

La Supreme Court Ruling Points to Need for Specialized Training

In October the Louisiana Supreme Court ruled on a child custody case that included allegations of child sexual abuse. The court upheld the original trial court's conclusions, and dismissed the appeals court's objections, finding them without merit, but not before even more confusion and potential emotional anguish may have occurred.

The case was a strongly contested one where some, well-meaning health professionals became involved, but who did not have the specific knowledge to understand the complications that can be encountered in these cases.

In a guest article for this issue of the *Times*, Baton Rouge forensic and clinical psychologist, Dr. Alan Taylor, describes the problems in this type of case as "iatrogenic effects of legal and mental health practices." The lower appeal court's reversal was due to a lack of understanding that Taylor portrays as: "The first error is an assumption of expertise where it is lacking, and the second error is failure to recognize expertise when it is present."

Forensic and clinical psychologist Dr. Alicia Pellegrin was the court-appointed expert in the case, and like Taylor, is a member of the Association of Family and Conciliation Courts (AFCC), an organization providing specialized training in this complex area of practice.

Pellegrin said that the case and others like it point to the need for more training and understanding in this demanding sub-specialty. "It is imperative that anyone working in this field have an understanding of child development, including language and cognitive processes," she said, "child psychopathology, family systems, the legal statutes in the state in which one practices, and an understanding of relevant case law."

Pellegrin told the *Times*, "One of our important functions can sometimes be simply to provide education to Judges that can inform their decisions that affect the most vulnerable in our society, our children. Towards that end, one must understand the effects of divorce on children and the particular vulnerabilities that certain children bring to the process. Finally because one or more serious allegations often arise in the context of a custody dispute, an understanding of child sexual abuse, domestic violence, and substance abuse, is critical."

We present Dr. Taylor's article in this special report and also cover aspects of the upcoming conference to be held in New Orleans by the Association of Family and Conciliation Courts, a premier provider of training and multidisciplinary thought in this complicated and important sub-discipline in psychology.

Handling Sexual Abuse Allegations

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The Association of Family and Conciliation Courts Conference – Page 7

Stubblefield - 173, Boggs 132, and Lambert - 71, In High Turnout for LSBEP

Dr. Beverly Stubblefield captured the top number of votes in the recent psychology board election with digital polls closing at the end of the year. Dr. Stubblefield received 173 votes, Dr. Karen Boggs, 132, and Dr. Jesse Lambert received 71.

Sources suggested different reasons for unusually high turnout including the new digital voting but also the community involvement in the last, 2014, election.

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Dr. Frick Named for Lifetime Achievement

The Society for the Scientific Study of Psychopathy has named Dr. Paul Frick, University Distinguished Professor and Chair of the Department of Psychology at the University of New Orleans, as the recipient of the Robert D. Hare Lifetime Achievement Award. Dr. Paul Frick is a leading authority in child and adolescent



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UNO's Dr. Paul Frick



(Photo ©MasterLu)

Mardi Gras is February 17. There are some interesting parade themes such as "Express Yourself," in the Krewe of Thoth, Feb 15, starting on Tchoupitoulas Street. We have some ideas for you on page 8.

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Editorial Page – Opinions

Free Speech? We Practically Invented It

by J. Nelson

The psychology board wants to expand its control from regulating psychologists' practice of psychology, to regulating their free speech and "professionalism." They need this because someone apparently cursed at the Executive Director, and because "You wouldn't believe the things we are seeing," and because a psychologist spouting off could somehow hurt the public by hurting the profession.

This rather confusing logic was part of what board members put forth at the long-range meeting last November for their desire to make yet another change in the licensing law. (The board members' duties don't include making new laws, but that seems to make little difference to anyone.)

So now they want to expand their control to govern free speech. There are three issues here: 1) faulty group process; 2) a possible power struggle; and 3) the strange notion of psychologists restricting individual expression.

First, whether the board is deciding about free speech or what type of sandwich to order, they seem unaware of their group process. In this case, they have fallen into a confirmation bias—looking for reasons to do what they already want to do.

They've exhibited the human frailty of jumping to a conclusion. The inductive reasoning seems to be: some psychologists are rude and inappropriate; the board regulates psychologists; therefore the board should regulate rude and inappropriate behavior of psychologists. Even if they'd identified the right problem—they haven't—it's the wrong solution. It is the "I have a hammer so this must be a nail," decision error. One reader said, "Someone cussed out the Executive Director? Why not just send her to a customer service workshop?"

The board also seems to be neglecting their own base rate. The board voted five times over the last four years for a discipline

action. This is 1.25 per year for about 680 psychologists. The base rate is .0018 for discipline. The more likely problem might be the validity of those five cases, that they could be false positives. Or, we could worry about wasting taxpayers' money trying harder to control something that hardly ever happens. The board might even say, "Yes, but you see how well it all works to control unruly psychologists." And it works to keep all the elephants away too.

Decisions like this have an invisible cost on human productivity that never figures in for those coming up with regulations. This is the error Daniel Kahneman calls WYSIATI (What You See Is All There Is) or Henry Hazlitt calls the only lesson for economics—overlooking the impact of a policy on everybody else.

In this case, "everybody else" is the 678.75 psychologists who don't have a disciplinary problem that year. They will adjust by taking (even) fewer risks, the heart of innovation. Fear of a board complaint can and does cause more caution, timidity, and inhibition. They'll do more record keeping, covering of behind, and produce less innovation, or public statements, or less working in high conflict custody cases, or whatever.

If we put all of this on a scale, from negative 10 to positive 10, with our base rate we can think about the impact. Let's say the problem case is a negative 10 and the overly cautious psychologist adjusts downward by 2, in "productivity" units. Then, while more regulation might "save" 50 productivity points, it will "cost" the community over 6,000 points by its impact on everybody else.

I wish the board would address its own group process. Are they using psychology to do their work? Are they thinking like psychologists?

The second problem? I'm not saying so, but some have said to me (and imagined that I think it) that the board is "doubling-down" on free speech because of the *Psychology Times*. If true, this is normal and to be expected. Conflict between town hall and the community newspaper is part of the age-old, time-honored struggle for freedom in democratic societies. But, I would sure hate for everyone to be regulated more just because the board is fed up with the *Times*.

Finally, it seems absurd for the board to take up arms against freedom of expression. Good grief—this is the *psychology* board!

The board has declared no media interviews, they won't release attorney's memos that they use for rationale, their minutes are cryptic. Now they've decided they need to control psychologists' personal behavior and free speech.

Psychology and psychologists embrace free expression and speech, we don't restrict it. In Plato's terms, psychology might be one of the "fair and immortal children of the mind," while not always reaching, but always striving for, the truth, in all its convoluted and challenging forms.

It's not easy, but it is noble, to give structure and substance to the thoughts of the individual, to provide the emotional space for the views of a spouse or child, to validate experiences of an employee, or expose scientific facts. Psychologists discover the general truths of the human experience and send them out like messages in bottles.

We don't restrict free speech—we promote it and protect it.

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Publisher: Julie Nelson, PhD

Journalism Consultant:
Robert Holeman,
Editor (Ret.), *The Coushatta Citizen*,
Winn Parish Enterprise.

Columnists/Reporters:
Shane Lowery, MS, Intern
Natasha Jordan, Correspondent
Dr. Yael Banai

Cartoonist: Jake Nelson-Dooley

Photography: Suzi Andrews, Yael Banai, M. Dooley, Tom Stigall,
Britney Waters

We welcome ideas for news, features, Letters to the Editor, photos, and other material related to psychological community of Louisiana.

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Happy Mardi Gras

From publisher and the staff at

The Psychology
Times

State and National News

Stubblefield, Boggs

continued

Dr. Stubblefield is in private practice in Slidell and has been licensed since 1987 with a specialty in clinical. Her degree is from the University of Mississippi and she is also licensed in Mississippi. She is a member of American Psychological Association, Louisiana Psych Association, and Southeastern Psych Association.

