the 'radio button' for the type of digest you want to receive
- At the bottom of the page select the 'Update Options' button
- If you are still having trouble, please contact Ms. Jeannie Beeaff, Listserv Administrator directly at [div42apa@cox.net](mailto:div42apa@cox.net).

### **3. Who is on the Listserv Moderation Team and how do I contact them?**

Our listserv moderation team is made up of volunteer Division 42 members. *Please do not assume that by sending a message to the entire DIV42 listserv that a moderator will see your message and respond to it.*

**To send a general query to the Listserv Moderation Team, please email us at: [42listserveteam@division42.org](mailto:42listserveteam@division42.org)** and one of the team members will be in touch with you as quickly as possible. All of these individuals will receive your query.

#### **Listserv Moderation Team:**

Shannon M. Nicoloff, Psy.D. [42listserveteam@division42.org](mailto:42listserveteam@division42.org)

Blaine Lesnik, Psy.D. [42listserveteam@division42.org](mailto:42listserveteam@division42.org)

#### **Additional Listserv Members:**

Jeannie Beeaff, Listserv administrator

Terrence Koller, Ph.D., ABPP (Publications and Communications Chair)

### **4. What Listserv etiquette do I need use when posting to the Listserv?**

The Division 42 listserv is a place to foster professional and collegial discussion. Consistent with APA ethical principles, list members will respect cultural, individual, and role differences, including those based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, and socioeconomic status and will consider these factors when communicating with other list members, and when communicating about others on the list.

Personal attacks are not tolerated on the list. This includes using the list to bait those with whom you disagree or calling out other members with whom you have ongoing disagreements or personal issues. Exchanges that are perceived by the listserv moderators as personal attacks or accusations may result in the moderators sending a “friendly request” for you to please take the discussion back channel and off the Listserv. This is to enhance the listserv community. If you cannot cooperate with these “friendly requests,” your situation may escalate to procedures taken when members break the rules (see item #14).

Additionally, please be mindful that forwarding D42 Listserv posts may only occur with explicit permission from the original poster. Please be mindful when forwarding emails to the Listserv or off List that the thread you're forwarding does not include a whole thread of personal emails which were not meant to be viewed by our entire list. Simply, don't forward without permission and cut personal threads if you suspect previous email threads contain personal information.

#### **4a. Thank you replies**

Send "*thank you*" emails and any other emails intended for one specific person via back channel by copying and pasting the personal email address into the "To" field of your email. Please note: *the Division 42 Listserv is a default "reply all" list*; please take this into consideration when simply hitting "reply" to a post, as your email will be broadcast to the entire list, unless you erase the division list address from the "To" field.

#### **4b. Threads and Subject Headings**

If you are continuing a conversation and not starting a brand new conversation, please DO NOT change the subject heading. This mixes in more than one subject header within the same thread and creates more work for both those trying to follow the thread as well as those trying to filter out messages that are not of interest.

#### **4c. Want to change the subject?**

If you are asking a new question that is unrelated to the current topic, please create a new subject heading and create a new email rather than replying to the current message and keeping it as part of the old message thread.

#### **4d. What topic headings should I use?**

Please use the Topic Headings (found at the bottom of each email from the Division) to clarify the subject of your email. If you are not sure what heading to put it under, make your best selection or use [OTHER] if your post does not fit into any of the topic headings.

#### **4e. Delete, delete and delete some more (or do I have to receive all the emails sent to the list?)**

Feel free to liberally use your delete button or set up your mail filtering settings to filter emails you're not interested in to another folder. Typically this can be achieved by using "settings" or "options" or the wrench icon in your email platform's settings. Many email programs allow you to use "conversation" or "thread" to group messages on one topic \*together in your inbox

\*This is why it is important not to change subject headings unless you intend to start a new conversation thread.

#### **4f. Replying from digest or to a long thread?**

If you reply to a message from the Digest (or a thread that has become quite long),

please delete the long string of messages that may be quoted in your reply, to keep volume down. You can directly quote the material you are replying to, in order to provide a context for your post if you think it will help others.

**4g. Still have questions about Div Listserv etiquette?** Lastly, if you have other email list questions, please contact The Division 42 Listserv Moderation Team at: [42listserveteam@division42.org](mailto:42listserveteam@division42.org)

## Frequent Division 42 List Violations

### 5. I have office space to rent; can I post this information on the Listserv?

No advertising of any kind is allowed on the Division 42 Listserv, as this jeopardizes APA's 501(c)(3) status.

'Advertising' includes promoting one's books\*, apps, office space for sublet, etc. If you are going to directly profit, then that is typically considered advertising; so that is a good rule of thumb to use regarding your posts.

