



For Now, Behavior is the Key

"There's no magic bullet. There's no magic vaccine or therapy. It's just behaviors", said Dr. Deborah Brix of the White House Coronavirus Task Force. "Each of our behaviors, translating into something that changes the course of this viral pandemic, over the next 30 days."

The current crisis brings into sharp focus the limitations our health systems in fighting any new, stealth, and lethal virus. Behavioral intervention is not one of traditional medicine's strengths—reflected in *Medscape* authors' use of the term "non-pharmaceutical intervention" to describe social distancing.

While pharmaceutical treatments are being developed, the "behavioral immune system" and lifestyle interventions that support natural immunity are the key.

The new virus is highly contagious, transmitted through the air, from those who are asymptomatic—estimated to be up to 50%. Since the virus may avoid our usual pathogen detection, efforts have been to raise our conscious awareness. Heightening this behavioral immune system—so we learn to automatically wash our hands, resist touching our eyes, or take three steps back from another—is becoming the new normal.

A second avenue of behavioral intervention is to support the innate immune system for individuals. Evidence is also mounting that the new virus might somehow bypass the innate immune defenses in some, or suppress immunity, an especially dangerous issue for older people and those younger people with deficiencies.

Self-care behaviors for natural immunity involve many lifestyle factors. One example is food choice. The immune system needs adequate vitamins A, B, C, K, Zinc and sunshine for D. Too much sugar, alcohol or caffeine is detrimental to the immune system, as is any amount smoking at all. Exercise boosts growth hormone and that enhances immunity. Lowering emotional stress supports immune functions. One of best and cheapest behavioral interventions for everyone is a simple and pleasant behavior—sleep. Yet, many in the U.S. don't get their needed dose.

We have a myriad of ideas and methods for supporting the behavioral immune system and behaviors that increase the innate immune defenses. Even a 10% change in some aspect or another might be the difference between a person going to the hospital or staying out. For this special issue we cover topics for sleep, stress, and music, ideas for dealing with the pandemic and how psychology can help.

LPA Objects, Bill is on Hold

Psych Board's Ambitious SB 458 Filed in March

A 23–page document, Senate Bill 458, outlining an ambitious set of changes to the psychology practice law was introduced on March 31. The legislative effort was initiated by the Louisiana State Board of Examiners of Psychologists (LSBEP) and is authored by Senator Jay Luneau from Alexandria.

If passed SB 458 will make sweeping changes to the psychology law including a new set of regulations for assistants, additions to the charter of the board, changing qualifications for serving, authorizing the board to conduct continuing education, exempting the board from Open Meetings Law for investigatory meetings, and formally establishing the position and duties of the Executive Director.

The measure is on hold after officers from the Louisiana Psychological Association (LPA)

attended the public meeting of the board, held on Zoom, Friday, April 3, and raised objections. Attendees included current President Alan Coulter, President-Elect Erin Reuther, and Chair for Professional Affairs, Kim VanGeffen.

Following discussion on several matters regarding both how the bill was initiated and the content of the specific changes, Dr. Greg Gormanous, Chair of Legislative Affairs for LSBEP, put forth a motion to establish an Ad Hoc Legislative Collaborative Committee composed of members from LPA, the Louisiana School Psychological Association, and the Louisiana Academy of Medical Psychologists.

After discussion with LPA Pres. Alan Coulter, Dr. Gormanous also put forth a second motion to

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Dr. Alan Coulter, President of the La Psych Assn, at the 2019 planning meeting of the LSBEP.

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Thoughts while Sheltering in Place

by J. Nelson

Winston Churchill once said, "If you're going through hell, keep on going." Watching the epidemiologists trying to shut the barn door after the horse has left is topped only by the sad trial-and-error problem solving applied to holding back mother nature. "It's not in the air. Oh wait, it is." "The masks protect the doctors but won't protect you. Oh wait, maybe they will." "Stay at home...oh, but it's okay to go to the grocery store where everybody else is going." And their models don't work, except to alarm everyone.

"Social distancing is working!" Well of course it is, why wouldn't it? It does shut down life as we know it on this planet—a small side effect. Nevertheless, I am extremely grateful that we have behavioral interventions so that the hospitals can do what they can for those seriously ill, and so we give ourselves time to find answers to save lives.

We've learned that hygiene behaviors help a lot. Hygiene is actually responsible for some of the biggest leaps in health in our history. Disinfectants, indoor toilets, and basic cleanliness.



We've also learned the downside of globalization. Cheap labor is not always as cheap as it might seem. We all knew a pandemic was coming sooner or later but none of the previous viruses really got our attention. As horrible as it is, I'm thankful the coronavirus isn't the 30% killer it could've been, catching the whole world flat-footed. We also learned that China lies and the WHO is sadly short of competence.

One plus is the surge in our group problem-solving. Citizens have information tools they've never had before and they are more capable than ever of doing their own critical-thinking. (What else do they have to do stuck at home?) Anyone who was willing to search hydroxychloroquine knew it had potential, like Trump did, because it's a zinc ionophore. The French data was posted, and no secret. I'm waiting to see if Trump starts talking about Ivermectin.

Psychologists know that when people are empowered to do their own problem-solving they are more engaged in behavior change. Dependency on "experts" in this crisis gives way to independence and collaborative decision-making for health issues, characteristics that are sorely needed. Dr. Linda Brannon has said it in a beautifully succinct manner — the healthcare system we now have was designed over half a century ago to solve problems and diseases that are now solved for the most part. The system we need is a completely new one for today's health problems.

In the middle of all this chaos, one of the most enjoyable, gratifying experiences for me was to realize that the classically trained psychologists who somehow let me in to LSU in the 1970s taught me a thing or two. I feel pleasantly superior to know a bit about the value of quasi-experimental research designs, the difference between idiographic and nomothetic approaches, or the weaknesses due to the "tyranny of the mean."

I may be a mediocre researcher, or even a poor one, but I am sitting here, socially distancing, and feeling quite smug because at least I know the difference between "anecdotal" information and sources of potentially useful evidence for arriving at the truth.

But frankly, if I hear the word "granular" one more time, while I'm sheltering in place, I will scream.

[Julie Nelson is a licensed psychologist, journalist, organizational consultant, and publisher of the Times. She also holds other various 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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Gov. Edwards Establishes COVID-19 Help Desk for Louisiana Businesses

Gov. John Bel Edwards and Secretary Don Pierson of Louisiana Economic Development announced the opening of an LED help desk that provides email and hotline support for Louisiana businesses impacted by COVID-19.

For COVID-19 business questions, LED may be reached at LEDbiz@la.gov or via the toll-free hotline, (833) 457-0531. The COVID-19 hotline is staffed from 8 a.m. to 8 p.m. Monday through Friday.

“Louisiana has experienced the fastest rate of increase for confirmed COVID-19 cases in the world, and it is imperative that everyone in our state take part in the efforts to slow the spread of this disease,” Gov. Edwards said.

“Businesses are making tremendous sacrifices to slow the spread, and resources are available to help businesses navigate this crisis. If your business has questions, please make use of the resources that Louisiana Economic Development has made available to you.”

“This LED help desk is the latest of our efforts to serve Louisiana businesses and to help them sustain operations through the challenges presented by COVID-19,” Secretary Pierson said.

