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Ethical Guardrails Checklist for Digital Mental and Behavioral Health Technology Tools

ADAPTED FROM THE CONGRESSIONAL TESTIMONY OF DR. MITCH PRINSTEIN, CHIEF SCIENCE OFFICER, APA

For Founders, Developers, Policymakers & Health Tech Leaders

As AI reshapes how we deliver and experience mental health support, technology must center human well-being—not compromise it. We've developed this checklist to help assess whether your digital mental and behavioral health tool aligns with these three ethical guardrails: **Transparency, Privacy, and Equity.**

1. TRANSPARENCY & ETHICAL INTERACTION

Are you building trust through honesty and accountability?

- ❑ Clearly and persistently disclose when users are interacting with AI (not a human)
- ❑ Prohibit any language or design that implies the AI is a licensed provider.
- ❑ Provide transparency about how your tool was trained (data sources).
- ❑ Allow for external audits of your AI system's training data.
- ❑ Keep humans in the loop for decisions (e.g., diagnosis, suicide risk, incident response).

> **Ethical Guardrail: Harm Reduction**
>
> Transparency supports safe interactions and prevents misleading or harmful experiences during moments of emotional vulnerability.

2. PRIVACY & PROTECTION BY DESIGN

Are your users, especially youth, safe by default?

- ❑ Conduct pre-deployment testing for safety in youth and vulnerable groups.
- ❑ Use opt-in design for any sensitive tracking features.
- ❑ Enforce strong privacy settings by default.
- ❑ Avoid persuasive or manipulative UX (e.g., infinite scroll, push notifications).
- ❑ Do not sell or commercialize minor's data.
- ❑ Safeguard biometric and neural data (including mood, facial expression, voice tone, etc.).
- ❑ Provide users with meaningful control over their data and how it's used, including their right to be "forgotten", and their data deleted.

Ethical Guardrail: Privacy

Privacy is not just a checkbox, it's an ethical obligation. Emotional and behavioral data require the highest level of protection.

3. RESEARCH, EQUITY & ACCOUNTABILITY

Are you committed to learning, improving, and protecting all users?

- ❑ Fund or partner in long-term, independent research on your product's impact, and make those findings public.
- ❑ Provide researchers with access to anonymized data for ongoing study.
- ❑ Assess outcomes across diverse populations, including race, age, gender, and socioeconomic background. Regularly test for algorithmic bias or discriminatory patterns.
- ❑ Adapt product features to promote inclusion and accessibility.
- ❑ Engage with psychology experts to assess impact and strengthen your platform's design to reduce potential harm

Ethical Guardrail: Equity

No population should be left behind. Build products that benefit all, not just the majority.

Partner with APA Labs Today

If you're developing a digital mental and behavioral health solution and want support applying these ethical guardrails, exploring risk areas, or preparing for evaluation, connect with APA Labs. Our team can help strengthen your product with psychological science and evidence-based guidance.

Get started