Dr. Boggs is a clinical psychologist at Children’s Hospital in New Orleans. She received her degree in 2007 from the University of Mississippi and has been licensed for a number of years and in Louisiana since 2013. She is a member of the Association for Behavior Analysis International and International Society for Autism Research.

Dr. Lambert is from Gonzales and has been licensed since 2009 in clinical. He graduated from Argosy University in Dallas, Texas. He is a member of the Baton Rouge Area Society of Psychologists and student member of the Louisiana Academy of Medical Psychologists.



The psychology board at a recent long-range planning meeting. (L to R) Drs. Marc Zimmerman, Rita Culross, Darla Burnett, and Phillip Griffin. The board is considering several legislative changes for 2015.

LSBEP Task Force for New Regulations Formed

The Louisiana State Board of Examiners of Psychologists announced the formation of a task force that is to create a baseline framework for a Code of Professionalism, according to a memo sent by the board on December 22.

Sources say the first task force meeting will be on March 6, at the Baton Rouge office of the board.

The psychology board has invited representatives from the Louisiana Psychological Association, the Louisiana Academy of Medical Psychology, and the Louisiana Association of School Psychologists, to participate in the task force. Dr. Marc Zimmermann is to head up the group, according to several sources.

Previous announcements noted that the board is considering adopting a code, law, or rule regarding “professionalism.” The announcement noted that the board wants to look at areas of profane communication by psychologists directed at a client, another health care professional, a member of the public, or another profane communication directed at the Board members, or its staff, according to their announcement.

Currently the psychology law covers psychologists’ practice of psychology, and some general areas of misconduct and unethical behavior. There are currently 15 categories under the law for areas of discipline.

LSBEP Publishes Media/Public Information Policy

The Louisiana State Board of Examiners of Psychologists published a policy for media and public contacts, effective in January 2015.

The policy states that the board members or are not to grant interviews to the media. This is a general rule they note. They also note that exceptions to this rule require a formal decision by the board on a case-by-case basis.

The policy statement also indicates that members of the public and the media should not contact board members and individual board members are not authorized to speak for the board.

The policy also confirms that the board will follow the laws regarding public

documents and posting of agenda and minutes.

They may, the policy notes, provide statements and answers to questions and information if asked by the public or media if requests are made formally and in writing. These requests must be reviewed formally by the board and may include the response of “no comment,” according to the policy.

The policy also notes that the board’s intention for the guideline is to maintain accuracy.

The policy can be found on the board website.

College Grads Low in Critical Thinking Skills

A report from the Council for Aid to Education said that 40 percent of college students lack the reasoning skills to succeed in white-collar jobs. According to a report in Wall Street Journal, the Council administered a test of reasoning to graduates from 169 universities and colleges in 2013 and 2014.

The measure, called the Collegiate Learning Assessment Plus, is said to assess critical thinking and analytic reasoning, along with writing and communication skills. It does not assess subject area knowledge.

The Council for Aid to Education is a New York nonprofit organization that was previously part of Rand Corporation, said the report.

Louisiana Losing Middle Class Faster than Most States

According to 24/7 Wall Street, Louisiana has lost 4.9 percent of its middle class households, placing it sixth in those states where the middle class is declining. The middle class average income was \$44,442, placing it at the eight lowest in the states. The poorest 20 percent of households fell at \$8,851, lower than every state except for Mississippi. The report authors said, “While the widening income gaps in the states where the middle class is suffering did not always mean a higher poverty rate among residents, in Louisiana the poverty rate increased more than in most states over that time. By 2013, nearly one in five Louisiana residents lived in poverty, one of the highest poverty rates in the country.”

Clarifications

No corrections or clarifications were received for our January issue.

Please send corrections to the Times at psychologytimes@drjulienelson.com



Above: The Licensed Professional Counselor Board met in January and announced the new Chair Dr. Laura Choate and Vice Chair Dr. Kathy Steele. Left to right are Kathy Lammert, Dr. Ernie Couger, Dr. Laura Choate, and Dr. Kathy Steele (facing away.)

Notice of Intent for LPC Provisional Licenses

The Licensed Professional Counselor Board published or “noticed” 50 pages of guidelines for those with provisional licenses, following the change in the law this past legislative session.

The notice states, “Act 484 of the 2014 Legislative Session empowered the board to provide regulation of the practice and use of the titles ‘Provisional Licensed Professional Counselor’ and ‘Provisional Licensed Marriage and Family Therapist.’” Therefore, the Louisiana Licensed Professional Counselors Board of Examiners establishes the rules and regulations herein pursuant to the authority granted to, and imposed upon said board under the provisions of the Louisiana Revised Statutes, Title 37, Chapter 13, R.S. 37:1101-1123.

The proposed Rules cover licensing matters, codes of conduct, supervision, issues with serious mental illness and collaboration, and assessment and others issues for the two newly developed categories of licensees.

The proposed Rules are published in the January 2014 issue of *The Louisiana Register*, available online.

Interested persons may submit written comments via U.S. Mail to Mary Alice Olsan, Executive Director, Licensed Professional Counselors Board of Examiners, 8631 Summa Avenue, Baton Rouge, LA 70809 until 4:30 p.m. on February 20, 2015.

Drs. Choate, Steele New Officers for LPC Bd

Effective January 23, Dr. Laura Choate, Licensed Professional Counselor (LPC), took over the role and duties of the Chair for the Licensed Professional Counselor State Board, announced at the recent board meeting.

Dr. Laura Choate is also a Louisiana State University Associate Professor, author, National Board Certified Counselor, and a Board Approved Supervisor in Louisiana. She was the 2009-2010 chair of the American Counseling Association Publications Committee.

The board’s new Vice Chair is Dr. Kathy Steele.

“Dr. Steele is the first Board Member who is also a member of the Marriage and Family Therapy Advisory Committee to serve in the Vice-Chair position,” said Mary Alice Olsan, Executive Director for the board to the *Times* in a recent interview. “We’re thrilled she accepted the nomination.”

Dr. Kathy Steele is an LPC and Licensed Marriage and Family Therapist (LMFT) and Associate Professor of Psychology and Counseling and Director of Clinical Training at the New Orleans Baptist Theological Seminary in New Orleans. She helps train counselors in Havana,

Cuba for the Seminary and brings her bilingual and multi-cultural focus to her work.

Olsan also said that Mrs. Penny Millhollon will continue as Board Secretary. “Penny Millhollon was also the first member of the Board and MFTAC to serve in the Secretary position,” Olsan said. “She has served in this role for over a year now and thankfully, accepted the position again.” said Olsan.

Ronald (“Ron”) Cathey, LPC-S, LMFT-S has also been appointed to the Board and to the MFTAC, Olsan said. Cathey will replace Mark Reynaud, LPC-S, LMFT-S, who stepped down last year.

Medical Board Changes Notices, Holds New Hearings

Following hearings for public comments on new Rules for Telemedicine and for Unprofessional Conduct, the Medical Board has amended the Rules. New public hearings for comments on the updated proposed Rules will be held February 26 at 630 Camp Street, New Orleans, LA 70130. Written comments are due by February 19, 2015.

Emeriti to Begin Logging CEs this July

The Psychology board announced in a January memo that they will begin developing a Rule for the Emeritus license holders’ continuing education (CE) requirements but Emeriti will not have to report their CEs until 2017 and 2018.

The memo explained that Emeritus psychologists with odd-numbered licenses will begin collecting CEs this July, 2015. They will then

report credits in 2017, for the two-year period. Those with even-numbered licenses are to begin in July 2016, and report in 2018.

In October 2013 when the board made major changes to the Rules for continuing education, now called continuing professional development, they eliminated the phrase that waived the CE requirements for the Emeritus.

