

Concerns Remain about Suicide Rates

Veterans Honored During November, New Programs

Next week the country celebrates Veterans Day on November 11 and the President signed a proclamation on October 30 designating November as National Veterans and Military Families Month.

"Motivated by patriotism and love of country, our Soldiers, Sailors, Airmen, Marines, Coast Guardsmen, and Space Warfighters serve at home and abroad with professionalism, ingenuity, integrity, and devotion. Their families always stand beside them in their missions and as they transition to civilian life," said the President.

Military Times published a list of restaurants that are honoring veterans with free treats and meals. At Cracker Barrel, Veterans get a complimentary slice of Double Chocolate Fudge Coca-Cola Cake when dining at any location on November 11. At Black Angus Steakhouse, Veterans get a discount on the All-American Steak Plate. Chili's will be giving Veterans and active-duty service members a free meal

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Amends Phase 3 Order Governor Files Lawsuit to Defend His Covid Measures

On October 26, Gov. John Bel Edwards filed a lawsuit in state court defending his COVID-19 public health emergency proclamation, which has been challenged by a group of members of the House of Representatives.

The Governor's lawsuit asks the 19th Judicial District Court in Baton Rouge to declare a section of the law used by some members of the Louisiana House of Representatives to attempt to overrule his public health emergency order by petition unconstitutional. The Gov. also says the petition was improperly filed because the Legislature did not consult the public health authority, the Louisiana Department of Health.

"In addition to the fact that getting rid of the mitigation measures that have proven to slow the spread of COVID

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And Zeta Makes Five Relief for Laura Victims

On October 30, Gov. Edwards received confirmation that President Trump authorized a 100 percent Federal cost share for debris removal and emergency protective measures, including direct Federal assistance, related to Hurricane Laura. Laura is one of five named storms that have hit Louisiana in 2020, the last one Zeta, a record for the state.

Under the President's major disaster declaration issued for Louisiana on August 28, 2020, Federal funding was made available for Public Assistance at 75 percent Federal funding of total eligible costs. It will cover a continuous period of 30 days established by the state," said the announcement.

Legislature Ends Session on Oct 23

The Louisiana Legislature wrapped up its Special Session on October 23, dealing with a number of the emergency issues for Covid-19 and the hurricanes. Conservative legislators put forth numerous bills to curb the governor's emergency power to restrict citizens in their behaviors, but only one measure passed through both houses, HB 4.

HB 4 would have provided procedures for either house of the legislature to terminate renewals of emergency declarations or specific provisions therein. However, on October 27 Gov. Edwards vetoed HB 4 stating that"... the bill does not represent a serious approach to responding to a public health emergency."

Among example bills that passed, HB 26 establishes a tax holiday due to Covid-19 and hurricanes. The sales and use tax levied by the state shall not apply to the first two thousand five hundred dollars of the sales price or cost price of any consumer purchases of tangible personal property that occur on Friday, November 20, 2020, and Saturday, November 21, 2020, in order to provide tax relief for citizens recovering from Hurricane Laura, Hurricane Delta, and the COVID-19 pandemic.

Rep. Edmonds' HB 20 was approved. HB 20 establishes an income tax deduction for educational coaching services for an in-person facilitator of virtual education delivered by a public or approved nonpublic elementary or secondary school that were paid by the taxpayer between March and Dec. 31, 2020, as a result of the COVID-19 pandemic.

Also authored by Rep. Edmonds, HB 52 provides that during any state of public health emergency relating to one or more infectious diseases, the La. Dept. of Health shall publish on a publicly accessible website a report providing the total number of children between the ages of five and 17 in La. known to have been infected with each disease addressed by the public health emergency declaration.

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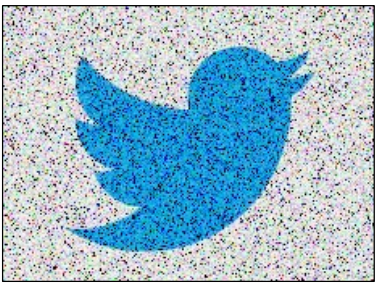
Psychology & Censorship

by Julie Nelson

Last month Twitter astounded all 17.5 actual journalists left in the country when they censored an article by the *New York Post* that was negative toward Biden. Twitter then went on to censor everyone who retweeted the story which included none other than the President of the United States.

Twitter CEO Jack Dorsey could not have surprised me more if he had pulled his pants down at a Trump rally and mooned the President. He apparently could not guess at the consequences of his actions, which landed him in front of lawmakers to explain his behavior, along with other boy billionaires who've struck gold in the Tron universe.

The parallel to family dynamics occurred to me when I watched the Senators question Mr. Dorsey, who had the appearance mostly of an adolescent. While a full grown man at age 44, he appeared in front of the nation with an earring in his nose and a long scruffy beard, reminiscent of a hippie from the 60s. His answers to serious



questions about censorship and First Amendment violations were unsophisticated in my view—neither logical nor convincing.

In a recent documentary, *The Social Dilemma*, the power of these social media companies is spelled out in detail. While you may be led to think there is free speech and free flow of information on these platforms, that is not what is occurring. The consumer is being psychologically manipulated—often outside of awareness—to achieve the firm's goals. In *Dilemma*, some of the tech geniuses expressed the guilt and moral concerns that came with their high salaries.

I looked up Jack Dorsey and found that he is known for the life of luxury, not so surprising since he is worth \$10 billion. The question, after all, is not that but how much wisdom can an unmarried, childless, 44-year-old man have developed, especially one who is feeling arrogant enough to censor a president.

I have no idea if he has experienced enough pain in life to have developed any wisdom, maybe he has. But wisdom, as we know, does not come from success, comfort or pleasure. It comes from pain.

Aeschylus wrote, "God, whose law it is that he who learns must suffer," knew what all psychologists know, that "... against our will, comes wisdom to us by the awful grace of God."

A litmus test of censoring other people's freedom of speech, just because you have the power to do it, may be related to values. Values have changed dramatically over the last 40 years.

In "Defining social class across time and between groups," the researchers show that traditional moral values and principles have gone by the wayside when it comes to "subjective social class" or feelings of status.

The psychological value of one's occupation, education, or traditional morality such as temperance or thrift, no longer significantly contribute to the feelings of status as these characteristics did 40 years ago. Today, it's about one's income.

As to censorship, psychologists have no confusion—we promote free speech and freedom of information as a given. Even if we disagree with the content.

I was raised by two journalists, then fostered by my Dr. Father, LSU's Don Glad, who had also been a journalist before he became a community psychologist. And then further indoctrinated by the great organizational theorists, also keepers of the faith. So, it is fingernails on a blackboard to me to see censorship in this country.

Mr. Dorsey might benefit from a saying attributed to Abraham Lincoln: "Nearly all men can stand adversity, but if you want to test a man's character, give him power."

[Julie Nelson is a licensed psychologist, journalist, consultant, and publisher of the Times. She also holds other positions in the community. However, her opinions here are those of her own, and do not represent any group or association. She and the Times receive no compensation other than paid advertising. Email her at drj@drjulienelson.com, —she welcomes feedback.]

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Corrections & Clarifications

We did not receive any corrections or clarifications for the last issue.

Send your corrections to:
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City of Baton Rouge, State Police, LSU receive grants

Graves Announces DOJ Grants

U.S. Congressman Garret Graves announced on October 22 that he obtained grants totaling \$6,251,041 from the U.S. Department of Justice (DOJ).

Among these were a \$721,293 grant to the city of Baton Rouge for The Justice and Mental Health Collaboration Program. According to the announcement, "The Bureau of Justice Assistance (BJA) FY20 Justice and Mental Health Collaboration Program (JMHCP) supports cross-system collaboration to improve public safety responses and outcomes for individuals with mental illnesses (MI) or co-occurring mental illness and substance abuse (CMISA) who come into contact with the justice system. This program supports public safety efforts through partnerships with social services and other organizations that will enhance responses to people with MI and CMISA."

Also among the grants is a \$655,435 award to the Louisiana Commission On Law Enforcement for the Residential Substance Abuse Treatment (RSAT) for State Prisoners Program. "The Residential Substance Abuse Treatment (RSAT) for State Prisoners Program assists states and local governments to develop and implement substance abuse treatment programs in state and local correctional and detention facilities and to create and maintain community-based aftercare services for offenders. The goal of the RSAT Program is to break the cycle of drugs and violence by reducing the demand for, use, and trafficking of illegal drugs. RSAT enhances the capability of states and units of local government to provide residential substance abuse treatment for incarcerated inmates; prepares offenders for their reintegration into the communities from which they came by incorporating reentry planning activities into treatment programs; and assists offenders and their communities through the reentry process through the delivery of community-based treatment and other broad-based aftercare services."