Please see a fuller explanation of this issue in subject 5a below.

### 5a. I have a book I have just written and it has been published; may I tell my colleagues about my accomplishment? What about a journal article?

Again, no advertising of any kind is allowed on the Division 42 Listserv, as this jeopardizes APA's 501(c)(3) status. However, if you **have** just published a book and wish to share the news with your Division 42 colleagues you may do so, as long as there are no instructions as to how to purchase the book. You **can** add a link, but please do not indicate or suggest purchase of the book.

For example: ***You may say:*** [NEWS]:

Dear Listmates,

I am thrilled to announce that APA Books has just published my book, The Do's and Don'ts of Listserv Behavior. This book may **be viewed** at

[www.dosandontsmoney.org](http://www.dosandontsmoney.org)

Sincerely, Dr. ABC

***However, you cannot advertise the publication of a book with a link to purchasing websites, e.g.,***

Dear Listmates,

I am thrilled to announce that APA Books has just published my new book, The Do's and the Don'ts of Listserv Behavior.

My new book may **be purchased** at: [www.dosandontsmoney.org](http://www.dosandontsmoney.org)

Sincerely,

Dr. ABC

***You may similarly let members know about your journal article:***

Dear Listmates,

I am excited that my data on treatment outcomes for social anxiety with

adolescents receiving teletherapy has been published in [x publication]. You can find the issue at this link or email me offlist for a copy.

Sincerely,  
Dr. ABC

The exact wording from the APA Rules is shown below:

**"a. Further Explanation about Commercial Postings on APA Listservs:**

The Listserv agreement provides that "commercial use" includes communications whose *"primary purpose is to advance the business or financial interests of any person or entity or otherwise to promote a financial transaction for the benefit of the author directly or indirectly. Examples of prohibited communications include advertisements for products or services, notices regarding rental or office space, or direct solicitation of listserv members to purchase products or services.*

Examples of messages that may be of financial benefit to listserv members but are not prohibited because they do not inure to the financial benefit of the author include news of job listings or position openings, or discussion of professionally related products or services where the listserv member conveying the information is not in the business of selling the products or services.

*Announcements that provide useful professional information to List members but may also have some incidental commercial benefit to the sender (e.g. an author who is a list member merely advising the List of publication of a professional book) typically would not be "commercial" for purposes of this restriction."*

*While these limitations on use of 501(c)(3) resources are clearly quite important, in administering the rules, APA has sought to avoid being heavy-handed. For example, an individual author of a publication of professional interest to others on the list is not precluded by the policy from simply announcing the publication of a book to the list (as opposed to a de facto advertisement) and providing a link to another site where commercial information could be available. In short, we are trying to balance the benefits of information exchange among members with our legal obligations and need to protect an important APA asset, its tax-exempt status.*

If you have questions about whether or not a post is allowable under these guidelines, please do not hesitate to ask the Listserv Moderation Team to offer an opinion. Please feel free to email us at: [42listservteam@division42.org](mailto:42listservteam@division42.org).

**5b. But what about my [x/y/z] product that will be the perfect answer to the question a member posted? Can I share that on-list?**

General rule: anything construed as advertising would be considered unallowable. Exception: a one-time posting of your **book title** is okay if it answers this member's question. If someone asks about your thing (and it's another product - see 5c below), then a *back channel/private email* response to a query for

references or resources on the subject would also be ok - again just to the single member and without a link. A note to the list asking them to contact you privately is also okay. Other members may also say "Contact Dr. X at drx@abc.com because she has such a product."

Any questions? Ask the listserv moderation team.

[42listserveteam@division42.org](mailto:42listserveteam@division42.org)

### **5c. What about promotion of products such as software or CE offerings?**

Please DO NOT list your new product or CE for sale unsolicited. If members ask for product recommendations, including software, apps, or CE courses, it is okay for *other* members to note *and link* to products they use on the Division list or for you to note that you have one of your own (without the link) and tell people they can write you off-list. Stand alone announcements of new commercial products by the person who makes money selling them will be considered advertising. If you wish to advertise, we ask you to contact the IP staff and place your paid ad in our publication. If you have a company that regularly pumps out new products each month, please do not use our list to announce each new item. Look at advertising in the IP.

### **5d. What does antitrust mean? How does this impact what we can discuss on the listserv?**

Antitrust regulations are defined by federal law. Please note that violation of antitrust regulations can be punishable by severe fines and even jail time. Violation of antitrust on the Division 42 Listserv puts APA and all of our colleagues in jeopardy.

The antitrust policy of APA explicitly states (Section A.2): "Generally applicable fees set and announced by insurers or other third party payors may be discussed--as long as the discussion is not accompanied by any commentary stating or implying:

(a) that other psychologists should not accept the rate or should not deal with the payor...or (b) what the rate should be.