Handling of Sexual Abuse Allegations

by Dr. Alan Taylor, Guest Contributor

A recent Louisiana Supreme Court case (Louisiana Supreme Court case No. 2014-CJ1119) involved a custody battle where allegations of sexual abuse surfaced and caused a great deal of anguish and damage. This case illustrates what I call the iatrogenic effects of legal and mental health practices in custody cases with sexual abuse allegations. Serious mistakes can be made in both the legal and mental health systems that cause great harm to families and set bad precedents for managing these difficult cases. Although this case involved a custody battle, the handling of sexual abuse allegations in general is a volatile topic in all arenas – civil or criminal, public or private.

The case was appealed twice, with the family court judge being reversed at the court of appeals level and affirmed at the Supreme Court level. The particulars of the case are fully laid out in the Supreme Court ruling and speak for themselves, but the two most glaring errors are: 1.) Reliance on a badly flawed “sexual abuse evaluation” and 2.) The lower appeal court’s misunderstanding of appropriate clinical and forensic psychology practice.

The first error is an assumption of expertise where it is lacking, and the second error is failure to recognize expertise when it is present.

The issues, problems, and solutions to handling sexual abuse allegations can be the subject of many articles, but this one will concentrate on some conceptual and practical points to ponder.

A Two Part Recipe for Bad Outcomes

1. The illogical assumption that because a person or agency works with a certain population, this makes him/them an expert regarding that population (substance abuse, sexual abuse, or domestic violence)

Coupled with

2. The more disadvantaged and overlooked the population being served, the poorer the training and resources available to the frontline staff who serve them (this is a statement of empathy, not disrespect). A great and unfair burden falls on staff with limited training and experience.

Do not expect expertise from this combination. In settings that deal with the worst human problems, training should focus on collecting data as objectively and clearly as possible at the lower levels, but analyzing and drawing conclusions is a higher-level function that requires professional training and experience. In many cases with sexual abuse allegations, this higher level function is never performed or significantly delayed while misguided efforts to help compound the problems.

A Case Example

To illustrate the forces at work and the complexity of ethical and professional issues, the following and unfortunately “typical” case is offered.

Assume a divorce proceeding involving two parents and a preschool aged child 4 to 5 years old. At a point shortly after the initial separation, allegations are made by the

mother on behalf of the child that indicate possible sexual abuse. There is no history of previous allegations being made.

To support these claims, the mother (often advised by her attorney) takes the child to a pediatrician for an exam. The pediatrician sees only the child and the mother and receives all of the background information from the mother. Physical findings are negative. The mother subsequently takes the child to a mental health professional and relates information concerning the child’s behavior and reasons for suspected abuse. The mental health professional obtains information only from the mother and child, but is told about the previous pediatric examination. The physician may also have already made a mandated report which is described by the mother as a “finding” regarding abuse.

The mental health professional does not contact the other parent, who has not been informed of the appointment or the allegations. Based on some behavioral evidence and statements given, the mental health professional may also make a report to child protection authorities, who proceed with an investigation.

The OCS investigation automatically stops any visitation between the suspected parent and child. Pleadings are filed in court to eliminate visitation or have it supervised (often in an ex parte hearing in which information from the evaluations is presented for the first time). The judge “out of an excess of caution” concurs

that visitation will be suspended until further evaluation can be completed.

The accused person is not allowed to have contact with the child and, should he become angry and upset with the mother, may find himself under a temporary restraining order. The accused parent may also be denied access to schools or information about the child and may find communication with daycare personnel cut off. This parent is often advised by his attorney to refuse to have any contact with previous evaluators who have seen the mother and/or child, as these people will be considered biased.

An independent custody evaluation may be requested where a petition is made to the court to require all parties to participate. However, the court may instead require that the accused parent undergo a mental health evaluation concerning their emotional stability, propensity for abuse, or fitness to proceed as a parent with visitation. The person performing this evaluation may have no access to the children or the accusing parent.

By this time, an array of as many as five or six mental health professionals may have become involved, none of whom has contemporary and comprehensive information about the history preceding the allegations, events subsequent to the allegations, results of other assessments, or contact with all involved parties. The evaluator may then be called to court to present findings, often as a witness for the

Cont’d next pg



American Board of Medical Psychology

The Specialty for the Coming Integrated Care Models in Primary Care Centers and Hospitals

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www.amphome.org

Handling of Sexual Abuse Allegations, continued

by Dr. Alan Taylor

particular party they have assessed. The length of this process may take from two to three months to a year or more, during which the accused parent may have little or no opportunity to meet or interact with their child.

If a full court hearing is completed and there are no definitive findings of abuse, the length of time with no contact and the resulting estrangement often necessitates meetings in a therapist’s office or supervised visitation on an infrequent basis to attempt a restoration of the parent/child relationship and progress toward a more normal course of visitation. In some cases, especially if the allegations have been adamantly maintained or supplemented throughout the process, there will be an immediate resumption of fresh allegations once visitation is resumed, setting the stage for another round.

The Damage Done

The negative impacts on a child in the preceding section include the following:

1. The child suddenly and often inexplicably loses contact with the accused parent.
2. The child becomes the “litmus test” whose behavior, thoughts, and feelings are intensely scrutinized for any clues that might suggest or support allegations of abuse.
3. A child who reports information may have this information edited and reflected back by their parent, with interpretations or suggestions about what the child remembers or has experienced, along with comments about the intentions of the other parent. The child is exposed to an intense focus on sexual topics and behavior. Multiple evaluations suggest to the child that information of a sexual nature is considered highly important and attended to very closely. Care is often taken to reassure the child that producing and elaborating this material both in language and behavior will bring no negative consequences and indeed may bring praise.
4. Multiple evaluations imply that many adults are interested in and concerned about the sexually charged behavior. The child is led to

assume that something “bad” or “wrong” has or was occurring during the time spent with the other parent. Often caretakers and teachers are alerted to observe the child’s behavior and are given background information suggesting reasons why they need to be concerned.

Do’s and Don’ts for Mental Health Professionals

- Whenever receiving an initial referral concerning a child, always ask whether there is an intact family situation. If not, ask what type of custody and visitation arrangements are in place, to be sure there is no underlying agenda.
- If it appears that the information developed from assessment or treatment is quite likely to be used in a forensic setting, immediately make it clear there will be strict rules and conditions agreed to before any services will be provided.
- The best practice is to perform only court-ordered evaluations that allow access to all parents and children. The next best practice would be that both parents be notified and informed of the nature and reason for the services with full access to information and participation by both. With extreme caution: agree to see one party only for a specific purpose, not relating to custody itself, with a clear explanation of the limitations in making any interpretations involving the other parties. Finally, a collaborative approach with other involved professionals is likely to be a good idea.

For Custody Evaluators:

1. Be aware of contamination effects from the number of previous assessments.
2. Do not use questionable or unsubstantiated assessment methods such as dolls.
3. Develop a model and structured approach in terms of interpreting data for relevance and weight (for example, timing of allegations, alternative explanations for normal developmental behavior, possible other potential perpetrators, information from other evaluations, etc.).
4. Remember that there is no expert instrument or procedure that can say whether sexual abuse did or did not take place.

Summary

It takes a brave soul to venture into the arena of high conflict

custody battles, as well as any other areas that involve allegations of sexual or physical abuse. These cases are complex and problematic, in that concrete and objective information is scarce, with a considerable amount at stake in terms of emotional and legal consequences. Most judges dread situations in which there is ambiguous evidence and the need to make findings that pose a risk of failure to act on legitimate abuse allegations versus severe damage to parental access to relationships with children. Attorneys who are advocating for a parent risk failing to act in the best interest of the children. Attorneys should never advise a client to get an evaluation or treatment concerning a child without notifying the other parent and providing an opportunity for them to participate in the process. There should not be a contest to see who gets to court or the professional’s office first. Mental health practitioners are presumably guided by children’s best interest, but there are often forces at work that involve multiple roles and becoming manipulated into questionable ethical positions.