Another award for the city of Baton Rouge supports the OJJDP FY 2020 Family Drug Court Program, a \$233,910 award.

"The OJJDP Family Drug Court Program seeks to build the capacity of states, state and local courts, units of local government, and federally recognized tribal governments to sustain existing family drug courts or establish new family drug courts. Category 1: Enhancing Family Drug Courts will support courts that are fully operational (for at least 1 year) to enhance services of existing family drug courts. The East Baton Rouge Parish (EBRP) Juvenile Court, Family

Preservation Court (FPC), will enhance and expand services to participants by providing two peer support specialists. The project will also provide a Strengthening Families Program that would provide a second layer of services for FPC participants by offering an evidence-based program for the entire family at the EBRP juvenile court facility. Further, the project will provide transportation aid for the participants who need it as well as incentives for participant program compliance."

The Louisiana State Police will receive \$2,998,794 for the Anti-Heroin Task Force (AHTF) Program and Louisiana State University and A&M College School Safety Project will receive \$88,229. "The Department of Justice's Office of Community Oriented Policing Services (COPS Office) awarded more than \$536.7 million in Fiscal Year 2020 to increase law enforcement hiring and to improve school safety, combat opioids and methamphetamine, advance community policing efforts, provide training to the law enforcement field, and protect the health of our nation's officers and deputies," noted the announcement.

33% Increase in 3Q Gross National Product

Gross domestic product, the broadest measure of goods and services produced across the economy, increased by 33.1% on an annualized basis in the three-month period from July through September, the Commerce Department said in its first reading of the data last week.

The third quarter is measured against the second quarter, a historically low baseline. The U.S. economy came to a near standstill earlier this year to slow the spread of the novel coronavirus. The increase of 33% is historic set the White House.

Consumer spending accounts for two-thirds of GDP. The third quarter GDP growth reflects both the reopening of America's businesses and the confidence of consumers to spend on goods and services once more. Consumer spending in the services sector alone accounted for nearly half of GDP growth in the third quarter, according to the Commerce Department experts. Greater third quarter spending on recreation, food, and accommodation services—sectors acutely impacted by lockdowns—alone accounted for one-fifth of total GDP growth in the third quarter, the announcement said.





Dr. Scott Lilienfeld speaking to Louisiana psychologists in 2018.

Scott Lilienfeld, Advocate for Excellence in Psychological Science and Practice, Succumbs to Pancreatic Cancer

Nationally recognized psychologist and Emory Professor, Scott Lilienfeld, died on Sept. 30 at his home in Atlanta. The cause was pancreatic cancer. He was 59.

Dr. Lilienfeld was considered by many across the nation to be a firm, resilient, and insightful voice for scientific, professional psychology. He dedicated much time and work to helping maintain awareness in the field for standards of excellence for professional psychologists.

Dr. Lilienfeld was the 2018 keynote speaker for the Louisiana Psychological Association,. He delivered the address, "Being the Essential Partner: Understanding and Overcoming Skepticism about Scientific Psychology."

He received the James McKeen Cattell Award for Lifetime Contributions to Applied Psychological Science, Association for Psychological Science (APS).

His work has been cited over 21,295 times. He delivered the Award Address, "Psychology's Public Image Problem: Why Many Laypersons and Politicians Don't View Our Field as Scientific," at APS.

Dr. Lilienfeld served as the Samuel Candler Dobbs Professor at Emory University, and authored numerous works, including *Science and Pseudoscience in Clinical Psychology*, and *Psychological Science Under Scrutiny: Recent Challenges and Proposed Solutions*, was

Editor of *Clinical Psychological Science*, and a regular keynote speaker, including for APA, APS, SEPA and SWPA.

In his 2012 *American Psychologist* article, he wrote, "...professional organizations must continually underscore the point that trained psychologists are virtually unparalleled among rival professions in one crucial respect: our ability to apply scientific reasoning and rigorous methodology to assessing, evaluating, and alleviating human problems, whether they be mental health difficulties, such as depression or anxiety disorders, or broader societal difficulties, such as prejudice or blind obedience."

Among his findings he cited that only 30% agree that "psychology attempts to understand the way people behave through scientific research" and 41% see psychological research as less rigorous than medical research.

Along with many findings he noted that an APA Presidential Task Force found that, "Despite psychology's foundation in science and its standing as the science of human behavior, it is not fully accepted as a science by the general public."

In 2018, Dr. Lilienfeld reviewed the common criticisms of psychology's scientific status he discussed rebuttals of the criticisms, and gave main reasons for negative public views of psychology.

He noted that the public face of psychology is not represented by psychological scientists. "Psychologists are rarely called on by the media to comment on psychological findings; when they are, they are rarely scientific psychologists," he said.

He pointed to "The Illusion of Understanding—We're all 'psychologists' in everyday life, so psychology seems easy." Among the problems he included the "Confusion Between Psychologists and Psychotherapists," as an important factor.

He also said that that scientific psychology is challenged by the "scientific impotence excuse," and that "When psychological findings conflict with our deeply held intuitions, we may resolve that cognitive dissonance by dismissing a scientific approach to the questions at hand..."

Among the remedies, Dr. Lilienfeld said that, "Academic and practicing psychologists have not spent enough of their time disseminating science to the public, combating bad science, and correcting misconceptions of the field."

"We must play a more active role in educating laypersons about psychology's scientific side and confronting its nonscientific side," he said.

Governor Files Lawsuit, continued

and save lives is reckless and dangerous, the law being used is blatantly unconstitutional. Louisiana's Constitution doesn't allow only one chamber of the Legislature to overturn a public health emergency, and, even if it did, the petitioners did not properly consult the public health experts from the Louisiana Department of Health," Gov. Edwards said.

On October 22, Gov. Edwards amended his Phase 3 order for outdoor high school sports by allowing outdoor stadiums in parishes with lower rates of positive COVID tests to move to 50 percent capacity, up from 25 percent.

To be eligible, parishes must have percent positivity of less than five percent for two consecutive weeks based on the most recent report from the Louisiana Dept. of Health, which is updated weekly on Wednesdays.

According to the press release, this is very similar to the approach Gov. Edwards has taken with reopening bars, however schools, districts or local governments will not have to opt-in. As with bars, if a parish's percent positivity reaches more than 10 percent for two weeks, the parish must return to the 25 percent capacity limit. The new order became effective Friday, October 23, 2020.

"After meeting with the leaders of both the House and Senate and considering their requests, I have agreed to make this change in a way that is safe, reasonable and will help more fans enjoy seeing their favorite teams play," said Gov. Edwards.

"Using the percent positivity as the guide is important because it helps to determine the rate of community spread, which is the safest, most responsible and consistent way to move forward."

"Fortunately, Louisiana is not seeing the spike in cases like other parts of the country, a clear sign that our mitigation measures, which align with the White House Coronavirus Task Force, are working. In order for that to continue, we must continue doing those things that are having a positive impact and that we know work even as we expand our activities."

There are currently 26 parishes that are eligible to participate: Assumption, Avoyelles, Catahoula, East Baton Rouge, East Feliciana, Evangeline, Grant, Iberia, Iberville, Jefferson, Lafayette, Madison, Orleans, Rapides, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Terrebonne, Vermilion, West Feliciana and Winn.

Prior to this change, the capacity for sports stadiums, arenas and athletic events was limited to 25 percent. This change does not apply to any college, professional or indoor sports.

The current Phase 3 order expires on November 6.

Dr. Hesson Hires Specialist Attorney for Appeal

Dr. Rodney Hesson, along with his mother, Gertrude Parker, have asked Judge Carl Barbier to extend the deadline for their replies in their appeal cases. Dr. Hesson has also changed representation, to Mr. William Kent, Federal Criminal Appeal Lawyer from Florida, who has argued before the US Supreme Court. Judge Barbier granted the motions and extended the deadlines to January 15, 2021.

In late 2019, Dr. Hesson filed a §2255 petition, 829-pages of documents and exhibits with the United States District Court, Eastern District of Louisiana, alleging violation of his Constitutional rights to a fair trial due to inadequate representation.

Hesson, who is from Mississippi, and his mother, Ms. Parker, owned and operated two regional companies, and marketed to nursing homes in Louisiana, Mississippi, Alabama and Florida. In a high-profile case charging Hesson and Parker with Medicare fraud, both were convicted in 2016.