LED is working with all levels of government and the private sector to support Louisiana businesses and their employees during the COVID-19 pandemic. At the LED website — OpportunityLouisiana.com/covid19 — businesses may find workplace guidance from the Governor’s Stay At Home Order and other proclamations; COVID-19 public health recommendations; sources of COVID-19 financial aid; regional resources across the state.

Economic Survey Bleak for Louisiana Energy Producers, Workers

A new survey conducted by the Louisiana Oil and Gas Association (LOGA) reveals the back-to-back knock out punches caused by COVID-19 and the oil glut generated by the Saudis and Russians could prove to be potentially fatal for many independent energy producers and service companies and the thousands of workers they employ across the state.

The survey shows that without some kind of emergency relief, energy producers may be forced to shut-in more than half of the wells they currently operate in Louisiana and potentially reduce their workforce by as much as 70 percent over the next 90 days.

According to the Department of Natural Resources, there are 33,650 oil and gas wells currently operating in the state. As many as 16,800 of those could be shut in according to survey respondents. The operation of these wells directly employs approximately 33,900 workers. Based on survey projections, more than 23,000 jobs, which generate \$2.2 billion dollars in earnings annually, are at immediate risk.

– Letter to the Editor –

A Professional Crisis

We are all absorbed in our personal and professional struggles to deal with Covid 19. But there is another crisis, less dramatic but very real, that cries for our attention.

Consider what will become of “professional” psychology if the university, including academic psychology, continues its collapse into a job preparation enterprise.

Academic psychology, from its outset, was focused on research—a good thing—and training students who looked forward to becoming professors like their mentors.

The post WW II development of professional psychology programs and academic psychology’s focus on research obscured the centrality of and interest in human nature as central to the liberal arts.

A rot set in.

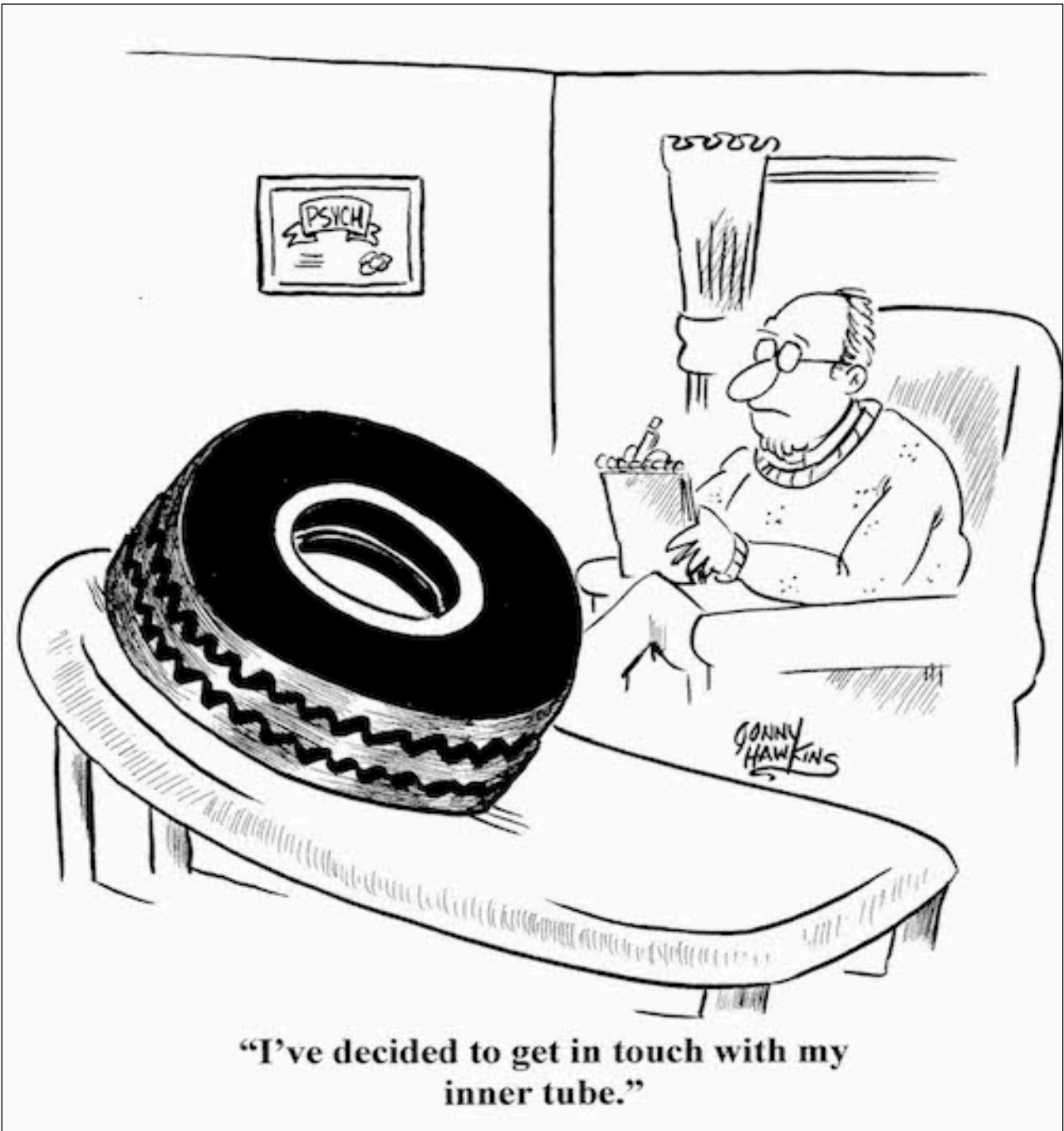
Academic psychology forgot the liberal arts mission of undergraduate education: contributing to what Cardinal Newman called “cultivation of the intellect for its own sake.” Its aim became preparing them to apply to graduate programs.

Professional schools of Psychology emerged, committed, not to the liberal arts, but to the preparation of practitioners.

My professional life has always included both full time university teaching and clinical practice. I view the rise of professional schools of psychology and the addiction to prescription privileges as cultural diseases.

As the university collapses into a credentialing store, professional psychology will devolve into something like chiropracty or naturopathy or life coaching.

Alvin G. Burstein
Professor emeritus, UTK
Psychoanalyst (retired)



LPA Objects, Bill is on Hold
**Psych Board's
SB 458 Filed**
continued

agree that SB 458 would not proceed forward unless and until participants in the Collaborative Committee arrived at a consensus, through good faith efforts.

The *Times* asked Dr. Gormanous, if the board had contacted any citizen in or citizen groups, for initiating legislation. He replied no. The *Times* also asked if the board had conducted a formal vote about filing legislation to which Dr. Gormanous also answered no.

SB 458 covers a variety of changes to the practice act. One of the significant areas a new category of "Registered Assistant to Psychologist." This is to be, "§2356.4. Assistants to psychologists; registration, supervision, renewal, lapse, termination, reinstatement, and scope of practice."

New language includes the following: "B. Upon employment of an assistant to psychologists, but prior to performance of psychological duties by the assistant to psychologists, the psychologist of record who is licensed under the provisions of this Chapter shall submit a complete application for registration, the registration fee, and other information as may be required by the board. The application fee for registration of an assistant to psychologist shall not exceed one hundred dollars."

The board's criteria for issuing a certificate of registration as an assistant to psychologist includes:

"(5) Possess minimum qualifications commensurate with the services to be provided by the registrant as defined in the rules and regulations of the board.