Courts should strongly discourage ex parte or one-sided presentations of “evaluations” or treatment findings where the source of the information is compromised by lack of access to all information. Appointing an independent practitioner who has full access to all relevant parties, persons, and information is definitely the best practice.

The Louisiana Supreme Court case illustrates the major need for more training and education at all levels (attorneys, judges, and mental health professionals) to avoid the collateral damage done in attempting to work with cases involving sexual abuse allegations. One of the best available resources would be the Association of Family Conciliation Courts, which has addressed this serious issue over the years in journal articles, training/workshops, and provision of model standards and guidelines for competent and ethical practice. Every national annual conference addresses the problems and developments in this area with reports from leading researchers and practitioners. May 27-29th of this year will afford a golden opportunity for practitioners and educators as the National Conference is held in New Orleans.

Michael Chafetz, PhD, ABPP
is pleased to announce the formation of a new practice:

Algiers Neurobehavioral Resource, LLC

Still featuring evidence-based
neuropsychological and
psychological evaluations in clinical,
disability, and forensic cases.

Announcing that Melissa Dufrene, PsyD will be
joining the practice, offering evidence-based
therapy services for psychological disorders.

Dr. Dufrene trained at one of the two inpatient
OCD treatment centers, and will offer focused specific treatments
for anxiety based disorders.

Feel free to call or visit us.

Michael Chafetz, PhD, LLC and
Melissa Dufrene, PsyD
Algiers Neurobehavioral Resource, LLC
3520 General DeGaulle Dr., #3044
New Orleans, LA 70114
work: 504-636-6120
fax: 504-208-3138

Assn of Family and Conciliation Courts Offers Specialized Interdisciplinary Training for Complex, Legal Family Work

The Association of Family and Conciliation Courts is an interdisciplinary, international association that focuses on helping professionals improve the lives of children and families by working to resolve conflicts. The association will hold its 52nd annual conference in New Orleans, May 27 to 30 at the Hilton New Orleans Riverside.

The organization is a source of specialized information and training regarding the courts, legal disputes, parenting issues, child support, child maltreatment, and other topics that are faced by professionals in the court system when they attempt to help children and families in need.

Leslie Todd, Licensed Clinical Social Worker, was the founding President for the Louisiana Chapter of the organization. At the upcoming May conference, Todd will present a workshop on “Compassion Fatigue and the Reflective Brain.”

“Family Court-related work has at its heart traumatized parents and children in a generally dysfunctional system,” said Todd. “We professionals, whether we are therapists, mediators, evaluators or officers of the Court, sustain a lot of ‘collateral damage’ ourselves. We are constantly handed unsolvable problems that must be solved, and our clients often displace their rage, paranoia, distorted grief and anxiety on us.”

Dr. Alicia Pellegrin, forensic and clinical psychologist, told the *Times*, “It is important that training for evaluators be specific to the practice of child custody as opposed to taking generalized forensic courses, many of which have no bearing on child custody practice,” explained Pellegrin. “One of the important sources of such training is the Association of Family and Conciliation Courts, which is the premiere organization dedicated to advancing the field at which family law and mental health intersect,” she said.

“At AFCC conferences, psychologists can hear from and interact with juvenile and family court Judges, attorneys who specialize in family law, forensic investigators, family violence experts, and researchers who specialize in child and family law matters. Equally important at these conferences is the opportunity to chat with other custody evaluators for collaboration and support.”

Pellegrin also noted that another excellent source of training is the American Board of Professional Psychology “offering training in the area by well recognized and highly experienced psychologists who work in the area.”

Todd’s workshop for the national conference of AAFCC will be part of nearly 100 sessions relating to the area of children, courts, legal issues and families. Todd will be also teaching about stress and burnout in this high intensity field, with the help of colleague Nan Waller Burnett, from Colorado.

“The tough-minded among us—often the legal folks—are generally anxiety-flingers. (‘What, me worry? I’m fine. Let’s have another drink.’)” said Todd. “The tender-hearted among us — often the mental health folks—are anxiety-absorbers who stoically go from client to client until we are emotionally and spiritually depleted. Nan and I will help participants identify their own style and find means of self-reflection to prevent compassion fatigue and secondary trauma.”

Others from Louisiana will present in May.


The Hon. Ernestine S. Gray, from New Orleans, will present “Critical Issues in Child Development for Family and Juvenile Judges.” She is joined by the Hon. Karen Adam from Tucson, Arizona, and Drs. Kirsten Lysne and Phillip Stahl. This presentation will include a multi-disciplinary panel of judges and psychologists who will explore children’s developmental needs, focusing on trauma, effects of domestic violence on children at different ages, parenting plans, overnights with young children, and other critical issues judges face daily.

Presenting “Fragile Narcissism: A Forensic Challenge,” is a group with psychologists, Licensed Clinical Social Workers, and an

attorney, from New Orleans and Metairie: Suzanne C. Klenck, PhD, LCP, Clinical Psychologist; Sarah Hinshaw-Fuselier, PhD, LCSW; Karen VanBeyer, PhD, LCSW; and Anna Wellman, JD, LCSW. This workshop will focus on understanding and working with narcissistic individuals in the family court system. Some traits and disorders may be exacerbated by the divorce process and presenters will cover how some narcissistically fragile individuals will often engage in ongoing legal conflict, or high conflict custody cases.

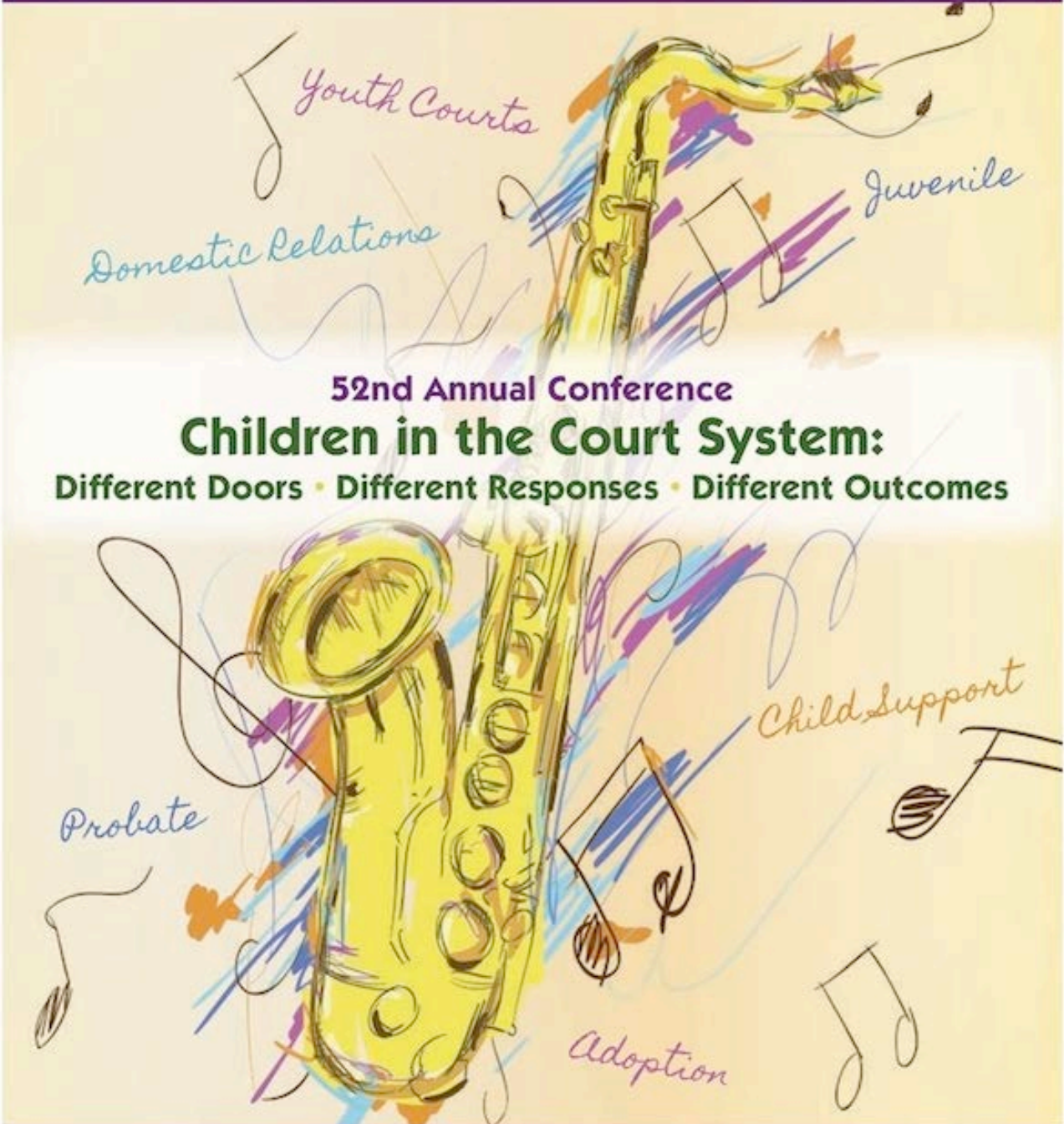
Lisa Matthews, JD, Hearing Officer, from New Orleans, will present, “Two Program Models and Research on Parenting and Co-parenting Skills.”