A respected member of the Louisiana psychology community and past member of the state psychology board, Dr. Beverly Stubblefield, had worked at the firm and was pulled into the legal problems. Unable to mount a defense she entered a plea agreement of guilty. Dr. John Teal, a Louisiana medical

psychologist, was also charged and pleaded guilty.

Dr. Hesson's 2255 petition is a motion under 28 United States Constitution §2255 to vacate, set-aside, or correct sentences.

Among other assertions, Hesson alleges that his rights were violated when his defense attorney failed to "move the court" to issue a jury instruction which would have identified the governing Medicare rules and regulations that Hesson relied upon in his clinical and billing practices. In contrast, prosecutors focused on CPT codes. The failure to explain Medicare regulations caused numerous "prejudicial consequences which were overwhelming..." Hesson writes.

DP™-4

Developmental Profile 4

by Gerald D. Alpern, PhD

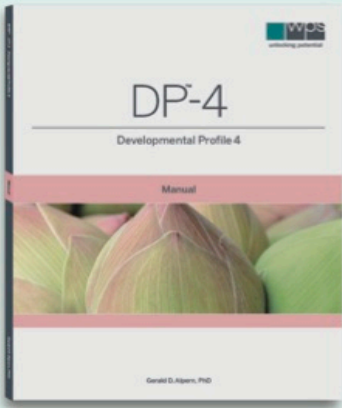
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Veterans Honored; New Programs, cont'd

from a select menu and 7-Eleven is providing Active-duty, retired, veteran, guard, reservists and family members a free coffee or Big Gulp on November 11.

But concerns about Vet's well-being continue. While the *Annual Suicide Report*, published in August by the Department of Defense, indicated positive moves in program development, the suicide rate remains high with the concerning trends.

Across the Military Services, according to the report, suicide rates ranged from 21.5 to 29.8 per 100,000 Active Component Service members. For the Reserve and National Guard, the rates were 18.2 and 20.3 suicide deaths per 100,000 Service members, respectively.

For the Army Reserve and Army National Guard, the rates were 18.9 and 22.3 suicide deaths per 100,000 Soldiers, respectively.

From 2014 to 2019, the suicide rate for the Active Component increased from 20.4 to 25.9 suicides per 100,000 Service members. The Reserve and National Guard suicide rates did not show evidence of a linear increase or decrease from 2014 to 2019.

"Those dying are primarily enlisted, male, and less than 30 years of age, regardless of military population. Specifically, the greatest proportion of suicide decedents were enlisted (83.1% to 92.7%), less than 30 years old (50.8% to 73.4%), and male (91.6% to 95.4%), depending on military

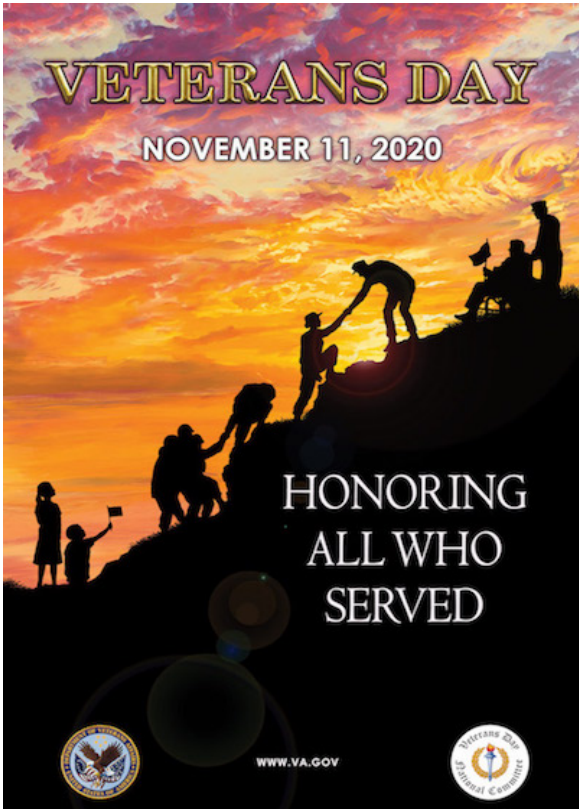
population (i.e., Active Component, Reserve, or National Guard). Enlisted, males, and those under the age of 30 in the Active Component were at higher risk for suicide compared to the population average. The majority of Service member suicide decedents died by firearm (ranging from 59.6% to 78.7%, across military populations)."

The authors noted that the Department has made progress in developing and fielding programs targeting the populations of greatest concern.

The Department has developed and initiated pilot of an interactive educational program to teach foundational skills to deal with life stressors early in military careers, particularly those unique to young, enlisted members. Conducted Service member focus groups to refine the curriculum.

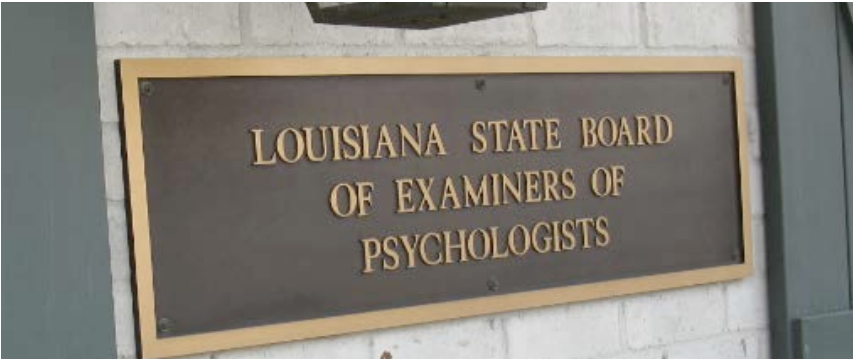
They have also developed a video training for Service members on how to recognize and respond to suicide warning signs on social media. The video – "Simple Things Save Lives" – is currently being evaluated before broader implementation across the DoD.

Also they have developed a partnership with the Department of Veterans Affairs to provide greater access to behavioral health services for National Guard members and their families, to include services provided during training periods.



And they have trained more than 2,000 non-medical military providers to provide Counseling on Access to Lethal Means (CALM) to Service members and families to increase awareness of risk factors for suicide, safe storage of lethal means (i.e., firearms and medications), and how to intervene in a crisis. Over 90% of counselors who completed the pre- and post-training test, experienced increased knowledge and counseling skills.

If you are experiencing thoughts of suicide, please reach out for help immediately at 1-800-273-8255. Service members, along with their loved ones can also call 1-800-273-8255.



From the Minutes

Selected Items from June 2020 Minutes of the Louisiana State Board of Examiners of Psychologists (LSBEP)

June 5, 2020
(published 10/8/20)

MEETING WITH CERTEMY TO REVIEW IT PROPOSAL: Dr. Boggs opened the meeting with Representatives from CERTEMY to discuss the presentation and proposal prepared for Ms. Monic and Mr. McNeely related to their product for streamlining workflows through a web-based application to automate online applications, licensing and renewals.

OUTGOING ADDRESS, CHAIRPERSON DR. KOREN BOGGS:
"As my five-year term as a member, Vice Chair, and then Chair of the LSBEP comes to a close, I would like to take the opportunity to express my gratitude and appreciation for this experience. I am grateful for the opportunity to have represented our profession as a public servant entrusted with carrying out the mission of protecting the people of Louisiana through the regulation of the practice of psychology. It is, in some ways, a logical extension of my motives

in entering the profession in the first place. I imagine it is the reason many of us chose this field – because we care about people and the human experience and feel compelled to do what we can to help people have better days. That, at its core, is the foundation of service on this Board, as well. As a Board member, there is a delicate balance to strike between identifying as a psychologist and member of the industry and fulfilling the role of a regulator whose primary obligation is to the public. I am grateful for the support of those who understand that balance. [...]

Dr. Gormanous offered the following **RESOLUTION OF APPRECIATION AND COMMENDATION:** [...] that Koren Boggs, Psy.D, be proclaimed as *Empress of Louisiana Regulatory Psychology* and extended the heartfelt appreciation and gratitude of fellow Board members [...]

Legislative Oversight Committee – Update on AdHoc Legislative Collaborative Committee (ALCC) - Ms. Monic reported that the ALCC has continued to meet and discuss the proposed legislation. [...]

Liaison to Professional Organizations and Boards - Dr. Gormanous reported that APA had made a transition from using "telehealth" to "telepsychology". Dr. Gormanous reported that he received the "ok" from ASPPB to share some of their education resources with board members and also members of the ALCC, which resources make strong arguments about the necessity of regulation.