"(6) Has supervised training commensurate with the services to be performed by the registrant as defined in the rules and regulations of the board.

"E. (1) The services and duties of a person registered under this Section as an assistant to psychologists is limited to psychological services authorized by the board, that are commensurate with their education and training, and under the direct and continuous supervision of the psychologist of record who is licensed under this Chapter.

"J. (1) The board may deny or revoke a registration that is in the best interest of public, health, safety, and welfare for any unethical, unlawful or other unprofessional conduct brought to the attention of the board under the jurisdiction of this Chapter. [...]

"L. (1) The psychologist of record shall, during the month of July of each year, beginning in the year immediately subsequent to the initial registration of the assistant to psychologist, submit to the board a renewal application as prescribed by the board and



Dr. Erin Reuther, President-Elect of the La Psych Assn, attending ZOOM meeting of the LSBEP held April 3. Top L to R are Ms. Jaime Monic, Dr. Reuther, Dr. Greg Gormanous, and Dr. Michelle Moore.

renewal fee. The renewal fee shall be determined annually by the board and shall not exceed seventy-five dollars.

"N. The provisions of this Section shall not apply to medical psychologists utilizing assistants under the provisions of R.S. 37:1360.61 under jurisdiction of the Louisiana State Board of Medical Examiners."

The new legislation would also make additions and changes to "Practice of psychology," including:

"(a) Psychological research...

"(b) Psychological research and test development.

"(h) Provision of direct services to individuals or groups for the purpose of enhancing individual and organizational effectiveness.

"(i) Using psychological principles, methods and procedures to assess and evaluate individuals for the purpose of rendering an expert opinion and diagnosis in a legal setting.

"(j) Using psychological principles, methods, and procedures to assess and evaluate an individuals' personal characteristics for individual development or behavior change or for making decisions about the individual.

"(k) Supervision and consultation related to any of the services described in this Chapter. [...]

"Psychological services may be offered in a variety of settings including, but not limited to private and public clinics, hospitals, schools, universities, legal settings, that include civil, criminal and family court, and prison systems, government organizations and departments."

The LSBEP also proposes to change the qualifications for board members, and remove the wording for board members to have practiced "for at least five years." Then they seek to add the following: (b) No more than two early career psychologists shall hold a seat on the board at any given time.

Also under §2353, regarding organization, the proposal would make formal the position of executive director.

"(3) The board shall appoint an executive director who shall be an unclassified employee of the state. The executive director shall receive a salary determined by the board along with reimbursement for the actual and reasonable expenses approved by the board, in connection with the performance of official duties [...]."

A listing of the duties includes: the daily operations of the board and implementation of board policy, the supervision and direction of all employees of the board, and the performance of complaint investigations.

Also under the section on organization, the board seeks to expand its charter. Some of the new duties are:

"(8) Administer oaths, in the taking of testimony at any hearing before the board or appoint a designee by resolution or contract to administer oaths upon any matters relative to the duties of the board or violation of this Chapter.

"(9) Issue subpoena or appoint a designee by resolution, to require attendance, testimony, and the

Gov. Edwards Encourages Louisiana Small Business Owners to Apply for Assistance

In a press release, Gov. John Bel Edwards is encouraging small business owners across the state to immediately apply for assistance with payroll, rent and other operational expenses through the federal Paycheck Protection Program, if they have not already done so. The federal loan program is being made available to them through their Louisiana based financial institutions.

"The rollout out of the \$349 billion through this program comes at a critical time for our state as we face this public health crisis, but it will not last long as businesses across the country will also apply, which is why our small businesses should not wait for the glitches in the system to be worked out before filling out their applications," said Gov. Edwards. "Time is of the essence and the time to move is now."

he Paycheck Protection Program is offered through the SBA and provides a direct incentive for small businesses to keep their workers on payroll. It will forgive loans if all employees are kept on the payroll for eight weeks and the money is used for payroll, rent, mortgage interest or utilities. Visit [SBA.gov](https://www.sba.gov) for more information.

Gov. Edwards announced additional help through a new Louisiana Loan Portfolio Guaranty Program, which will offer loans of up to \$100,000 to Louisiana small businesses of fewer than 100 employees that are impacted by the COVID-19 crisis. To help Main Street and rural businesses sustain operations, the loans will require no payments and no will bear no interest for 180 days and carry below-market interest rates of no more than 3.5 percent.

LPGP loans will provide up to \$100,000 in immediate financing to help small firms impacted by COVID-19 meet their payroll, retain employees, pay their rent and mortgages, and keep their lights on and their doors open. Interested businesses may find loan details at OpportunityLouisiana.com/covid19, and a list of participating bankers will be posted at the site by Friday as banks complete their participation agreements.

"This is a very difficult time for everyone and the impact of this virus is being felt in all segments of our society, but small businesses should know these funds are available today and Louisiana banks are positioned through the SBA to assist their customers during this crisis," the Gov. said

Psych Board's SB 458 Filed *continued*

production of documents to enforce the laws and rules relative to the practice of psychology and to secure evidence of violations thereof.

"(10) Take emergency action in accordance with the provisions of R.S. 49:961: (a) If the board finds that the public health, safety, and welfare require emergency action and incorporates a finding to that effect in its order, a summary suspension, revocation or other action. [...] (b) The board may delegate by resolution to the executive committee, the authority to issue an order of summary suspension when it is determined that the public health, safety and welfare requires emergency action. [...]

"(13) Establish an executive committee with authority to establish through formal action to execute certain tasks and duties of the board, including but not limited to issuing subpoena and summary suspension authority, and utilized to facilitate the proper functioning of the board.

"(15) Provide education to licensees and to the public relating to the purpose of the board, applicable laws and rules, and public health, safety, and welfare as it pertains to the practice of psychology."

SB 458 also lists numerous changes in authority to collect fees and to exempt meetings of the investigatory process from Open Meetings Law. The new language would be, "All proceedings in connection with any investigation by the board shall be conducted in closed session, and are exempt from the provisions of the Public Meetings Law pursuant to R.S. 42:17(A)(4)."

SB 458 can be found at <https://legis.la.gov/legis/ViewDocument.aspx?d=1168057>

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Sleep's Gift to Immunity – Monocytes, Macrophages, and Natural Killer Cells

"Sleep has been shown to be an important modulator of the immune response," said Dr. Denise Sharon, MD, PhD, and Diplomate in Sleep Medicine. "Lack of sleep increases susceptibility to infection by decreasing immunity." Dr. Sharon is a psychologist and physician and she now serves as Independent Consultant at Pomona Valley Medical Center's Adult and Children Sleep Disorders Clinic.

Dr. Sharon previously served as Associate Professor of Medicine, Sleep Medicine Fellowship Faculty, and Assistant Clinical Professor of Pediatrics at the Tulane University School of Medicine in New Orleans, and also as director of the Comprehensive Sleep Medicine Center of the Gulf Coast.

"Sleep is a behavior," Dr. Sharon explained, "and it is an important one for health." Pointing to research by Besedovsky and others, "Sleep and immune function" in *Pflugers Arch European Journal of Physiology*, Dr. Sharon says, "Sleep supports the immune system through the initiation of an adaptive immune response."