Stephen W. Thompson, EdD, from Hammond, Patricia Hicks, JD, from Hammond, Rykert O. Toledano, Jr., JD, from Covington, and the Hon. Mary Clemence Devereux, Family Court Judge, from Covington, will present, “Two Goals: Retraining Family Lawyers and Teaching Co-Parenting in Child Custody.” In this workshop presenters show how Parents learn sound co-parenting skills from attorney-teachers who know courtrooms from the inside out and discourage litigation by supporting the parents as decision-makers in the lives of their children. Attorneys learn by teaching parenting skills and guiding parents to becoming collaborative problem solvers, not just litigants.



ASSOCIATION OF
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CONCILIATION COURTS

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AFCC is an interdisciplinary, international association of professionals dedicated to improving the lives of children and families through the resolution of family conflict.

What is a Conflict of Interest and Who Has It?

by Julie Nelson, PhD

In an unprecedented move last year the state psychology board held an emergency meeting and voted to ask the state Ethics Board if the top vote getter in a board election, Tulane’s Dr. Constance Patterson, had a “potential ethical conflict.”

The move stunned many of Patterson’s supporters. Patterson had met all qualifications and had won the most votes from the community. But the actions of the board also shined a light on conflict of interest and the board.

In this review the *Times* looks at definitions, the 2014 election, and some examples of possible bias or conflict of interests of those on the state psychology board that surround the on-going problems with Act 251.

What is a Conflict of Interest?

“The term ‘conflict of interest’ is used in many different and often inconsistent ways,” write Bernard Lo and Marilyn Field for the Committee on Conflict of Interest in Medical Research, Education, and Practice, at the Institute of Medicine.

“A conflict of interest,” they explain, “is a set of circumstances that creates a risk that professional judgment or actions regarding a primary interest will be unduly influenced by a secondary interest.”

They also write that confusion about the meaning is widespread. Secondary interests are not only financial, but factors such as professional advancement, status, or personal relationships, that can create a complex, confusing ethical terrain. “A financial interest does not have to be great for the influence to be undue,” they say, research showing that gifts of small value can influence decisions. And they note, individuals can be unaware of the influence. Almost all professional organizations address conflict of interest, or COI, to some degree in their ethics codes.

However for public servants in Louisiana, such as board members, the *Governmental Code of Ethics* addresses economic COI. “No public servant, except as provided in R.S. 42:1120, shall participate in a transaction in which he has a personal substantial economic interest ...” with the governmental entity. The Code address only economic COI and defines a “thing of economic value” as “money or any other thing having economic value ...”

The Code directs the person to disqualify himself from “participation.” This includes not only voting in final decisions, but also actions of approval, disapproval, recommending, or the failure to act or perform a duty.

The LSBEP and the 2014 Election

During the highly contested 2014 election for a seat on the state psychology board, candidate Dr. Joe Comaty complained that the top vote getter, Dr. Constance Patterson had a “direct conflict of interest.”

Comaty is a medical psychologist (MP). Patterson, a Tulane professor and school psychologist, was supported by many who opposed the medical psychologist majority on the Louisiana State Board of Examiners of Psychologists (LSBEP). Since 2009 MPs have maintained 60 percent of the votes on LSBEP but total only 5 percent of all licensed psychologists. This is because MPs’ license is mandated under medicine but only optional under the psychology board.

On January 2, 2014, Comaty emailed Boards & Commissions in the Governor’s Office and listed several concerns with the election. First on his list was “One of the candidates currently running has a direct conflict of interest.” He noted that Patterson had consulted to the board and would have to recuse herself from certain matters, and, “This would impair the LSBEP’s ability to take certain actions ...”.

On that same day the letter found its way to the LSBEP Executive Director, Ms. Kelly Parker. Parker forwarded it to Chair, Dr. Rita Culross, with a note saying, “FYI – for you only at this point.”

The 2014 board election was highly contested and fraught with problems. From a release of emails from Boards and Commissions, and the Louisiana Psychological Association (LPA), Comaty and his supporters complained about a lack of security in ballots and potential vote tampering. These and clerical mistakes by those conducting the election, LPA, caused a historic three ballots to be sent out.

However, the votes were finally counted in a public meeting held on April 26,2014, by LPA. Patterson was the clear winner.

But a week later, on May 6, the LSBEP called an emergency meeting and voted to ask the state Ethics Administration for an Advisory Opinion about Patterson’s suitability to serve. They asked: “Is there a potential ethical conflict if



Mardi Gras is upon us. As you give some thought about what to attend, here are some relatively new comers to the list of happenings in the Big Easy.

Mystic Krewe of Femme Fatale

February 8 at 3 pm, Magazine Street at Jefferson Ave.
Inaugural parade of this new Carnival organization.

Mystic Krewe of Druids

February 11 at 6:30 pm, Magazine Street at Jefferson Ave.
A satirical theme to be revealed at parade.

Mystic Krewe of Nyx

February 11 at 7 pm, Magazine Street at Jefferson
An all-female krewe with a satirical theme to be revealed at parade.

Mystic Krewe of Barkus

February 8 at 2 pm, at Louis Armstrong Park
“Bark-2, D-2” and canine light sabers in the theme of “Bark Wars: Return of the K-9.” Features costumed dogs and people.

The tried and true favorites:

Rex

February 17 at 10 am, Napoleon Ave. at South Claiborne
The theme this year is “Wars that Shaped Early America.”

Zulu Social Aid and Pleasure Club

February 17 at 8 am, Jackson Ave. at S. Claiborne Ave.
The African–American krewe with signature floats “Big Shot” and the “Witch Doctor.”

Krewe of Proteus

February 16 at 5:15 pm, Napoleon Ave. at Magazine Street
Theme “Nature of the Beasts.”

Krewe of Orpheus

February 16 at 6 pm, Napoleon Ave. at Tchoupitoulas Street
Theme “Magic of an Ordinary Day.”

Openings Still Available for Phase III Study of Hyperbaric Oxygen Therapy

Dr. Paul Harch, physician and expert in hyperbaric medicine, and Dr. Susan Andrews, New Orleans neuropsychologist, are recruiting individuals for their Phase III Clinical Trial aimed to uncover the potential benefits of low-pressure hyperbaric oxygen therapy (HBOT) for Mild Traumatic Brain Injury (TBI) or Persistent Post-Concussion Syndrome.