LSSP Committee request for Board Opinion related to practice models for an LSSP, specifically, does the LSSP have to personally have a direct contractual relationship with a Local Educational Agency (LEA) vs. another mediating agency providing reimbursement that agency being the fiscal agent? In other words, is it appropriate for an LSSP to work in a school system under the umbrella of a mediating agency, where that agency is contracted with the LEA and providing reimbursement to the LSSP.
Ms. Monic reported that on March 3, 2020, Ms. Lydia Benoit provided comments during the LSSP Committee meeting, raising the question related to the practice of an LSSP. The Board rendered an opinion that the LSSP may provide school psychology services through school or organization that the LSSP is contracted or employed with, as long as the originating referral of a student comes directly from a school, and that referral is for the purposes of obtaining an educational evaluation for student services within the school system; no referral may be accepted by an individual, guardian, parent, or other third party to provide independent psychological services to the public.

Legislature Ends Session on Oct 23

continued

HB 77 by Rep. Davis will allow the board of directors of a corporation to determine that any meeting of shareholders shall be held solely by means of remote communication, when the bylaws do not expressly require otherwise.

Rep. Zeringue's HB 94 exempts certain businesses impacted by COVID-19 from paying license renewal fees during the declared state of emergency and for six months following the termination of the state of emergency.

Rep. Butler's HB 95 requires the La. Department of Health to allow visitation of residents at intermediate care facilities by residents' family members during a public health emergency.

SB 32, by Sen. Fields, makes accommodations for teacher evaluations. Present law requires that student assessments be conducted and student achievement and student growth data be used in evaluating teachers, schools, and school districts. The new law additionally provides that notwithstanding any provision of law to the contrary, for the 2020-2021 school year, the results from student assessments shall not be used for student progression or teacher evaluations.

Representatives Request Retainers for Providers to People with Disabilities

House Concurrent Resolution 21 by Rep. Wheat, Adams, Amedee and many others, requests the La. Dept. of Health to submit documentation to the federal Medicaid agency to provide financial relief for providers of services for people with developmental disabilities.

The Resolution urges and requests the Department to immediately submit requests for all retainer payments associated with the COVID-19 public health emergency for home- and community- based service providers and to submit all applicable documentation for a temporary rate increase for providers of adult day center services, home- and community-based services, and intermediate care facilities for the developmentally disabled not later than 30 days after the final adjournment of the 2020 2nd Extraordinary Session.

According to the Resolution, CMS is currently authorizing certain home- and community-based providers to bill and receive retainer payments for individuals enrolled in Medicaid even if the service cannot be provided during the COVID-19 public health emergency

On March 22, 2020, the Louisiana Department of Health ordered that all adult day center services shall close to protect the health and safety of individuals during the COVID-19 public health emergency.

The authors asked the Department to immediately submit requests for all retainer payments associated with the COVID-19.

SB 12 Establishes Mental Health Measures for Those in Hospitals and Nursing Homes

SB 12 by Sen. Robert Mills establishes accommodations for people in hospitals and nursing homes in regard to clerical and other mental health services. A conference committee was formed to coordinate similar bills from both houses.

The final measure that passed provides access for patients of hospitals and residents of nursing homes, assisted living facilities, and other adult residential care homes to members of the clergy who volunteer to minister and provide religious sacraments and services, counseling, and mental health support during COVID-19 and other public health emergencies.

The new law retains present law and further provides that LDH may include the availability of no- cost or reduced-cost counseling or mental health support services from licensed mental health professionals offered by religious organizations or other nonprofit organizations and no-cost emotional or spiritual support offered by clergy.

Present law provides that, during a state of public health emergency, a health care provider shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of gross negligence or willful misconduct.

The new law retains present law and provides that during a state of public health emergency which is declared to combat COVID-19 or any other contagious or infectious disease, no inpatient health care facility will be liable to a member of the clergy who visits the inpatient health care facility for any civil damages for injury or death resulting from an actual or alleged exposure to COVID-19 or any other contagious or infectious disease. It further provides that this limitation on liability will not apply to a facility that fails to substantially comply with the applicable procedures established by LDH that governs the health care facility operations and the injury or death was caused by the health care facility's gross negligence or wanton or reckless misconduct.

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Rep. Freiberg Seeks Study of Micro Schools

Rep. Freiberg authored House Concurrent Resolution 26, which requests the State Board of Elementary and Secondary Education, in collaboration with the state Department of Education, to issue guidance and policies relative to the creation and operation of micro schools. The Resolution is requesting a report by March 1, 2021.

In the Resolution, Rep. Freiberg writes that parents, educators, and administrators are continuing to search for safer alternatives to large congregate settings for education delivery; it is critical that students receive high quality instruction that best fits their needs while maintaining proper social distancing measures and complying with other guidance from public health officials

According to the text, a micro school is a neighborhood school generally enrolling fewer than fifteen students.

He writes that micro schools could provide valuable in-person instructional opportunities while maintaining small class sizes and space for social distancing.

The Legislature of Louisiana urges and requests the State Board of Elementary and Secondary Education to study issues relative to the creation and operation of micro schools, by approved public schools and public school governing authorities, to help ensure that Louisiana students continue to have high quality and safe learning experiences amidst the ongoing COVID-19 public health emergency and to submit a written report of its findings and conclusions, including any recommendations for related legislation, to the House Committee on Education and the Senate Committee on Education no later than August 1, 2021.

HB 100 Requires Covid-19 Considerations for Juveniles

HB 100 by Rep. Newell requires the Juvenile Justice Reform Act Implementation Commission to consider the well-being of youth in the juvenile justice system during a public health emergency and requires the commission to submit annual reports to the legislature.

Present law requires the commission to address issues such as: (1) The creation of a single state entity for providing services to children. The new law adds that the commission shall also consider the well-being of youth in the juvenile justice system during a public health emergency.

Senator Mizell's SR 42 Aims to Empower La. Women's Incarceration Task Force

Senator Mizell's Senate Resolution will authorize and direct the re-creation of the Louisiana Women's Incarceration Task Force under the jurisdiction of the Louisiana Legislative Women's Caucus and the Department of Public Safety & Corrections. The effort grant them new authority to study, evaluate, analyze, and undertake a comprehensive review of the state's and local municipal criminal justice systems as it relates to prenatal and postpartum care of incarcerated pregnant women and the need for babies to bond with their mothers. The Task Force is to report its findings and policy recommendations by February 1, 2021.

Sen. Mizell noted that according to United States Bureau of Justice Statistics in 2017, Louisiana had the seventh highest women's incarceration rate in the United States and incarcerated more than two thousand women at a cost of over \$50 million. It is beneficial to the entire population of the state of Louisiana to develop a broadly diverse and cross-disciplinary task force to study correction systems for women.

The information gathered shall be used to develop policy recommendations for the Senate to:

(1) Develop practices and processes that avoid placing additional trauma or harm

upon pregnant women as they navigate the criminal justice system.

(2) Address the holistic health of women to include access to hormone therapy, prenatal care, reproductive health, access to other medicine to maintain health, consistent health screenings, mental health access, and access to substance use and recovery resources.

(3) Increase and evaluate programming available to pregnant women during and after incarceration with the intention of self-determined development.

(4) Ensure the availability of gender responsive resources to support the dignity and quality of life of all women.

Participants listed include Chair of the Louisiana Legislative Women's Caucus, a physician specializing in OB/GYN designated by Our Lady of the Lake Hospital, president of the Louisiana Sheriffs' Association, or his designee, and president of the Louisiana District Attorneys' Association, among others.

The task force may request the Louisiana Legislative Women's Caucus, the Department of Public Safety & Corrections, and the office of the judicial administrator of the Louisiana Supreme Court to provide relevant data and staff expertise upon request.

Congratulations to Melissa Dufrene, PsyD, ABPP!

Dr. Dufrene has been certified by her peers nationally as a specialist in Clinical Psychology through the American Board of Professional Psychology.

Please join us in congratulating her.



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Interstate Compact Passed for Medicine: "Interstate Medical Licensure Compact"

Several bills passed the recent legislative session supporting interstate compacts, agreements for her regulating between states. Two such bills were put forth by Senator Peacock.

SB 27 builds on present law which states that a person who wishes to practice medicine in Louisiana must meet certain minimum qualifications, including being a citizen of the United States. The law retains present law and increases the eligibility to also include any person who possesses valid and current legal authority to reside and work in the United States.

SB 27 enacts the Interstate Medical Licensure Compact. The law and allows Louisiana to join a multi-state compact for physicians to obtain multi-state license privileges to practice in participating compact states to enhance the portability of a medical license and ensure the safety of patients.