"There are two major types of immune response: innate and adaptive. Innate immunity is the first line of defense, the immediate generalized response to pathogens," explained Dr. Sharon. "Adaptive or acquired immunity is an antigen-specific response and develops over time. The innate immune system cell types include monocytes, macrophages and dendritic cells. During sleep these undifferentiated immune cells peak in the peripheral blood and lymph nodes."

"Growth hormone and prolactin are released during the same period of sleep and both enhance the proliferation and differentiation of the T cells, which are active in innate immunity. Natural killer cells—NK cells—are also affected by sleep," she said, citing the research by Reis and others. "NK cells are part of the immune complement system whose activation is increased by sleep."

"Sleep and immunity have a bidirectional relationship. The stimulation of the immune system triggers an inflammatory response that can induce an increase in sleep duration and intensity, but also sleep disruption. The enhanced sleep potentiates the immune system resulting in improved infection outcomes," she said.

"Contrarily, sleep deprivation can lead to susceptibility to infections and if chronic to systemic low-grade inflammation," she explained pointing to a 2019 study by Besedovsky and Lange, "The Sleep-Immune Crosstalk in Health and Disease" in *Physiol Rev*.

"There are huge numbers of people who are sleep deprived," she said. "And it is a state in which negative emotion tends to prevail, like other strong need deprivation states."

Clinical psychologist Dr. William Waters, long-time expert in the area of sleep would agree. "The whole country is sleep deprived," he said in a previous interview. "You can't do sleep deprivation research without feeling a little scared about traveling on the highway at night or early in the morning."

Dr. Waters developed his interest in sleep during his years as Clinical Director at Louisiana State University throughout the 80s. An ABPP in clinical psychology with a strong psychophysiological background, Dr. Waters trained psychologists in sleep research and sleep medicine while Director and Full Professor at LSU. His first publication in the area of sleep was also in the 80s. He continues his interest at the Sleep Disorders Center at Ochsner Clinic in Baton Rouge.

"It's not just sleep deprivation," he said, "but the quality of sleep is very poor for many of those who actually do get enough sleep. For example, sleep apnea produces fragmented and light sleep that is not restorative, and causes the same functional decrements that are caused by sleep deprivation, including negative affect."

Dr. Waters has worked in several areas of neuroscience research at the University of Missouri School of Medicine, LSU and the Pennington Biomedical Research Center. He holds fellowship positions in the American Academy of Sleep Medicine and he sits on the Board of Directors of the Louisiana Academy of Sleep Medicine. He is a Diplomate of the American Board of Sleep Medicine and the American Board of Professional Psychology.

Researchers have found that poor sleep patterns appear connected with a number of chronic illnesses, high stress hormones, hypertension, or a greater risk of diabetes and body mass.

"...And increased morbidity and increased mortality," noted Dr. Sharon. "If we add intermittent hypoxemia, even mild, to the mix, the result is an inflammatory response that challenges the autoimmune system and contributes to plaque build-up."

"Look for a middle-aged, overweight male or female," said Dr. Waters, "and you are likely to find a problem with quality of sleep because they are likely to have sleep apnea. For psychologists, it is worth noting that sleep apnea will look a lot like depression," he said.

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Sleep's Gift to Immunity – Monocytes, Macrophages, and Natural Killer Cells, continued

As important as a full night of quality sleep is, the National Sleep Foundation's data has revealed that 33.7 percent of responders said they did not get the amount of sleep they needed. And only 40 percent said they get a good night's sleep every night or almost every night.

"The one thing that will reliably destroy sleep is stress," Dr. Waters said. "No matter what the psychiatrists say, it is all continuous. If you want to take a point on the continuum and call it a disease you can. But stress—the psychophysiological responses—are aimed at getting you to deal with threat," he said. "And then how likely are you to go to sleep?"

"Keep in mind that negative emotion is a stress response," he said, "and therefore predictably disrupts sleep, delaying its onset, and making it light and interruptible. In other words, non-restorative."

Helping a person get the rest and quality night sleep he or she needs was one of the first things that Dr. Sharon enjoyed in this specialty area. "Coming from psychiatry," she said, "the first thing I liked about sleep medicine was instant gratification. The majority of our patients [obstructive sleep apnea, narcolepsy, restless leg syndrome] improve immediately after diagnosis and correct

treatment with minimal if any side effects."

"Sleep is the kind of area that clinical psychologists should be doing, it is just made for us," Dr. Waters said. "We have a whole scientific discipline at our fingertips that is applicable." He explained that the basic principles of behavior, applied to the treatment of sleep, is a perfect fit.

"Sleep hygiene and stimulus-control therapies are nothing more than applying what we know about sleep related behavior to make the person more likely to sleep," he said. "Relaxation therapy is what we do to tone down activation. And remember that it is activation, particularly emotional activation, that causes insomnia and reduces the quality of sleep."

Walter C. Buboltz, Jr. PhD, Professor, Director of Training Counseling Psychology, and his team of researchers at Louisiana Tech have worked to help unravel some of the complex issues in the area of sleep, for college students.

"Basically what we're finding is people that have poor

sleep quality tend to consume more food and weigh more over time," said Dr. Buboltz, "Our hope eventually is to give them interventions or strategies to sleep better which would keep them healthier and decrease their weight."

Dr. Janelle McDaniel, currently at University of Louisiana Monroe, and previously Assistant Professor and part of the team at Louisiana Tech, said, "It's important to consider the interaction between different factors such as sleep and eating habits when thinking about wellness globally because treating one particular factor may not address underlying conditions."

Dr. Buboltz and his team developed an intervention program for college students called the Step Program. "It's basically training students to learn appropriate sleep habits, sleep hygiene and sleep education."

Sleep hygiene, explained Dr. Buboltz, is "Doing things that promote sleep, like not drinking coffee past five, not working out at midnight or eating a lot of food before bed, but relaxing before going to sleep."

Dr. Buboltz noted that their goal for these types of studies was learning about what's appropriate. "Most people don't know you're supposed to sleep eight to nine hours a night. Most people don't know about the amount of caffeine in food. Chocolate is actually worse for caffeine content than Coke! Colleges are bad about having intramural sports events at nine and ten o'clock at night and that prevents them from going to sleep."

"We're mainly focused on its effect on health," Dr. Buboltz said.

With the overlap between major areas of psychology, psychophysiology, attention, emotion, Dr. William Waters finds this area to be perfect for those in psychology and the health promotion of patients. "The best clinician you can have is one with an integrated perspective," he said.

Current research suggests that seven to nine hours of uninterrupted per night is necessary for the immune system to function optimally.

"Sleep has been shown to be an important modulator of the immune response," said Dr. Denise Sharon, MD, PhD, and Diplomate in Sleep Medicine.

"Lack of sleep increases susceptibility to infection by decreasing immunity."



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A Map for Dealing with the Uncertainly, Chaos, and Change

by Susan Andrews, PhD

More trying times than this one is hard to imagine. Most of us remember Katrina. The last pandemic was the Spanish Flu in 1918 and none of us remember that. It is cited as the most devastating epidemic in recorded world history killing between 20 and 40 million people in about 2 years, more people than were killed in WWI or in 4 years of the Bubonic Plague. We were not helpless then and we did survive it. It did come to an end. And, we know so much more now than we did then. We have more tools with which to fight now.