Dr. Harch told the *Times*, “Since our first study the military has published five papers on three studies of HBOT in TBI. They have confirmed our initial data with the dose that we pioneered 25 years ago,” Harch said, “obtained similar results with another dose of hyperbaric therapy and achieved neutral and negative results with other higher doses of hyperbaric therapy.

“Misinterpretation of these results by the military based on a misunderstanding of the science of hyperbaric therapy,” Harch said, “has confused the public and medical community. The key is that they have duplicated our results with the dose we have used.”

Harch and Andrews are nearly finished with the manuscript on their previous study. “Without divulging data it is fair to say that we have confirmed the previous data with greater statistical strength and incorporated an imaging control group,” said Harch. “The present study is to confirm or refute the previous study with a stronger design.”

However, recruitment for the current study has been difficult. The researchers are especially hoping for the veterans and because of the importance of the study have opened participation for all of 2015 and perhaps into 2016.

Dr. Susan Andrews, who conducts the pre, post, and post-post psychological assessments previously told the *Times*, “Obviously, the long-term goal is to help the vets,” she said. “But another major goal is to evaluate the effectiveness of HBOT for persistent post-concussion syndrome under solid experimental conditions.”

Any person who has persistent symptoms from one or more concussions that have occurred within the last six months to ten years is eligible. Referring practitioners and persons wanting to participate can contact the research coordinator at 504-427-5632 for more information.

The study is fully funded through a congressional appropriation to Dr. Harch, the principal investigator, and LSU Health Sciences Center. It is administered by the U.S. Army Medical Research and Material Command (USARMC). Oklahoma State University School of Medicine and Hyperbaric Medicine Department is the second site.

HBOT came to the attention of the Louisiana State University football coach, Les Miles, who was featured last August in *The Health Care Journal of Baton Rouge* in a front-page feature article about HBOT for athletes. Miles told the *Journal* that he heard about HBOT and that the “two foremost experts on hyperbarics were right here in Louisiana.” These turned out to be Paul Harch and Keith Van Meter.

“What we found is that there are all of these unexplained advantages to these divers that were being put at altitude and given 100% oxygen,” Miles said to the *Journal*.

For the body under pressure, there is a change that takes place that makes it more receptive to oxygen. So you drop it 15 feet, which is one altitude, or 30 feet which is two altitudes, or 60 feet, and so on. It kind of depends on where the spot is, if you will, or the protocol that would demand what depth. Then suddenly your body is open to oxygen,” Miles said.

“They found that there was so much really undiscovered use for this and Paul Harch went to a bunch of different extremes to get this information,” Miles told the *Journal*. “For instance he offered free treatment to veterans who would come off of combat who were around an explosion.”

“If we get to a point where this thing says it’s a 20% advantage. Wow! It’s worth it,” Miles explained. “But then, what if it’s more? What if the multi-uses are just more? We had a guy say once, ‘Let’s let the injury mature and we’ll treat it on Monday.’ That seems counterintuitive. I recognize that I don’t know, but I am open to trying.”



Dr. Paul Frick (R) speaks with Dr. John Fanning at a conference where Frick presented about psychopathology. Dr. Frick has received the Lifetime Achievement Award for his scientific contributions. He is Chair and Professor at UNO.

Dr. Frick, Lifetime Achievement, continued

diagnosis and behavior and his work focuses on the pathways by which youth develop severe antisocial behavior and aggressiveness. He has published over 180 manuscripts in either edited books or peer-reviewed publications and he is the author of 6 additional books and test manuals.

Dr. Christopher Patrick, speaking for the Society, commended Frick for “his his pioneering contributions to scientific understanding of psychopathy and antisocial behavior in youth, his efforts to develop and validate innovative methods for assessing psychopathic tendencies in young participant samples, his formulation and empirical refinement of the construct of callous-unemotional traits, his advocacy for inclusion of a psychopathy-related variant of conduct disorder in the official psychiatric nosology, and his effectiveness as a research mentor and catalyst for investigative work on psychopathy worldwide, ...”.

“This is quite an honor,” Frick told the *Times*, “given the incredible contributions of past recipients. I was also particularly honored by the comments about my mentoring of others, which is incredibly important to me.”

The Hare Lifetime Achievement Award is the Society for the Study of Psychopathy’s highest honor, reserved for the most eminent scholars in the

field of study. Previous recipients are Drs. Robert Hare, David Lykken, Joseph Newman, Hervey Milton Cleckley, and Christopher Patrick.

Dr. Frick’s research has been funded by the National Institute of Mental Health, Office of Juvenile Justice and Delinquency Prevention, and the John T. and Catherine D. MacArthur Foundation.

In 2008, he received the MacArthur Foundation’s Champion for Change in Juvenile Justice Award for the state of Louisiana.

He has been the editor of the *Journal of Clinical Child and Adolescent Psychology*, is past president of the Society for the Scientific Study of Psychopathy, and is a Louisiana licensed psychologist. Dr. Frick was a member of the American Psychiatric Association’s DSM-V Workgroup for ADHD and the Disruptive Behavior Disorders.

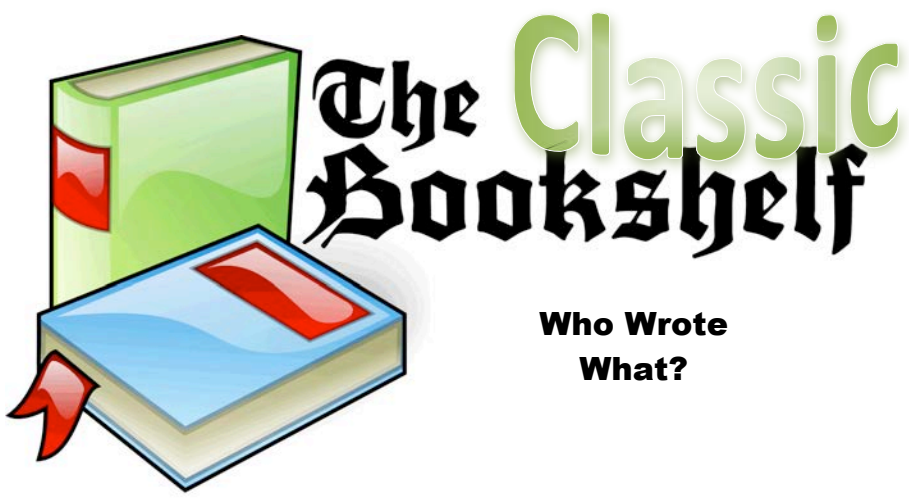
He has an Honorary Doctorate from Orebro University in Orebro, Sweden in recognition of his research contributions in psychology. He is also Professor in the Learning Sciences Institute of Australia at Australian Catholic University.

Openings for Participants in Hyperbaric Oxygen Therapy Study

Mild Traumatic Brain Injury (TBI)
or Persistent Post-Concussion Syndrome

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The Development of Behavior *A Synthesis of Developmental and Comparative Psychology*