The new law provides that each participating state in the compact adopt similar requirements for expedited licensure including satisfaction of criminal background checks, licensure, and education. It requires verification of licensure information through the coordinated information system and exchange of information regarding discipline and adverse actions by all participating states. The new law provides that the medical board in the state where the patient is located shall regulate the physician in that state.

The new law requires a physician to select a State of Principal License (SPL) within the compact where the physician already has a license. It provides that the SPL is responsible for conducting the primary source verification of the applying physician's qualifications to participate in the compact.

The new law establishes the Interstate Medical Licensure Compact Commission (commission) and grants each participating state two voting representatives on the commission. It law provides for the powers, duties, financial authority, organization, and rulemaking functions of the commission. The new law law authorizes the commission to levy and collect an annual assessment from each member state, and authorizes the commission to initiate legal action in federal court in the District of Columbia or where the commission has its principal offices to enforce the compact's provisions. The new law provides for oversight, enforcement, dispute resolution, withdrawal, and dissolution of the compact. The law provides for severability.

SB 34, also by Sen. Peacock, enacts the Audiology and Speech-Language Pathology Interstate Compact, to take effect once adopted in 10 member states. The new law allows Louisiana to join a multistate compact which allows audiologists and speech-language pathologists to obtain multistate license privileges to practice in participating compact states, to decrease redundancies in the consideration and issuance of audiologist and speech-language pathologist licensure, and to provide opportunity for interstate practice by audiologists and speech-language pathologists who meet the uniform licensure requirements.

The new law provides that the compact facilitates the interstate practice of audiology and speech-language pathology to assist in improving public access to audiology and speech-language pathology services.

SB 13 enacts the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact (REPLICA). The new law allows Louisiana to join a multistate compact for EMS personnel to obtain multistate license privileges to practice in participating compact states, to decrease redundancies in the consideration and issuance of EMS licenses, and provide opportunity for interstate practice by EMS personnel who meet the uniform licensure requirements.

The law provides that each participating state in the compact adopt similar requirements for criminal background checks, licensure, and education. The law requires exchange of information regarding discipline and adverse actions by all participating states

Rep. Echols Seeks Review of Primary Care Reimbursement

In his House Resolution 1, Rep. Echols requests the La. Department of Health to study the costs and benefits of setting Medicaid reimbursement rates for primary care services at levels that are at least equal to Medicare rates for those services, and report findings from the study to the House Committee on Appropriations and the House Committee on Health and Welfare.

He writes that due to its interconnected problems of poor health outcomes and extensive health professional shortage areas, Louisiana has an especially pronounced statewide need for an expansion of primary care; and

Greater access to and utilization of routine primary and preventive care among members of any population, particularly a medically underserved one, reduces the population's need for more expensive forms of acute care, he notes.

Due to the measurable effects that expanding access to primary care has in health outcome improvements and health system cost reductions, an expansion of access to primary care in Louisiana is both responsible public health policy and sound fiscal policy, he says.

The benefits to be considered in this study shall include, without limitation, reductions in net costs of overall care for patients resulting from enhanced access to and quality of primary care.

The Resolution instructs the Louisiana Department of Health shall report findings from the study called for in this Resolution to the House Committee on Appropriations and the House Committee on Health and Welfare prior to the convening of the 2021 Regular Session of the Legislature of Louisiana.

Senator Peacock speaking at the Health and Welfare Committee meeting.



Covid-19 Science News

NPR: Studies Showing Drop in Death Rate for Covid-19

In an October 20 report, NPR's *All Things Considered* said that two peer-reviewed studies showed a sharp drop in mortality among hospitalized COVID-19 patients, said NPR.

The drop is seen in all groups, including older patients and those with underlying conditions. One conclusion is that physicians are getting better at helping patients survive their illness.

"We find that the death rate has gone down substantially," says Leora Horwitz, a doctor who studies population health at New York University's Grossman School of Medicine and an author on one of the studies, which looked at thousands of patients from March to August.

In one study, which was of a single health system, mortality dropped among hospitalized patients by 18 percentage points. Patients in the study had a 25.6% chance of dying at the start of the pandemic. Now they have a 7.6% chance.

But 7.6% is still a high risk compared with other diseases, and Horwitz and other researchers caution that COVID-19 remains dangerous.

The death rate "is still higher than many infectious diseases, including the flu," Horwitz says. And he warned that it is a harmful disease.

Zinc Deficiency Linked with Poorer Covid19 Outcomes

New research presented at the September European Society of Clinical Microbiology and Infectious Diseases Conference on Coronavirus Disease shows that having a lower level of zinc in the blood is associated with a poorer outcome in patients with COVID-19.

The study, led by Dr. Roberto Güerri-Fernández, Hospital Del Mar, Barcelona, Spain, was a retrospective analysis of 611 hospitalized patients. They found each unit increase of plasma zinc at admission to hospital was associated with a 7% reduced risk of in-hospital mortality. Having a plasma zinc level lower than 50mcg/dl at admission was associated with a 2.3 times increased risk of in-hospital death compared with those patients with a plasma zinc level of 50mcg/dl or higher. [Sept 23 *Medical Press*]

This finding adds to the evidence for immune system support, such as that found for Vitamin D3.



Gargling with Betadine May Reduce Viral Load and Help Block Disease Progression

Three studies showed promising results that certain mouth wash substances can reduce the viral load in the first stage of the Covid19 illness and potentially have beneficial effects on outcomes.

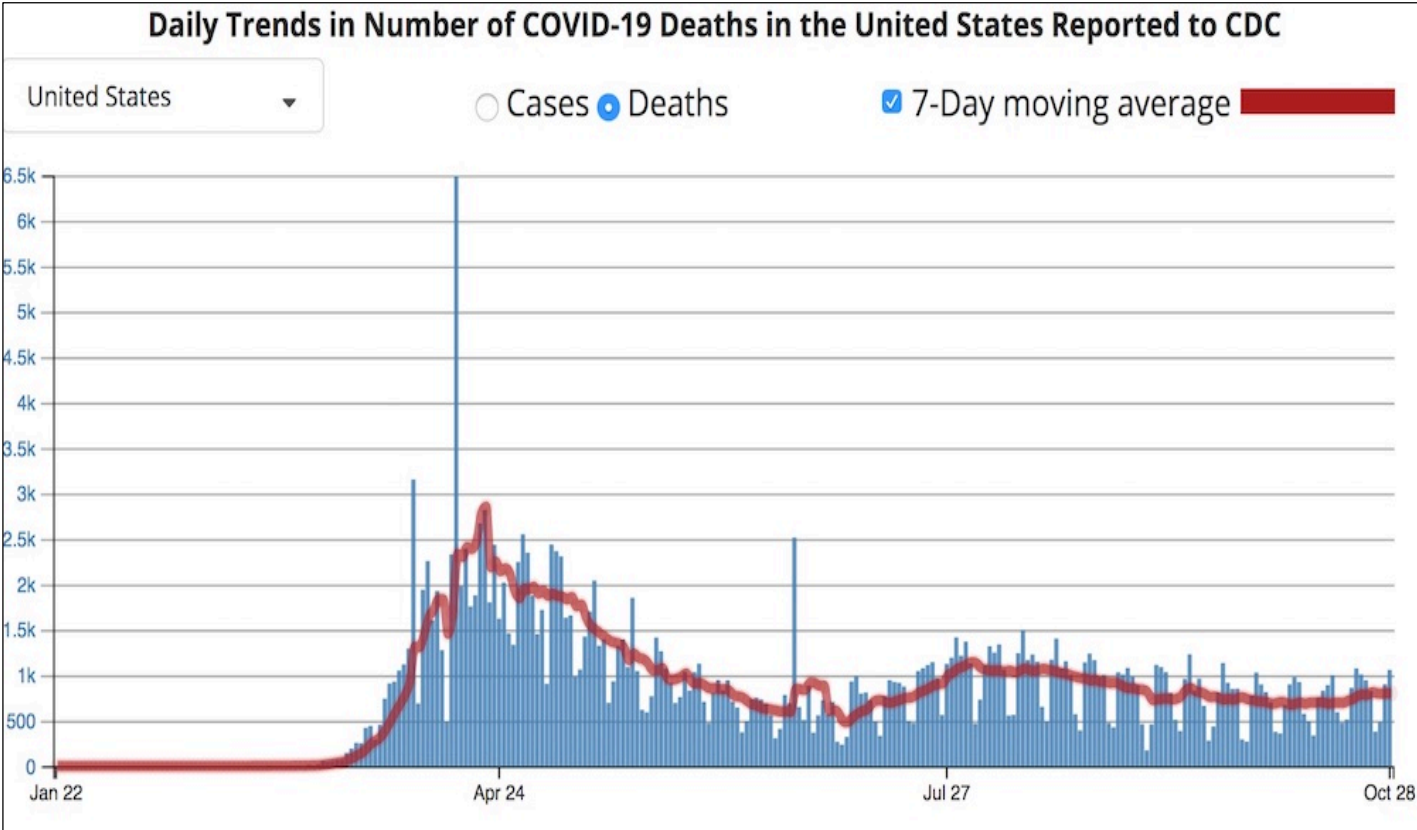
Dr. Sobeen Syed, (@drbeen on uTube) reviewed two in-vitro studies and one in-vivo. In one of the in-vitro studies, researchers showed that Betadine Products demonstrated strong in-vitro virucidal activity, killing 99.99% of the SARS-CoV-2 virus in 30 seconds. The research has been published in the respected Infectious Disease and Therapy Journal on July 8, 2020.