Posting about psychologist fees, reimbursement rates from insurance companies and beginning a discussion regarding boycotting particular insurance companies is clearly in violation of antitrust regulations.

Examples of what *is* okay to post (when not accompanied by improper commentary):

Did you hear that Company A is now paying \$110.00 for X code?

Medicare announced that its rate in this area for CPT code X will now be \$113.50, while Company Z pays \$105.00 for the same code.

Examples of what is *not* okay to post:

It is totally unacceptable that Company A is now paying \$110.00 for X code. I can't believe Medicare has cut the rate for all services by x%. If the rate from 20 years ago was adjusted for inflation, we would be getting paid almost 1.5 times the reduced rate.

The below is an excerpt of the APA Listserv Rule:

**c. Antitrust concerns** – APA by its nature is subject to antitrust issues. Discussions about rates charged, efforts to exert collective pressure on payors, terms of contracts with insurance companies, internship salaries, etc., all are prohibited. The antitrust laws are broad and complex but on a very basic level they operate to prohibit and even in some cases criminalize certain anticompetitive agreements between competitors. A professional association like APA is almost by definition a group of competitors that has come together to pursue common interests. Where those common interests involve agreements on such terms of competition as rates charged, salaries paid, standards applicable to members of the profession, and other issues of the marketplace, the antitrust laws apply. Listservs provide a written record of statements that can create an antitrust risk even when there is no anti-competitive intent."

*And, for your further review below, the following is from a document written by Jesse Raben, J.D. Associate General Counsel Office of General Counsel, APA:*

"The ban on commercial use of the lists is based in legal requirements that flow from APA's status as a 501(c)(3) organization. APA and its divisions enjoy exemption under 501(c)(3) of the Internal Revenue Code, which is the most favorable tax status available to any United States organization; it is the same tax exemption held by universities, churches, and charitable foundations. Because of this status, among other things, APA and its divisions pay no federal income tax on revenues from carrying out exempt activities; voluntary contributions are tax deductible by donors as charitable contributions; and they are exempt from some kinds of local taxes. With these advantages come significant restrictions on how APA can conduct its business, including such restrictions as taking no role in political elections, restricting lobbying and using resources for tax-exempt purposes.

The commercial use ban derives from the related requirements that 1.) APA activities, including those of APA divisions, be focused on 501(c)(3) tax exempt purposes 2.) APA's assets, such as its lists, be used for tax exempt purposes and 3.) APA not provide financial support directly or indirectly to other persons or entities that are not 501(c)(3) organizations, absent certain limited conditions that would not apply to use of APA's lists by other organizations for their business purposes. Thus, the Listserv rules provide that sponsored lists hosted by APA cannot be used for commercial purposes or to promote the financial or commercial interests of others, as these are not tax-exempt purposes."

#### **6. If I am unsure about whether I can post something, who should I ask?**

If you are not sure about whether you can post something, feel free to send such

queries to the Listserv Moderation Team at:

[42listserveteam@division42.org](mailto:42listserveteam@division42.org)

### **7. How should I introduce myself if this is my first post to the list?**

Please use the heading [INTRODUCTION] to let the list know this is your first post and a little bit about you. For example:

[INTRODUCTION]

Hi, I'm new to Division 42 and have been in practice for 4 years, I practice in New Hampshire and see mostly families and children. I'm writing to ask if anyone can recommend a good book for parents of middle school children with ADD. Thanks in advance for your thoughts.

Best regards, Dr. ECP

### **8. What are the topic headings I need to use when posting?**

INTRODUCTION: Introduction by new list member

CLINICAL: Referrals, assessment, treatment, case Qs, pharmacology, etc.

BUSINESS: Business of practice

NEWS: Psychologists/psychology in the news, APA, or Divisional news

CHAT: Social/personal comments between members, thank yous, congrats, etc.

POLITICAL: For politics

CAMPAIGN MESSAGE: For Division/APA election campaign messages

ETHICS: Ethical issue

FORENSIC: Assessment/legal issues

TECH: Questions or information about computers, devices, software, email, etc.