A key ingredient in this bitter stew we are all in is Uncertainty. Uncertainty is the Mother of Fear. And, fear gives birth to anxiety. The rules for how we are supposed to live and conduct business change daily. We are frankly being bludgeoned 24 hours a day with fear producing information over the TV and internet. Friends, family, colleagues, patients and clients are calling, texting, emailing to express their fears about the Unknown. No rules govern this global crisis, least of all how long it will last. Or, who will survive?

Everything about our way of life is threatened. People are afraid of dying should they test positive for Covid-19 – or maybe people they love will die. People are afraid they might not be able to pay their bills, might lose their home, or lose their job. They fear a shortage of provisions that they need to survive. The isolation, loneliness, is even harder to manage for many.

Over fifty percent of the American population are estimated to have significant worry and anxiety and most everyone would agree that they are stressed. We face a distinct danger of not staying emotionally healthy if we are unable to manage our fears and



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stress. There is danger to our immune system if the stress and anxiety are allowed to blossom and grow unchecked. In a nutshell, stress weakens your immune system. This new virus is particularly dangerous to those with a weakened immune system because of a reduced ability of the system to fight off antigens. And, cortisol suppresses the production of both T-lymphocytes and antibodies, which leaves body more vulnerable.

Of course, it is important during this period to use all the stress reduction techniques you have in your toolbox. On a daily basis, get good sleep, eat more natural foods, monitor your thoughts, take time for things like meditation and exercise. However, the epic scale of this coronavirus calls for more. Major chaos calls for significant and conscious change. Reducing the impact of the

Covid-19 requires a new map, one that plumbs the depth of what matters to us. All over the world, people are being asked to shelter at home or to quarantine yourself if you have been exposed. Use this time as an opportunity to pause, push in the clutch, and reevaluate how you are living your life. Think about more deep questions, like what matters most to you. During your shelter at home days, consider taking one or two days to completely disrupt your schedule and routine, like doing a retreat in your own living space.

What would that look like? Take off your professional psychologist's hat and clear your schedule or list of your usual routine. Maybe you do this with a significant other who is socially isolating with you. This is a time to dream about what changes you would like to see in the world. Possibly the coronavirus pandemic is presenting us with an opportunity to make major change. Maybe you do your dreaming and pondering alone and later connect by phone or internet with a small support group to discuss your thoughts and share your dreams and visions with others.

Consider what this virus might mean, might symbolize about our world. Many of our philosophers have commented on how compassion is growing more and more absent in the world. Oh, not everyone lacks compassion, but it is in short supply. Turf wars still light up the skies with new and better ways to kill each other. We notice the turbulence, but in this busy world, we rarely stop to feel compassion for those who are involved. So many people who are in pain need our compassion. We all have patients or clients that are more anxious and fearful than ever.

How might Covid-19 change our world? Don't just focus on the negatives and the fears when considering this question. Of course, the negatives will come up first.



Dr. Susan Andrews is a Clinical Neuropsychologist, an award-winning writer/author (her book Stress Solutions for Pregnant Moms, published in 2013, has been translated into Chinese,) and 2016 Distinguished Psychologist of the Louisiana Psychological Association.

A Map for Uncertainly, Chaos, and Change, *continued*

by Susan Andrews, PhD

Write them down and then look beyond. What good things might come from Covid-19? A friend sent a copy of a letter from Dr. Jean Houston to me, which is currently trending on the internet. Jean Houston earned Ph.D.'s in both psychology and religion. She is a writer, lecturer, a leader in the Human Potential movement, and was a close friend of Margaret Mead. Her letter beautifully describes one future that possibly is growing out from the Covid-19 chaos. That change could be increased compassion among the peoples in the world. Dr. Houston wrote: "All of my life I have been dedicated to encouraging the potential that every person carries within them. I've taught about our innate depths, our possibilities, and our purpose. Now, however, it's time to live out the promise that we all carry, to become noble, kind and compassionate people. This week on television, I witnessed the best and most fearful sides of our natures. On the one hand, I saw violent videos of shoppers fighting over toilet paper, and also experienced indiscriminate generosity while shopping at my local Costco."

Dr. Houston is not alone in what she reported. We have all witnessed first-hand or heard on the news of the juxtaposition of the best and the most feared sides of human nature coming out in this crisis. The fights over toilet paper are in direct contrast to the kindness and caring shared by people waiting in line. Restaurants turning into soup kitchens and being willing to feed hungry people in the area is happening in urban areas. Generous donations by famous people, like Drew Brees for food for those who have lost their livelihood during this crisis.

In the past, I have personally witnessed an entire bus load of 5 o'clock commuters in NYC yelling at the driver to wait and to reopen the bus door to let in one person so that they could escape the foul weather. Is it possible that Covid-19 will bring more of that kindness and compassion to the world? I believe that if we spend some of our retreat time contemplating how we can each show more compassion in our own communities, that our own burdens will become lighter.

So, what else could you think about when you take time to retreat? Spend time contemplating what really matters to you. We are all different and there is no "correct" list. But, maybe try to write down things that really matter to you and then try to pick out those that are most important to your growth and well-being.

Another important thing you can do is to spend some time thinking about your beliefs. Too many people are falling into the trap of believing all the negative things that are on the news. Make it a point to monitor and limit the amount of time you spend watching network news or searching the internet. Search out your destructive and negative beliefs. Change them to include the positive information that is less publicized. For example, here is some positive information. Most cases are not that serious and now there are over 100,000 full recoveries worldwide. China and South Korea are reporting a huge drop in new cases as a result of their tough restrictions. The Covid-19 death rate is actually lower than WHO estimated. Research and experimentation to find drugs and treatment for this new virus is making good progress and that should

reduce the number of deaths. This would help bring back sanity. Apple stores are reopening in China; other stores are expected to follow. Cleveland's MetroHealth Medical Center has developed a test that can give results in 2 hours, not days. A pharmaceutical giant announced a test that will take 7 minutes and the FDA gave permission for it to be mass produced and distributed.

Along the same lines, take control of your thoughts. Practice some of what we all preach: Cognitive Behavioral Therapy - we know how to argue and challenge the logic of our fears. Monitor your thinking so that you can stop worrying about things over which you have no control and no voice. Stop worrying and change what you are thinking about. If you cannot do that without help, then pick up a funny or exciting book, or watch a Disney movie, or experiment with the magic of your imagination. Decide upon a project that is long been on your list and start working on it. This is an opportunity to make new choices and find new directions. Activate your imagination, dream and explore those dreams and visions in your mind. Consider these next weeks like an unexpected vacation and use it to work on things you have on your "to do list." Or, take this time to play and make sure you keep humor in your thoughts. Watch cat videos on YouTube; they are guaranteed to make you laugh.

Have you ever pondered this mystery? "Somehow things always seem to work out." Look back in your own life and find a time when you were sure things would end badly but they magically seemed to work out. Or, recall similar stories from your clients. I remember one client who was sure they were going to lose their home after Katrina. But, in the end, they wound up with an even better one.

I know we are all feeling the pain of disrupted work and career, the drama of possible critical supply shortages, the boredom of staying home and socially distant from others. Keep in your mind that it is what you think about and what you do that determines your mental and emotional health. Recently a friend met me for coffee wearing a t-shirt that read: "If you can be anything, be kind."

Jean Houston closed her letter with these words:

"Take all the precautions that are recommended and at the same time, be bold in your love, and constant in your faith that together we will pass through this challenging time. On the other side of it, we will look back and realize that we were part of an epic time in history when caring triumphed over fear, and goodness prevailed!"