Even though the in vivo study was a small study, about 20 people, all of these subjects in the Betadine gargling group were able to clear the virus 100% by day six. None of those in the control group had cleared the virus by that time, reported Dr. Syed.

Viral load has been associated with progression from the earlier and less dangerous stages of the illness to the second and third stages which are more serious and deadly. T

The products subjected to in-vitro testing were: Betadine antiseptic products, namely solution (10% PVP-I), skin cleanser (7.5% PVP-I), gargle and mouthwash (1.0% PVP-I) and throat spray (0.45% PVP-I).

The CDC tracks cases and deaths from Covid-19. National Public Radio reported that mortality seems to be dropping.



Are Money Problems Behind the Psychology Board's Latest Legislation?

by Julie Nelson

In the last week of February, the state psychology board surprised the community when they circulated a memo that the board would be putting forth legislation in the 2020 session. The memo cast the legislation as “housekeeping,” but the sweeping changes they wanted were anything but.

By March, Senate Bill 458 had been filed, 23-pages that detailed an ambitious set of changes to the Psychology Practice Act. The changes included expanding the board's own charter, creating new qualifications for serving, authorizing the board to conduct continuing education, exempting the board from Open Meetings Law in certain situations, and redesigning the position of the Executive Director.

But the most financially significant change was the board's goal to register psychological assistants, creating new regulations and fees that could double or even triple costs for some psychologists, especially those in small businesses.

Similar to other past legislative goals by the board, the plan was essentially kept from the public. Why the secrecy? Why bypass rulemaking? Why more legislation?

In this article, we examine the possible issues behind the odd behaviors of the Louisiana State Board of Examiners of Psychologists (LSBEP).

LSBEP's Ongoing Financial Problems

Posted under "Performance" for 2019, LSBEP data from the Boards and Commissions website gives strong hints to the underlying reason that the board might be looking for more money from the registration of psychologists' assistants. They noted:

"The Board is planning to engage in rule-making this FY that will impact revenue in FY2020-21 and include requiring the registration of assistants to psychologists providing psychological services to clients under the supervision of a licensed psychologist and begin pre-approval of continuing professional development activities. A financial analysis for the impact of these initiatives is being conducted and an amendment to the projected 2020-21 Budget is anticipated."

The board's financial problems are long standing, they have been running deficits since 2014.

Based on the financial tracking data, the LSBEP stayed within budget for most years and carried a “fund balance” of around \$100,000. A source at the Legislative Auditor's office said the fund was a surplus or reserve.

For 2014, the board took in \$262,582 and spent \$249,517. Legal services were \$37,882. The fund balance had a surplus of \$144,709.

In 2015, the board received \$263,691 in fees and spent \$275,147. Legal services increased to \$56,002. The fund balance was listed at \$120,188.

However, in 2016 budget tracking indicates a fund deficit of \$214,818.

In a June 2016 Report, the Louisiana Legislative Auditor found the LSBEP to have inadequate controls over financial matters during the 2014–2015 period. The Auditor found a lack of business and accounting functions, and reported there were inadequate segregation of duties and lack of supporting documentation, inadequate controls over employee payroll and leave, inadequate controls over debit and credit cards, and inadequate controls over travel and meals expenses.

It is not clear from the Auditors report how the board went from a surplus to a deficit between 2015 and 2016. However, also in 2016, the board spent \$336,677, while proceeds remained steady at \$265,945. Legal services rose to \$104,894.

In 2017 legal services shot to \$149,774, and the fund balance became a deficit of \$352,395. In total, the board took in \$272,833 and spent \$408,388.

State Board of Examiners of Psychologists			
Summary Statement of Actual and Budgeted Expenditures/Expenses For Years Shown			
Category of Expenditure/Expense	Prior Year (2019) Actual	Current Year (2020) Budgeted*	Projected Year (2021) Budgeted
Salaries:			
Salaries - Employees	\$61,569	\$93,200	\$108,600
Salaries - Board Members	\$975	\$7,050	\$6,750
Other Salaries - Part-time/Hourly Employees	\$3,637	\$6,000	\$6,000
Related Benefits	\$19,546	\$62,537	\$72,899
TOTAL SALARIES	\$85,727	\$168,787	\$194,249
Operating Expenses:			
Travel - Employees	\$3,920	\$4,000	\$4,000
Travel - Board Members	\$4,173	\$17,338	\$17,338
Operating Services	\$37,169	\$57,288	\$51,895
Supplies	\$3,526	\$4,115	\$4,445
Per Diems - Board Members	\$0	\$0	\$0
TOTAL OPERATING EXPENSES	\$48,788	\$82,741	\$77,678
Professional Services:			
Accounting	\$6,395	\$7,700	\$7,700
Management Consulting	\$1,928	\$5,000	\$5,000
Legal	\$61,182	\$57,509	\$50,028
Other	\$8,620	\$43,499	\$30,999
Professional Travel	\$0	\$0	\$0
TOTAL PROFESSIONAL SERVICES	\$78,125	\$113,708	\$93,727
Other Charges:			
Other Charges	\$0	\$0	\$0
Debt Service	\$0	\$0	\$0
TOTAL OTHER CHARGES	\$0	\$0	\$0
Acquisitions and Major Repairs:			
Acquisitions	\$0	\$1,000	\$0
Major Repairs	\$0	\$0	\$0
TOTAL ACQUISITIONS & MAJOR REPAIRS	\$0	\$1,000	\$0
Interagency Transfer			
	\$0	\$0	\$0
TOTAL EXPENDITURES	\$212,640	\$366,236	\$365,654

For 2018, the board collected \$299,599 and spent \$307,003. Legal services dropped to \$40,826. The fund balance was a deficit of \$359,799.

Last year, in 2019, the board took in \$310,023 and spent \$212,640, with legal services at \$61,182. The fund balance dropped to a deficit of \$262,415.

But projections for 2020 point to new problems. Salaries are projected to go from \$85,727 in 2019 to \$168,787 in 2020. The board is estimated to take in \$329,831 and spend \$366,236. Legal services are estimated at only \$57,509, but the fund balance is still a deficit at \$298,820.

And, for professional services there is a category for "Others" that increases from \$8,620 in 2019 to \$43,499 in 2020. Salaried employees in 2019 is listed at \$61,569, but increased to \$93,200 for 2020.

In summary, between 2019 and 2020, expenditures are set to increase by 72%. (See figure.)

The Expensive "Complaints Committee"

The LSBEP conducts two main duties as a board—approving new licensees and administering discipline. New licenses are handled by the volunteer board members and the salaried Executive Director.

However, the complaints subcommittee is designed to conduct its affairs without board members' oversight. This arrangement leaves

Are Money Problems Behind the Psychology Board's Latest Legislation? continued

volunteer board members free of any bias if they are then required to participate in a disciplinary hearing.

The Rules and the internal Policies and Procedures confirm this: "The LSBEP in accordance with the La. Admin. Code, 46:LXIII.1501.C. hereby delegates authority to a Complaints Committee which may consist of the Compliance Officer, a complaints coordinator, an investigator, legal counsel, and one or more Board members [...]".

The LSBEP has both employees and contractors. For 2020, two employees are listed: The Executive Director at \$62,400.00, and the Compliance Investigator at \$46,200.00. With related benefits for 2020 coming to \$62,537, this brings the salaried employees to a total \$168,787 for 2020. Aside from student workers there are no clerical employees or others listed.

Contract employees include contracts for a Complaints Coordinator (approved for up to \$36,000); Prosecuting Attorney (\$50,056); Investigator (\$12,000); and General Counsel (\$45,000).