Bill Seay, PhD and Nathan Gottfried, PhD

1978, Houghton Mifflin Company

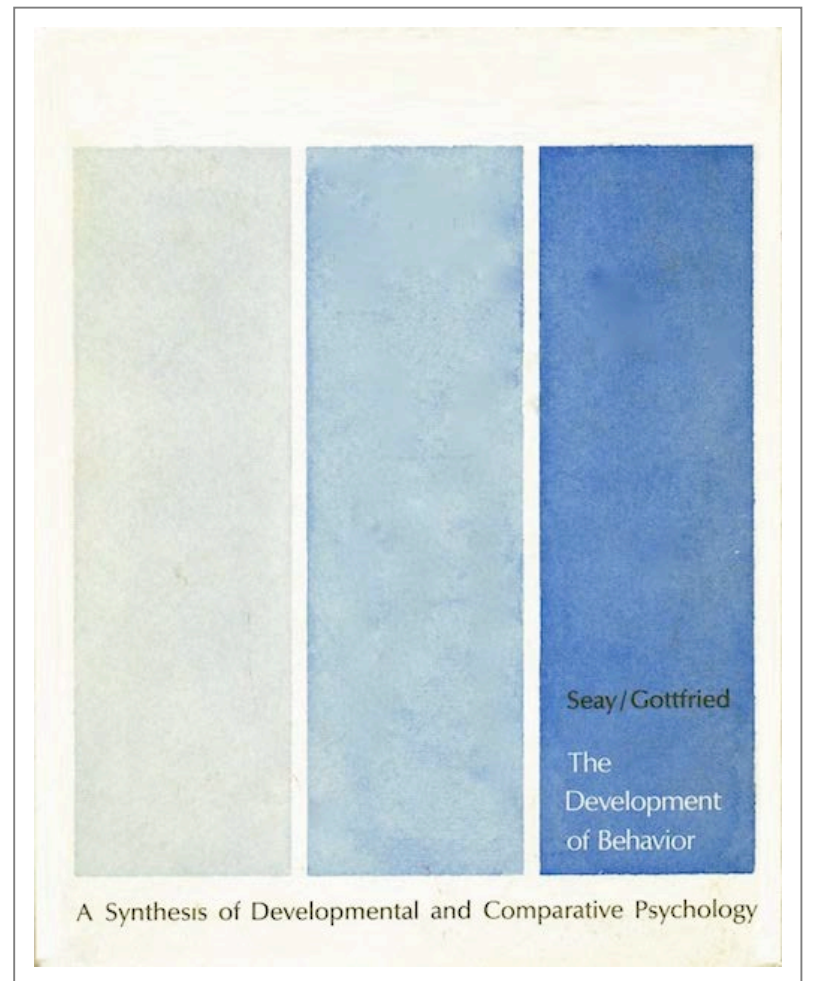
Comparative Psychology—Where has it gone? Merged into ethology or morphed into physiological psychology? Absorbed into behavioral neuroscience, biological and evolutionary psychology?

While many say the area is still thriving, comparative psychology is no longer listed at the Louisiana State University Psychology Department.

But once upon a time the department had its share of these “monkey men,” the affectionate term for those who observed the behavior of primates and then told us about the development, adaptation, or social structures of these close great-ape relatives.

One of those men is Dr. Billy Seay, now retired from both his work as Professor in comparative psychology and from his role as Dean of the LSU Honors College.

“Comparative psychology was the study of animal behavior,” he told the *Times*. But when asked if the objectivity that comparative often provided is missing these days, he said, “Objectivity requires constant attention and re-evaluation of thinking and point of view. Any field of science requires objectivity and constant



vigilance.” And, he explained, it is available now as well as then in efforts of psychologists.

When Seay came to LSU as a young psychologist in 1964, he brought with him the distinction of having published in the then ground-breaking studies about mother-infant separation. Seay studied with the American primatologist, Harry F. Harlow, at the University of Wisconsin.

In his work at Wisconsin and with Harlow, Seay published “Mother-Infant Separation in Monkeys,” in the *Journal of Child Psychology and Psychiatry*, “Affectional Systems in Rhesus Monkeys,” and “Maternal Behavior of Socially Deprived Rhesus Monkeys,” and “Maternal Separation in Rhesus Monkeys,” in the *Journal of Nervous and Mental Disease*.

“Harlow provided his students with the resources of his laboratory, staff support, and considerable independence,” Seay explained. “When research was published he used a ‘post-Nobel’ style of authorship. Students were consistently the first author of research reports. Exception occurred only if he had an agreement with an editor to be first author. He would not co-author dissertation publication. You were on your own.”

When Seay joined the LSU faculty in 1964, the primate center in Covington was just opening. He did his research there and found it easy to find funding for his work. “I had an National Science Foundation grant and repeated some of the Wisconsin rhesus monkey studies with another species, the Java monkey. I was also able to study the Patas monkey.”

But eventually funding became more scarce and Dr. Seay decided to take an offer to serve as the Director of the LSU Honors College and then the first Dean.

Seay worked with colleague and fellow LSU professor and development psychologist, Dr. Nathan Gottfried, who passed away in 2012.

Together they authored *The Development of Behavior: A Synthesis of Developmental and Comparative Psychology* in 1978, which rested on the expertise of both men.

The Development of Behavior was ahead of its time. While debates still occur today about which influence—genetic, environmental, epigenetic, individual, etc.—is dominant in development, Seay and Gottfried’s text explained the importance of five “sets” for determining behavior from all five directions. In *Development*, the authors approached behavior from the dynamic interplay of the Phylogenetic Set, the Ontogenetic Set, the Experiential Set, the Cultural Set, and the Individual Set.

“One hopes that what is not lost is that all behavior is multiply determined,” Seay told the *Times*. “There is not a single cause for any behavioral outcome,” he said.

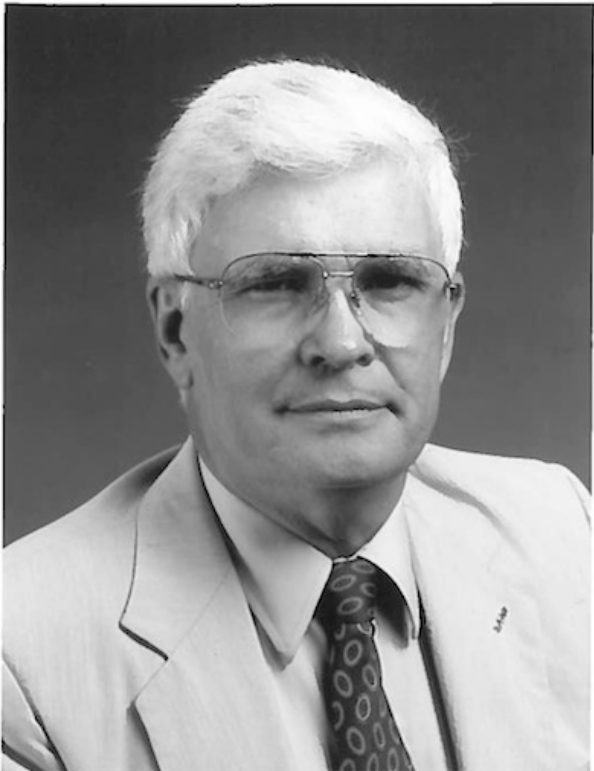
In *The Development of Behavior*, Seay and Gottfried took each of these five Sets as a topic for Part I, “The Determinants of Behavior.” The text outlines the multiple and interdependent



Dr. Billy Seay (L) with Dr. Harry Harlow at Seay’s doctoral graduation in 1964.

(Courtesy photo)

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Left: Dr. Bill Seay was professor and comparative psychologist at Louisiana State University for 20 years. Then he moved to the Honors College where he served as Director then Dean for the next 20 (Right).

(Courtesy photos)

influences on human development, wrapping each one into the others to punctuate the complex interactions possible, even if yet to be discovered.

The chapter on the “Phylogenetic Set” shows that behavioral development is “species typical.” Authors include topics of reflexes, fixed action patterns, and learning dispositions. For the “Ontogenetic Set” the influence of maturation on behavior is described, and authors include topics of prenatal, neonatal, and sexual identity topics.

In the chapter for “Experiential Set” they cover learning, both classical conditioning and instrumental, and specific and nonspecific environmental dependence influences on behavior.

Chapters 5 and 6 are the “Cultural Set” and “Individual Set” and the authors lay out continuing explanations of development by shifting between Sets and the dynamic influences. Seay and Gottfried explain that cultural influences may not be dramatic, but rather subtle and out of conscious awareness. The chapter on the Individual Set makes clear that there is unique variation in all humans, coming from the individual set of influences.

For Part II, “The Development of Behavioral Processes,” the authors note that “all behavior is oriented and organized in some way,” and they select four behavioral processes to include for readers in showing how this occurs.

They include a chapter on “The Orientation of Behavior” with sources of information about the psychology of attention, perception, and motivation.