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Lullaby Blessings: Help for Families Stuck at Home



Susie Marie PhD
Country Lady
Life Lessons
from Mother Earth



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Musical Messages® - April 1, 2020

As infants, when we felt irritable and fussy, or were unable to relax and fall asleep, our mothers would wrap their arms around us, hold us close, and sing lullabies to us. These softly sung rhyming words, with their slow, steady, repetitive patterns of simple melodies, delivered with high pitched, deep emotional expression, in swaying triple meter, were the medicine we needed to drift into peaceful slumber.

The mother's voice, *la voix maternelle*, has unmatched power to influence the growth and development of her young. Even before birth babies can recognize their mother's voices, and as infants they prefer the voices of their mothers above all others. Mothers across the centuries and around the globe have used the power of their voices to influence their children through lullabies.

Lullabies are the vehicles through which mothers first teach their children important family stories and traditions, and share timeless cultural knowledge and values. Mothers also express their own troubles and worries, reassuring themselves and their little ones, through lullabies.

Gregor Roy MacGregor of Clan Gregor fought for years to reclaim family land that Robert the Bruce, King of Scotland, had granted to the chief of the Clan Campbell. When he was captured and killed in 1570, his widow composed and sang the lullaby *Ba Mo Leanabh* to her son. You can listen to her mournful tale [here](https://www.youtube.com/watch?v=P7dW1FtfS9Q).

She sang of her plight while comforting her child, "On hush-a-bye, my little baby. Hush, my little baby, hush. Oh hush-a-

bye, my little baby. My own little baby will go to sleep. Though I am without a flock of sheep, And the others all have sheep, Though I am without a flock of sheep, You, little baby, can go to sleep."

She also sang of the strength of her devotion as she relayed the tragic truth of her child's father's fate, "Darling, of the people of the great world, They spilt your blood yesterday, They put your head on an oaken post. A little way from your corpse I breathlessly climbed the great mountain, I climbed and I descended. I would put the hair of my head under your feet, and the skin of my two hands."

No matter what the circumstances of her life, a mother can establish a secure bond with her child through lullabies, which provide stabilizing comfort by modulating arousal and regulating behavior. Research on premature infants provides some of the most compelling evidence of the benefits of lullabies. Their breathing and heart rates improve, feeding and sleeping increase, they get better faster, and they are discharged sooner than babies deprived of "live" lullabies.

The electronic delivery of lullabies lacks impact for babies in hospitals and in homes. Babies want real, live females to sing their lullabies. One of the beautiful features of lullabies is that the lyrics are customized, adding special endearments and unique details, sometimes with silly words and intonations, that express love and affection, and the worth of each individual child. Babies need the intimate,

personal interaction of traditional lullabies that mothers through-out the world have provided for centuries.

Screened presentations of lullabies, such as those available through Apps and YouTube, are generically produced, lack understanding of children's social and developmental needs, and are promoted by unscientific testimonials. These productions have corrupted the classic definition of lullabies. They use male voices and instruments, and instead of lulling a baby to sleep, they function primarily as ways to settle a baby by signaling a specific family routine.

Children whose mothers sing lullabies to them through-out the first year of life have significant advantages over children deprived of such a rich musical heritage. Lullabied babies show greater growth across multiple developmental realms. Music activates many parts of the brain simultaneously, and establishes strong foundations for speech and language, mathematical and spatial skills, sensory and creative development. Dr. Nina Kraus of the Auditory Neuroscience Laboratory of Northwestern University aptly describes music as the "quintessential multimodal activity."

The Polish composer Frederic Chopin gave the world a new musical form in 1844 when he completed his

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Lullaby Blessings

continued

Berceuse, a cradle song. (Le berceau is French for cradle.) He is thought to have been inspired by Louissetta, the child of his musician friend Pauline Viardot, and by a song from his childhood, “The moon now has risen, the dogs are asleep.”

German composer Johannes Brahms gave us his berceuse, *Wiegenlied*, a lied (art song) for piano and voice in 1868, which is best known as “Brahms Cradle Song,” one of his most popular works. He too was inspired by a friend who was a mother, Bertha Faber, when she gave birth to her second son. In 1877 Brahms incorporated this melody as the second theme of the first movement of his second symphony. The second theme begins at bar 82 and continues through-out the movement. You can hear that first movement [here](https://www.youtube.com/watch?v=uJ3AOeNfWy4).

Brahms original lyrics were, “Good evening, good night, With roses covered, with cloves adorned, Tomorrow morning, if God wills, you will wake again. Good evening, good night, By angels watched, who show you in your dream, the Christ-child’s tree. Sleep now blissfully and sweetly, see the paradise in your dreams.” These words express Brahms’ appreciation of the ultimate security a mother provides, by protecting her child even beyond death through faith.

Today we know this piece, so popular in music boxes, as “Brahms Lullaby,” that begins “Lullaby, and good night” and continues “Lay thee down now and rest. May thy slumber be blest.” Twentieth century American lyricist William Engvick created new, simpler words for the melody, giving us “Close Your Eyes.” You can enjoy Rosemary Clooney’s version [here](https://www.youtube.com/watch?v=MOLOFTFatgc&feature=youtu.be).

<https://www.youtube.com/watch?v=MOLOFTFatgc&feature=youtu.be>



Brahms Lullaby

In contrast to the peace and joy of the lullaby is the lament. A lament, as a passionate expression of grief that is prominent in Biblical texts, is an appeal to God for help. The initial wailing complaint is transformed through the process in which the petitioner addresses God, describes the suffering, pleads for divine assistance, expresses trust, and offers thanksgiving and gratitude, in anticipating of receiving relief.

Music therapists have developed “lullaments,” which combine both lullabies and laments, to help hospitalized children and their parents,

and adult cancer patients in palliative care. Lullabies, which focus on attachment, nurturance, and growth, used together with laments, which emphasize detachment, sorrow, and loss, can help patients cope with uncertainty and fear of death. As our nation contends with the crises and tragedies of the coronavirus pandemic, lullaments can be an important resource to help ease suffering.

Lullabies, however, capture the blessings and fundamental freedom of a strong maternal bond. Perhaps we all need to envision ourselves embraced in a loving mother’s arms, lulled

into peaceful sleep by the sounds of her sweet lullabies. Though the link below takes you to a less-than-ideal digital format where I share a childhood memory and sing a lullaby inspired by roses, I hope that my Musical Messages® will help bring us emotionally close as we remain physically distant for the health of country.

<http://susiemariephd.com/musical-messages/>

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Susie passing on musical traditions to her daughter. (Courtesy photo.)

A Shrink at the Flicks

The Call of the Wild

A Review

by Alvin G. Burstein

For decades, H. L. Mencken adorned the public sphere as an acerbic social, political critic and literary critic. Said to have coined the term *Booboisie*, he opined, “On some great and glorious day the plain folks of the land will reach their heart’s desire at last, and the White House will be adorned by a downright moron.”

When he wasn’t spearing the electorate, he harpooned literary icon Henry Adams thusly, “Take any considerable sentence...and examine its architecture. Isn’t it wobbly with qualifying clauses....Doesn’t it wriggle and stumble and stagger and flounder?”