RAMBLING: Ramblings

RESEARCH: Discussions about research RxP: Prescription privileges

STUDENT POST: Posting by student member

ECP POST: Posting by early career psychologist member

LIST/HOUSEKEEPING: List management issues

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RETIREMENT: Discussion of pre-retirement issues

HUMOR: Humor, satire, sarcasm, rant, or rave

MESSAGE TO THE BOARD: For messages to the Board that are relevant to all list members

LIST MODERATION: Message from Listserv moderators

OTHER: All posts not falling into the above categories

\*If POLITICS/CHAT/RAMBLINGS or HUMOR is not your cup of tea, that is absolutely reasonable. Please set your email to filter these posts out! Please do not leave the listserv and lose this great Division 42 benefit because you think someone else is off the wall. Simply do not read their posts. We are a diverse community and there is something for everyone – and some posts that are not for everyone! If you do not know how to use filters with your particular email service, ask the Listserv Moderation team for help. We are good at that sort of thing.

Email us directly here: [42listserveteam@division42.org](mailto:42listserveteam@division42.org)

### **9. I am a Division 42 student member and working on my dissertation. How**

**might I query the listserv regarding my research project?**

"(E) Research requests. Consistent with recently adopted APA guidelines, list members are requested not to make direct solicitations to respond to survey content or items on the list, or to forward such requests from non-list members. Members may post brief requests to participate in research with which they are associated by posting a message that includes information about how to contact the investigator(s) or how to access the survey via another online site. Division members are encouraged to use the online Survey Software available through the Division."

Fundamentally our intent with the policy was to prevent list members from being inundated with multiple surveys or the actual content of surveys on the list.

**10. I am a student member of APA, but not a member of Division 42. I would like to ask Division 42 members for their contributions to my research project; may I do so?**

We understand and agree your research is important and very much want to support your efforts, but we cannot breach our Listserv policy; wherein it requires that only Division 42 members may post to the list. Please feel free to take a look at the student membership possibility. It is a very lively and involved student group!

Graduate students can join our Division. Here is the link:

<https://division42.org/membership/>. If you do join, please see our relevant policy on research:

"(E) Research requests. Consistent with recently adopted APA guidelines, list members are requested not to make direct solicitations to respond to survey content or items on the list, or to forward such requests from non-list members. Members may post brief requests to participate in research with which they are associated by posting a message that includes information about how to contact the investigator(s) or how to access the survey via another online site. Division members are encouraged to use the online survey software available through the Division."

**11. Someone has made me very angry and hurt by comments on the Listserv. What should I do?**

The Division 42 Listserv requires that members address issues with one another on the list in a professional manner. Unprofessional behavior, insults, and name calling will not be tolerated on the list. Likewise, if you are viewed as comporting yourself on the list in a manner which is unprofessional, hurtful, or offensive, you may be removed from the list by the Listserv Moderation Team.

If you feel someone has treated you unprofessionally, please, contact the Listserv Moderation Team at: [42listservteam@division42.org](mailto:42listservteam@division42.org). If you do not feel comfortable and would like to communicate with one person, rather than the whole group, please contact the Co-Chairs of the Listserv Moderation Team directly at: [drblesnik@gmail.com](mailto:drblesnik@gmail.com) and [shannonpsyd@hotmail.com](mailto:shannonpsyd@hotmail.com).

**12. I am from another Division and have a call for papers for our**

### **Journal/Division Conference; may I post this call to your Division Listserv?**

Division 42 strongly supports other APA Divisions. We are happy to post calls for papers or proposals\* from other Divisions, supporting the larger APA community and providing Division 42 members with these opportunities to excel in their pursuits to present their work in the larger community.

\*Calls are posted in agreement with Division 42 policy on posting research – please see FAQ for more information

### **13. Where can I review APA Listserv policies referred to in this FAQ?**

The full APA rules are located on this web page:

<http://listserve.apa.org/infopages/APARules.html>

### **14. What happens when a Division member breaks the listserv rules?**

We have made it quite difficult for people to get “removed” from the listserv and this has happened very infrequently. Sometimes, if a situation on list is perceived by members or the moderators to be threatening our collegial community, members may be sent a private email with a “friendly request” to take the conversation off the list to private email.

## **LISTSERV ENFORCEMENT PROCESS**

List managers’ and list members’ judgment is involved in following the rules and protecting the interests of all involved. When uncertain of whether a posting violates listserv rules, list manager’s may consult with the APA Management Information System department and legal counsel for a second opinion. It has been the Division’s experience that when provided with the rules, and explanation of the underlying reasons for the rules, as needed, list members do a good job of keeping list discussions focused on material that is inherently related to the purposes for which the Division was formed.

If someone continually breaks the rules, the email postings will be reviewed and remedial plan developed. The member will be informed that their emails are under review. When it has been determined that an infraction has been made, the listserv moderation team has a number of options including, but not limited to:

A back channel reminder to the member.

A general information reminder to the entire list while protecting the identity of the offender.

A formal warning

Removal from the list for a set period of time.

Permanent removal from the list.

Keep in mind that these rules were not only created to protect the Division from liability but to also protect list members.