According to the Policies for the complaints subcommittee, "The Executive Director oversees the functioning of this committee and may serve on the Complaints Committee if necessary." And, "The Executive Director or Compliance Officer is authorized and empowered to assign per case, individuals who are contracted, employed or appointed by the Governor to the LSBEP, ..."

A new position, a "Compliance Officer (Investigating Officer)" appears to have been added sometime in the last two years. According to the policy manual, this person may be a full-time or part-time, may conduct investigations and/or inspections outside of the main office, conduct investigations into alleged or suspected misconduct by licensed members, applicants for licensure and/or others who may be suspected of violating state and federal ethical and agency laws, rules, and policies, may conduct surveillance and unannounced on-site monitoring/compliance visits, among other duties.

The complaints subcommittee operates without the direct supervision of any board members and is the most expensive and least transparent element of the LSBEP. But what exactly is the extent of the problem that this expensive subcommittee is solving?

Is the Extra Expense Really Necessary for Public Safety?

Considering the depth and breadth of law enforcement personnel assigned to the complaints subcommittee, an observer might think that there is a serious problem with psychologists' products/ services.

However, based on LSBEP's statistics the number of annual disciplinary actions averages between two and three per 1000 psychologists. Since a psychologist serves an average of 30

individuals per year, this translates to around 2.5 problems in 30,000 customer experiences.

This rate is consistent across states and consistent with the national averages. Statistics published by the Association of State and Provincial Psychology Boards calculates the national number of disciplinary actions for the last five years to range from 181 to 229, an average of 189.4. (See figure.) For 106,000 psychologists across the nation, this is 1.8 mistakes per 1,000.

These rates are also consistent with the other psychotherapy and counseling professions. The *Times* compared a random sample of disciplinary outcomes for the psychology, counseling, and social work boards. We found that all of three boards have similarly low rates of disciplinary actions, between one and three discipline events per 1,000 licensees.

In research over a sample of a five-years, we found that 75 percent of discipline actions were related in some way to forensic child custody evaluations. The remainder was split between sexual/dual relationships and impaired psychologist issues.

Using data of the US Consumer Product Safety Commission, which estimates the product-related injuries for various industries, psychologists compare very favorably regarding public safety. Furthermore, to compare to hospital care, where 98,000 patients die annually due to medical errors, psychologist services presents a very safe alternative to inpatient care.

Waste and Ineffectiveness in the Complaints Committee?

Do the lack of checks and balances in the complaints committee, and the heavily staffed law enforcement approach, create more problems than it solves? Have licensees, the taxpayers, been saddled with paying for unnecessary attorneys, including their mistakes?

In an interview with an MBA, he said, "Alignments and incentives are all wrong in the subcommittee. High costs and inefficiencies would be expected," he explained.

According to several sources, beginning around 2012, the LSBEP embraced an aggressive, adversarial style for dealing with complaints. For the first time, a Prosecuting Attorney was hired in 2014. Also, a private investigator was hired. Sources have wondered if this may have been related to the then new executive director's background as a Fraud Analyst/Investigator in the Criminal Division of the Maryland Attorney General.

Finances and other problems began to mount. Hired in 2014 at a \$15,000 contract, the first Prosecuting Attorney, Mr. Jim Raines, submitted invoices for \$52,000, according to discussion between officials in December 2016. The board was still digging out of money troubles in part because Mr. Raines submitted invoices totaling \$66,597 earlier that year, according to the minutes for the LSBEP.

Cont'd next pg

ASPPB Disciplinary Data System: Historical Discipline Report

Reported Disciplinary Actions for Psychologists: 1974 – 2019

Total Number of Reported Actions in the ASPPB Disciplinary Data System: 6,664

Disciplinary Actions Taken Per Year (Past 5 Years)

Type of Sanction	2019	2018	2017	2016	2015
Total Reported Actions	181	187	182	168	229
Revocations	13	18	16	14	12
Suspensions	30	26	15	16	36
Probations	51	38	37	40	46
Reprimands	42	35	40	30	48

Note: Each disciplinary action could contain multiple sanctions including other sanctions not listed such as supervision, mandatory continuing education, etc. Therefore, the total number of sanctions reported above does not equal the total number of disciplinary actions reported.

The Assn of State and Provincial Psychology Boards collects information on discipline of psychologists.

Are Money Problems Behind the Psychology Board's Latest Legislation? continued

At the same time, Mr. Raines may have contributed to an expensive escalation of legal matters when he failed to recuse himself from a complaints case against Dr. Eric Cerwonka. Mr. Raines had been previously retained by Cerwonka in Cerwonka's own child custody conflict. Additionally, the two engaged in a fee dispute following the close of the case. Cerwonka filed a constitutional violations lawsuit alleging that Raines had privileged information about Cerwonka that he used in the investigation.

In another example, the LSBEP contract attorneys appeared to have been confused about time limits for investigating complaints, ignoring language in the Psychology Practice Act that limited investigations to one year.

At a 2015 hearing, demanded by the defendant psychologist to be open to the public in order to have the press attend, the time limit was to be addressed. However, General Counsel, Mr. Lloyd Lunceford, prompted the chair to have a private discussion in executive session. When the board members emerged from the executive session, they dismissed the case. This made any discussion on time limits irrelevant. The then Complaints Coordinator, Dr. Gary Pettigrew, appeared frustrated having to dismiss the case stating that he did so, "...purely on the advice of the prosecuting attorney."

In a side comment to the chair, overheard by the *Times* reporter, Mr. Lunceford appeared to confirm that the attorneys in the committee had misinterpreted the law and made an error. Two years later the board put forth legislation to change the time limit in law.

Another time limits case is still on a judge's desk in District Court. If reversed the board could be required to reimburse the legal fees to the defendant.

New Statutory Laws: Circumventing the Public and Solving the Wrong Problems?

Is the LSBEP solving the wrong problem when it sets out to create new law, instead of redesigning its complaint committee? Do

their legislative solutions just cost more in attorney fees? Do they circumvent the public's involvement when they go straight to the legislature?

It appears that the board's first foray into creating news statutes was in 2012 when they decided to craft legislation to bring behavior analysts under their jurisdiction. A backlash occurred, with strong animosity directed at psychology from other groups in the mental health community.

Their legislation in 2014 was less controversial, but in 2015 the LSBEP sprung Senate Bill 113 on an unsuspecting community. The bill fueled a tug-of-war between state associations over language in the Practice Act.

In both 2017 and 2020, the board first indicated they would proceed with rulemaking, which is the process for creating administrative law. However, both times they surprised the community and chose to contact a legislator.

The *Times* spoke to an administrative law expert who preferred to remain anonymous. The expert explained that the board is circumventing the public by putting their goals into statutes instead of using administrative law and rulemaking, which includes a process for public involvement.

"They are circumventing the public," when they go straight to the law and ignore rulemaking, said the expert. "They are eliminating the input from the public. Administrative law is separate from the statutes, and that area of law is to be separate. They want to put their administrative law into statutes, and that is a serious concern."

State agencies are prohibited from taking a position or lobbying on any legislation. Emails show that the executive director took an active role in SB 113. And, the LSBEP had hired its own lobbyist,

Deborah Harkins. This later prompted Sen. Fred Mills to put forth legislation to prohibit agencies from paying lobbyists.

The *Times* asked Senator Mills about the origins of his Act 480. "It became readily apparent to me that some of the health professional licensing boards were intentionally trying to circumvent this law by hiring a lobbyist to lobby on their behalf, either for or against legislation that the board did or did not like," he said. "It was indisputable evidence of, for instance the board of psychology, hiring a lobbyist when the board is listed on the website as one of her clients. This was really my motivation in filing Act 480," said the Senator.

Conclusion

Years ago the policy at the LSBEP was, "Complaints received shall be rotated between former LSBEP members appointed as investigators." The subcommittee then appeared to have had one psychologist, Dr. Gary Pettigrew, as the Coordinator, whose contract was for 40 hours *per year*. Legal consultation came from the General Counsel, only as needed.

Between then and today, major changes occurred, some very expensive. The expense impacts both the licensee, who funds the board, and psychologists who have to defend themselves against a fully staffed, motivated law-enforcement unit. At the same time, the measures of public safety have remained consistently good.

One attorney said that the Baton Rouge area has become a "cottage industry" for the legal profession due to the boards.

It seems unlikely that the LSBEP can legislate it's way out of its managerial and financial problems. Unfortunately, in trying to do so they are removing the public from it's legitimate role—being a correcting, and perhaps helpful, influence.