Clearly, he wasn’t a man given to formulaic praise. That gives his evaluation of Jack London’s *The Call of the Wild* special weight: “No other popular writer of his time did any better writing than you will find in *The Call of the Wild*. Here, indeed, are all the elements of sound fiction.”

I had read the book as a young boy, remembering mostly the emotional scene when his owner, having staked his all on the ability of his sled dog to pull a load of a thousand pounds, pleads with the animal, “As you love me, Buck.” And Buck rises to the occasion. The dog lover in me still feels misty about it.

Before seeing the 2019 film, I re-read the book. The focus of this review will be on their differences.

Guest Columnist,
Dr. Alvin Burstein

Burstein, a psychologist and psychoanalyst, is a professor emeritus at the University of Tennessee and a former 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.



The film’s visuals capture the majesty of the north land in a spectacular way. But the novel’s focus on Buck’s transition from favored status to forced servitude, to dedicated but savage sled dog, to mystical lupine master are trivialized and blurred in the cinematic version. Buck is an almost cartoonish, a clown, in the film’s opening scenes turning his being beaten into obedience into a different kind of humiliation.

The novel captures the harsh physical demands of sled dogs’ lives and their desperate, urgent need for food of any kind in ways that the film glosses over. The book also highlights the compelling force of habitual accommodation—what William James called the great flywheel of behavior—that eventuates into Buck’s dedication to his role as leader of the dog team.

The most striking divergence between the two accounts has to do with the fate of John Thornton, the object of Buck’s love. In the book, Thornton is killed by Indian savages, upon whom Buck wreaks murderous revenge. In what is a nod to current convention, in the film Thornton is shot by one of Buck’s early Alaskan exploiters, and dies while Buck attempts to comfort him.

Plot-wise, the manner of Thornton’s death distracts from one of the book’s central foci, the deep ancestral call that draws Buck away from what most would call civilization into a savage and primitive state, one with its own stark beauty.

And on a personal note, the dog lover in me wanted to see Buck’s response to Thornton’s “as you love me.” That scene, alas, is omitted in the film.

I can’t imagine what H. L. Mencken would have to say about the movie. What I say is, “Read the book.”

LSBEP: A Legislatively Active Agency?

by Julie Nelson

Has the psychology board developed into a legislatively active organization, expanding the mission of “protecting the public” beyond its proper boundaries?

For the 2020 legislative session – which now is likely to be canceled due to the coronavirus – the Louisiana State Board of Examiners of Psychologists initiated a comprehensive piece of legislation, Senate Bill 458.

The board surprised the community with the “housekeeping” legislation. SB 458 contains major changes. Changes include a new category of regulation for assistants, modifications to the scope of practice, new authority in the board's charter, and an exemption from Open Meetings Law for certain investigation matters, among other changes.

SB 458 is not the first time the LSPEP has engaged in legislative activities. It is also not the first time the board has failed to make their legislative goals transparent to the public.

In this special report we look at issues involved in separation of power and if the LSBEP has been pushing the envelope, initiating six legislative bills over the last 8 to 9 years.

Can boards create new laws?

The principle of separation of powers is set out simply and clearly in Article II of the state Constitution, for Distribution of Powers. "The powers of government of the state are divided into three separate branches: legislative, executive, and judicial." And, "Except as otherwise provided by this constitution, no one of these branches, nor any person holding office in one of them, shall exercise power belonging to either of the others."

In Title 37 of the Revised Statutes, “Professions and Occupations,” the psychology board has six powers: 1) adopt and revise rules and regulations [the administrative law]; 2) employ personnel; 3) adopt a seal; 4) approve, deny, revoke and suspend licenses; 5) conduct hearings regarding complaints for discipline; 6) prosecute people violating the chapter.

Boards must be careful not to become political. The state Ethics law lays out the principle that officials and public employees must “be independent and impartial; ...”

A specific warning is found in R.S. 24:56: “No state employee in his official capacity or on behalf of his agency shall lobby for or against any matter intended to have the effect of law pending before the legislature or any committee thereof.”

Authors of a 2002 Circular No. 001501, clarify, writing: “Employees are authorized to provide factual information relative to a legislative matter,” they write. “Employees who appear in committee to testify on legislative matters must be careful to provide ONLY factual information on the matter being discussed, and must refrain from voicing their personal opinions regarding the legislation.”

In 2018, Sen. Fred Mills put forth legislation to strengthen the prohibitions for agencies taking a stand on legislation, and added prohibitions against lobbyists.

"No state employee in his official capacity or on behalf of his agency shall enter into a contract with a lobbyist or a contract for lobbying services to lobby for or against any matter intended to have

the effect of law pending before the legislature or any committee thereof."

The *Times* asked Senator Mills about the origins of his Act 480. "Prior to the passage of Act 480 I felt as though the law was crystal clear that state agencies could not lobby for or against any matter pending before the legislature, they could only provide factual information," he noted. "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."

"Louisiana lobbyists must register and their represented agencies are posed on the Board of Ethics website. 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.

It may have been this legislation that caused the LSBEP to discontinue a contract with attorney Deborah Harkins, who listed the State Board as her client for 2017 to 2019.

At a recent board meeting, the *Times* asked LSBEP Legislative Chair, Dr. Greg Gormanous, if the board had contacted any citizen in or citizen groups, for initiating legislation. When asked if members were concerned about violating the principle of separation of powers, new board member Mr. Chance McNeely replied that legislation of this type is put forth frequently by agencies and also that the bill is Senator Luneau's bill. Mr. McNeely also noted that he is lobbyist.

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In 2012 the board tried to bring the Behavior Analysts under the LSBEP. It was a contentious effort.

Here, the then Executive Director Kelly Parker (L) and Chair, Dr. Tony Young, listen to discussion about the disputes.

LSBEP: A Legislatively Active Agency? continued

Does the public need more regulation for their "protection?"

The psychology board is authorized to protect the public from gross negligence in the practice of psychology and work toward that objective by careful assessment of new licensees and by monitoring complaints filed by citizens.

The program works well, there are very few disciplinary actions overall in Louisiana and similarly across the nation for psychologists. Based on data from 2010 to the present, disciplinary actions totaled 18 and a yearly average disciplinary actions of 1.6.

Using a denominator of approximately 700 to 750 psychologists, this gives a very low base rate of .002, or two in 1000 psychologists. Comparing data from the ASPPB Disciplinary Data System, this base rate is consistent across the nation.

Note that this rate would approach zero if the denominator were not individual psychologists but the number of all their clients.

The types of cases that lead to a disciplinary action lend understanding to these numbers for psychologist. The *Times* obtained disciplinary reports for the years 2010 through 2014, and found that six of the eight, or 75 percent of cases, originated from or were related in some way to forensic child custody evaluations. Of the two other cases, one was because of a sexual/dual relationship and the other was an impaired psychologist.

Board's Legislative Activities

Since 2012 the psychology board has initiated six different bills. A review of these bills follows.

2020 – SB 458

SB 458 was a surprise. There was no mention of planned legislative changes at the October 2019 Long Range Planning meeting of the state board which was attended by numerous members of the public. In the minutes since that time only brief reference to legislative issues and changes have been noted.

Minutes from November included a note: "Legislative Oversight Committee – Dr. Gormanous reported that the next regular session was fast approaching and that now is the time to educate people, including new legislators if the Board is going to seriously consider statutory changes. With Mr. McNeely's legislative experience, Dr. Boggs appointed Mr. McNeely to the Legislative Oversight Committee."

December minutes included the following: "Legislative Oversight Committee – Dr. Gormanous expressed his opinion that the LSBEP should prepare to educate people, including new legislators if the Board is going to seriously consider statutory changes. Mr. McNeely confirmed that committee appointments had not been made for new legislators but would likely occur around January 13th or 14th and that he would continue investigating appointments on the Senate side. He



In 2015 the board initiated SB 113 and started a tug-a-war between the Louisiana Psychological Association and the La Academy of Medical Psychologists. Senate video records captured the board officials conferring with LAMP lobbyist..

confirmed the session opens on March 9th and the prefile deadline is February 26th. The committee agreed that they would wait for ASPPB to publish recommendations for the "Elevator Speech" and revisit that topic at that time."

It is not clear who or when the content for the 23-page proposal for SB 458 was produced or authorized, who on the board had input to it, or how decisions were made.

2017 – SB 37

The 2017 Senate Bill 37 was also a surprise. In early March 2017 the LSBEP sprung the news that it was crafting legislation for the session.

However, at the November 2016 LSBEP Long-Range Planning meeting the board members said they would work collaboratively with the community to develop administrative Rules, not a new statute, to deal with its problems.

In the minutes, "Ms. Monic reviewed the Complaints Process with attendees and discussed the proposed amendments to Chapter 15 of the Louisiana Administrative Code." This code is the set of administrative rules that the LSBEP is authorized to use. The minutes noted, "After describing the need for the changes, Board members and attendees collaborated to formulate language for the amendments." No legislation effort was mentioned.

However, on or around March 3, 2017, LPA was contacted by the Executive Director, with the news that there was now going to be a piece of legislation.

Prior to that, according to the minutes from January, rulemaking was tabled following a discussion with Amy Groves Lowe, one of the LSBEP attorneys. Then chair, Darla

Burnett, PhD, MP, reported that she had met with Deborah Harkins, board lobbyist, to discuss a contract to assist with "legislative issues."

"Dr. Burnett reported that she and Ms. Monic met with Deborah Harkins, the LSBEP lobbyist, and Legislative Attorney Michelle Ducharme to report issues pertaining to postdoctoral supervision requirements for licensure, fines in disciplinary matters, prescriptions in disciplinary matters, and renewal fees for provisional licenses that may require statutory revisions."

Senate Bill 37 included two significant matters involving the complaints committee.

During this time period, invoices for the boards Prosecutor had skyrocketed, with fees for only three of the cases amounting to \$146,987 and 534 hours of prosecution. SB 37 would give the board authority to collect fees for informal resolutions in a complaint process, later amended to be capped at \$10,000.

Secondly, SB 37 would delete the one-year time limit for investigations.

In late 2015 it had become to public attention that the board's attorneys confused the time limits for conducting investigations. In September that year, forensic psychologist, Dr. Alicia Pellegrin exercised her right to an open hearing, including having to press attend, to address the time limit problem among other issues.

However, on advice of the board's general counsel, Mr. Lloyd Lunceford, Pellegrin's case was dismissed and the discussion about time limits cancelled.

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LSBEP: A Legislatively Active Agency? continued

Before leaving the meeting, Mr. Lunceford spoke in a side conversation to the Chair. “Although the matter on motion to dismiss based on prescription is moot,” he said, “there are some significant issues that are raised in that, that will be the subject of attorney advice recommendations by both Amy [Groves] and me ...” he said. “I know there have been a lot of turnover from an administrative standpoint, I’m not sure where things took a different path, ...” he said.

2015 – SB 113

Senate Bill 113, initiated by the state psychology board, and pitched to Senator Rick Gallot as “clean-up language.” But it turned into a tug-of-war over the short sentence naming who controlled the “list” of names for appointments to the board.

In July 2014, then LSBEP Executive Director, Kelly Parker, contacted Senator Gallot and Dr. Greg Gormanous about “... the opportunity to discuss future clean up changes to the psychology law.” By November 21, 2014, LSBEP had crafted those changes for the law.

By May 2015, emails show that Parker was working on more specific wording with Michelle Ridge of the Senate, as well as a member of the Louisiana Academy of Medical Psychologists (LAMP). LSBEP held a special meeting on Monday, May 4, and Parker emailed Ridge at 8:43 am. “A majority of the Board met this morning to review the proposed language.”

A videotape of the Senate Commerce Committee proceedings audience, where LAMP lobbyists Bud Courson and James Nickel were sitting with and chatting with the LSBEP officials Dr. Burnett and Parker, was evidence of the political nature of the board members. Gallot characterized the issues as emotionally laden, suggesting the lack of neutrality. “It’s almost like mediating a custody thing, someone was late bringing the child back six months ago,” he said, characterizing the issues, not as neutral or factual, but as highly charged.

2014 – SB 128 & 157

SB 128 and SB 157, while initiated by the State Board, were non-controversial. But it was not clear why the board shepherded the bills. SB 128 by Senator Martiny created a new license under the psychology board for “Specialist in School Psychology.” SB 157, also by Sen. Martiny allowed the state psychology board to issue a provisional license to those who are being supervised for a psychology licensure. LAMP had both measures amended.

2012 – SB 185

One of the most contentious and ambitious moves by the LSBEP was the 2012 effort to bring behavior analysts under the regulatory control of the psychology board. A measure authored by Senator Dan Claitor on behalf of the LSBEP, was led by board member, Dr. John Courtney. The effort came to an end after a long and contentious battle that resulted in a study commission.

According to the LSBEP minutes, in October 2011, Drs. Young, Culross, and Matthews noted that the topic of Behavior Analysts was discussed at the Association of State and Provincial Psychology Boards.

By November 2011 LSBEP minutes Dr. Courtney reported that he was gathering information. And in February 2012, the minutes note that Dr. Courtney and Ms. Parker had met with a “key legislator” and that they would continue to educate others, as well as seek support from the Louisiana Psychological Association (LPA).

Initially members of LPA supported the measure but then changed their position. LPA President Dr. Phillip Griffin wrote in the LPA newsletter that the association’s leadership had been approached by the LSBEP about the bill. He explained that LPA would agree to assist only if the behavior analysts would remain autonomous.



New public member of the LSBEP, Mr. Chance McNeely, at recent ZOOM meeting of the board. Top L to R are Dr. Gina Gibson, Ms. Jaime Monic, Mr. McNeely, and Dr. Michelle Moore.

Conclusions

Is the LSBEP legislatively active? Yes. Are they stepping out of their role to protect the public? Maybe. Is there really a need for all of this legislation? Probably not.

"It is not unreasonable that a board may initiate legislation if they believe it is necessary to protect the public," said Senator Mills.

"As legislators, we are ultimately responsible for the bills that we put our names on and file, so as far as trying to legislate we have capacity to stop that. In addition, any rules they try to promulgate come before us for oversight and we can reject them and strike them down," Senator Mills explained.

"The real separation of powers struggle was not necessarily between the executive and legislative branches, but between the executive and judicial branches," he said. "I have heard many people express concerns that the boards have positioned themselves as 'sheriff, judge, jury, and executioner' when it comes to disciplining the licensees. I think that is why you have seen so many bills in recent years to curtail the use of consent orders to threaten license holders and give more access to independent administrative law judges to determine what degree of discipline is warranted," Senator Mills said.

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