The psychology board became active in legislative matters in 2012. Here, in 2014, are Ms. Deborah Harkins (C), the board's lobbyist, with Ms. Kelly Parker (L) and Dr. Rita Culross (R).



A Shrink at the Flicks

Stonehearst Asylum: *A Review*

by Alvin G. Burstein, PhD

This reworking of a short story by Edgar Allan Poe was filmed in Bulgaria in 2013 and is now available on Amazon. Its opening scene is a clear echo of a lithograph that hung in Freud’s study, a reproduction of a famous painting by André Brouillet, *A Clinical Lesson at the Salpêtrière* now hanging in the University of Paris Medical History Museum. In the painting Professor Charcot displays a woman patient in a hysterical seizure before an audience of medical notables.

In the movie, the audience is a group of medical students, and the professor unnamed. His patient, Eliza, begins to struggle to escape the professor, protesting that she is sane. The professor warns his students that all mental patients make that claim and urges them not to believe anything they hear and only half of what they see.

The film segues to a young man arriving at Stonehearst Asylum to take up a position as a resident physician. He introduces himself as Dr. Newgate to the medical director, Dr. Lamb, who explains that the asylum has an innovative approach—its patients are not drugged or incarcerated and their delusions are accepted as sources of comfort to them.

Guest Columnist,
Dr. Alvin Burstein

Burstein, a psychologist and psychoanalyst, is a professor emeritus at the University of Tennessee and a faculty member of the New Orleans-Birmingham Psychoanalytic Center with numerous scholarly works to his credit. He is also a member of Inklings, a Mandeville critique group that meets weekly to review its members’ imaginative writings. Burstein has published flash fiction and autobiographical



courtesy photo

pieces in e-zines; *The Owl*, his first novelette, is available at Amazon. He is, in addition to being a movie fan, a committed Francophile, unsurprisingly a lover of fine cheese and wine, and an unrepentant cruciverbalist.



Newgate is surprised but intrigued by the notion. He attends a dinner at which patients and staff mingle. One of the patients, Eliza, is the attractive young woman whom we had met in the opening scene. As the plot unfolds, Newgate discovers the asylum’s original staff has been imprisoned in the asylum’s basement. He learns that Dr. Lamb is a dangerous imposter and that patients, rebelling against harsh treatments—amply illustrated in the film—have taken over the hospital. Newgate becomes determined to free the prisoners, revealing to the young woman that he had seen her during the demonstration and that he loves her.

Suspenseful plot twists and turns follow. Lamb forces Newgate to collaborate in the electro-convulsive shocking of the original director, erasing his memory. Then Lamb and his assistant attempt to force Newgate to undergo the same fate. Recounting how that is avoided would be a spoiler, but the movie closes with the physician from the opening scene, accompanied by Eliza’s husband, arriving at the asylum asking for her. They are told that she has been discharged as cured by Dr. Newgate. The visitor insists that is impossible. Asked why, his response is that *he* is Dr. Newgate. The final scene shows Newgate’s impersonator and Eliza at an elegant asylum in Italy, dancing together.

The Poe short story, *The System of Dr. Tarr and Professor Fether*, from which the movie was adapted, was published in *Graham’s Magazine* in 1845. It is much more sparse than the movie, lacking the love interest. It describes a tourist visiting an asylum because of his interest in an innovative treatment method, “soothing” centered on accepting patients’ delusions as sources of comfort. A festive dinner at the institution is interrupted when the staff of the asylum, who had been imprisoned by their patients—and tarred and feathered by them—burst into the room and recover control of the institution.

Given its title and content, the tale is obviously farcical. One can only speculate on Poe’s reason for writing it. I was struck by its relevance to our contemporary political scene. It warns of the dangers of eschewing rationality and reality testing, what psychoanalysis calls secondary process, the hazards of accepting the notion of “alternative facts” and theories without an empirical basis, and the failure to search for objective truth.

Up-Coming Events

Dr. Robert Sternberg, Dr. Dean Radin to Speak at La Psych Assn

The Louisiana Psychological Association will host Dr. Robert Sternberg and Dr. Dean Radin at their virtual Fall/Winter Workshop to be held November 6 and 7. The event will also showcase scientific research from Louisiana psychological scientists in a poster session and Science Café.

Sternberg will deliver the Janet and Lee Matthews Invited address on November 6, speaking on his theories about intelligence, creativity, and wisdom, in "Adapted Intelligence."

Dr. Sternberg is a Past President of the American Psychological Association, Professor of Human Development in the College of Human Ecology at Cornell University, and Honorary Professor of Psychology at Heidelberg University, Germany. He was cited in an *APA Monitor on Psychology* report as one of the top 100 psychologists of the 20th century and in a report in *Archives of Scientific Psychology* as one of the top 200 psychologists of the modern era. Best Schools.Org includes him in the list of 50 most influential psychologist worldwide. According to Google Scholar, he has been cited over 187,000 times. He has an h index of 208 and an i10 index of 1112.

Dr. Dean Radin, noted psychological scientist who explores extrasensory phenomena, will

speak virtually on November 7, about "Extrasensory Experiences in a Quantum Reality." He will review the current state of research findings regarding extrasensory phenomena, called psi research, as well as relevant controversies and new areas of investigation related to quantum theory.

Dr. Radin is Chief Scientist at the Institute of Noetic Sciences (IONS) and Distinguished Professor at the California Institute of Integral Studies. He earned a BS in electrical engineering (*magna cum laude*, with honors in physics), and then an MS in electrical engineering and a PhD in psychology from the University of Illinois, Urbana-Champaign. Before joining the IONS research staff in 2001, Radin worked at AT&T Bell Labs, Princeton University, University of Edinburgh, and SRI International, where he worked on a classified program of psychic espionage, now commonly known as StarGate.

On Friday, Dr. Sternberg will review his theory of intelligence and his view that while traditional IQ tests are a measure of analytical and verbal ability, overall human intelligence is broader and more multidimensional. He has postulated that broad-spectrum intelligence includes components or modules of analytical intelligence, creative or synthetic intelligence, and practical intelligence.

Cont next pg

Mini-conference & Virtual Year-Long Event

The La School Psych Assn to Hold Conference

The Louisiana School Psychological Association is planning a mini-conference on November 6 and a full virtual conference from September 2020 to August 2021, according to the announcement from Brandon Wilks, LSPA President-Elect and Conference Chair. Plans are subject to changes, Wilks noted, because of the fluid situation with Covid19.

The mini-event will take place from 8:00 am–4:00 pm, at the Doubletree by Hilton, 1521 West Pinhook Road, Lafayette, November 6. However, updates or changes will be posted on the association website given the changeable Covid environment.

"The LSPA Executive Committee (EC) has the health and safety of its members, guests, presenters, communities, and their families at the forefront of thoughts when planning and executing this in person gathering," wrote Wilks. See website for current information.

**2020 Fall–Winter
Workshop**

Psychology and the Mind

**Friday &
Saturday
November 6 & 7
2020
8am to 1pm Online**



The Louisiana Psychological Association
louisianapsychologicalassociation.org

Up-Coming Events



Dr. Radin is author or coauthor of over 300 scientific, technical, and popular articles, four dozen book chapters, two technical books, and four popular books. (courtesy photo)

Sternberg, Radin Speak at Louisiana Psychological Association, continued

"Strengths and weaknesses are in terms of four kinds of skills," he explains, "creative, analytical, practical, and wisdom-based. In particular, the individual needs to be creative in order to generate novel and useful ideas; analytical to ascertain that the ideas he/she has (and that others have) are good ones; practical in order to apply those ideas and convince others of their value; and wise in order to ensure that implementation of the ideas will help ensure a common good through the mediation of positive ethical principles."

Dr. Radin is author or coauthor of over 300 scientific, technical, and popular articles, four dozen book chapters, two technical books, and four popular books including the Scientific and Medical Network's 1997 book award, *The Conscious Universe* (HarperOne, 1997),

Entangled Minds (Simon & Schuster, 2006), the 2014 Silver Nautilus Book Award, *Supernormal* (Random House, 2013), and *Real Magic* (Penguin Random House, 2018).

His 100+ academic articles appear in peer-reviewed scientific journals ranging from *Foundations of Physics and Physics Essays* to *Frontiers in Human Neuroscience*, *Psychological Bulletin*, and *Psychology of Consciousness*. He was featured in *New York Times Magazine*. His 500+ interviews and talks have included presentations at Harvard, Stanford, Princeton, Columbia, Cambridge (England), Edinburgh (Scotland), The Sorbonne (Paris), University of Padova (Italy), and University of Allahabad (India).

To register, go to the louisianapsychologicalassociation.org

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