In “The Organization of Behavior,” places emphasis on development and schemas (the internal structures that are basic to organized behavior) and

explain smiling, self-schemas, counting, and problem-solving schemas, for example. Descriptions of human and also animals are richly woven throughout.

Chapter 10 outlines “Affectional Relationships,” with reviews of attachment, love, affection and development, and includes attachment in humans, birds, mammals and topics of affection, development and heterosexual love and gender identity.

In remarking about the views in 1978, Seay told the *Times*, “Our point was that ambiguity with respect to personal gender identity,” he said, “would inhibit the development of adjustment. Self-doubt is always a problem. Uncertainty concerning femaleness and/or maleness is a serious form of self-doubt. I continue to believe that ‘the development of an unambiguous personal gender identity is very

important for later adjustment.’ I think uncertainty may be a basis for disaster.”

The final section for behavioral processes, is “Social Organization,” Chapter 11. This chapter includes examples of temporary and permanent organization, with examples from bison, mallard ducks, wolves, and humans.

“I think that both biological and cognitive psychology fail to recognize the importance of culture in shaping and determining behavior,” Seay said about the awareness of cultural impacts. “The cultural setting is a determining factor with respect to the environment an individual encounters. Failure to recognize cultural influences on behavior limits understanding behavior.”

The chapter on “Variation in Adaptation” covers the broad issues of population adaptability,

with examples of baboons and gorillas. And the closing chapter, “The Meaning of Development,” brings together the synthesis and framework for the text.

In their conclusions, the authors write: “The history of the species, the culture, and the individual always are to be seen in present behavior. The universals and particulars always interact. As much as we study present behavior and its foundations, the future behavior of the species and the individual cannot be predicted with certainty.”

Throughout the text, the authors place their emphasis on the variety of influences that merge to create behavior, that each can be influenced by the others, creating the unique, changing person. The approach in *Development of Behavior* is as rich and worthwhile today as it was in 1978.



Dr. Billy Seay (center) at last year’s LSU alumni reunion speaking with LSU Professor Dr. Emily Elliott (R).

Conflict of Interest? continued

an appointed Board member knows previous, detailed information about a licensed psychologist that may present to the Board in that same disciplinary matter or a future disciplinary matter?”

Patterson had had a small consulting contract with the LSBEP to advise the non-psychologist investigator on psychology matters. According to the board, twelve cases were open, and would create a hardship. However, based on the board statistics, only 6 percent of cases ever come to a vote, which suggested one or two might require a recusal.

The Ethics Board found that Patterson had no COI. They also told Culross that all boards have to deal with recusals, and dismissed the issue.

The need for and process of recusal when a public servant may have a bias is described in *Louisiana Administrative Law*. The law allows for, and directs a person to recuse themselves “... from any adjudicative proceeding in which he cannot accord a fair and impartial hearing or consideration.” And, “Upon the disqualification of a member of an agency, the governor immediately shall appoint a member pro tem to sit in ...” (RS: 49:960)

But the LSBEP said publically at a conference in May that the Governor could not appoint temporary members. The board’s view was challenged by retired forensic psychologist, Dr. Tom Hannie, but the board declined to explain their view and said that their rationale was protected by attorney-client privilege.

Eventually, on August 14, the Governor appointed Dr. Comaty, the medical psychologist, despite strong community support for Patterson. Emails released from the Governor’s Office indicated that the political influence the Louisiana Academy of Medical Psychologists, LAMP, its lobbyist and leader, was the likely reason for the Governor’s choice.

COI, Recusals, & LSBEP

In a review of minutes and documents from 2008 to the present, the *Times* found that there may have been situations where it would have been prudent for those serving on the board to recuse themselves from decisions.

Act 251

In 2009 a joint effort by the Louisiana Academy of Medical Psychologists and the state medical board, created a “new, hybrid profession,” according to Dr. James Quillin, leader in LAMP in legislation named Act 251. It created a new legal term, “medical psychologist,” by using the term “psychologist,” from the psychology licensing law.

Board members who serve on the LSBEP have a duty to prohibit persons from violating the guidelines of the psychology law and to protect the term “psychologist.” R.S. 37:2352(9) notes, “ ‘Psychologist’ means any person licensed as a psychologist under this Chapter.” One of their duties, set out in R.S. 37:2353 C(6) is to “Cause the prosecution and enjoinder of all persons violating this Chapter,”

Trademarks are considered intellectual property, and business people acknowledge their value in the marketplace. While “psychologist” is not a legal trademark, it was legally restricted and most psychologists consider it to have marketplace value.

On April 10, 2009, Dr. Glenn Ally, an MP and LAMP member who was serving as the LSBEP Legislative Chair said, “... there was not anticipated to be any legislation presented at the 2009 Regular Session that would affect LSBEP.” However, in a letter to the American Psychological Association, obtained by the *Times*, Ally noted his knowledge of on-going negotiations with the medical board regarding Act 251 well before April.

At the next meeting of the LSBEP, on May 8, 2009, members finally reviewed the bill. Minutes noted, “Concerns over the effects of this Bill on the financial and regulatory operations of the Board, the practice of psychology, and the practice of medical psychology were discussed by all.” No action was taken. All five members were affiliated with LAMP, but no one recused themselves.

Act 251 took the title “psychologist,” and also placed the practice of psychology, by the MPs, under a different profession, that of medicine.

Stress Solutions

by Susan Andrews, PhD

What is Your Sleep IQ?

Not only is a good night’s sleep one of the most valuable things you can do for your health and longevity, but also getting a good night’s sleep is paramount to erasing the day’s accumulated stress. Sleep IQ can refer to a measure of how well you rest and includes the number of hours of restful sleep versus the number of hours of restless sleep or time out of bed each night. This definition of Sleep IQ also includes how long it takes you to fall asleep, your average heart rate and your average number of breaths per minute.

A different definition of Sleep IQ refers to how much you know about how to get a good night’s sleep. Many clinicians make a point of asking clients about their sleep and ability to rest. Some psychologists actually work with their clients on sleep hygiene. The following Sleep IQ Quiz is offered to refresh us all on some of the important misconceptions about sleep and how to get the best night’s sleep.

True or False	1. Sleep deprivation can make you fat.
True or False	2. You can compensate for a night of bad sleep by hitting the snooze button and sleeping a little late in the morning.
True or False	3. We can make up for lost sleep by going to bed extra early another night.
True or False	4. Most people don’t need a full 8 hours of sleep each night.
True or False	5. Sleeping pills mask sleep problems and do not resolve the underlying cause of insomnia.
True or False	6. A typical cause of trouble falling asleep is when your mind just won’t stop talking.
True or False	7. A little alcohol can help you fall asleep and sleep well.
True or False	8. If you can’t fall asleep within 30-45 minutes, stick it out a little longer.
True or False	9. Often just thinking about sleep affects your ability to fall asleep.
True or False	10. Sleeping just one hour less a night can prevent you from learning or functioning normally.

If you scored 9 or 10 out of 10, you are a “sleep genius.” Congratulations and don’t forget to get your full 8 hours of sleep.

[Answers: 1-T, 2-F, 3-F, 4-F, 5-T, 6-T, 7-F, 8-F, 9-T, 10-T]



Dr. Susan Andrews, Clinical Neuropsychologist, is currently Clinical Assistant Professor, LSU Health Sciences Center, Department of Medicine and Psychiatry, engaged in a Phase III study on HBOT and Persistent PostConcussion Syndrome. In addition to private clinical practice, Dr. Andrews is an award-winning author (*Stress Solutions for Pregnant Moms*, 2013).

Shrink at the Flicks

The Great Dictator

by Alvin G. Burstein

The jihadist massacre of *Charlie Hebdo* staff in response to their publication of a cartoon of Muhammad and the putative hacking by North Korea of Sony Pictures in response to a movie, *The Interview*, highlight searing questions about a complex of issues including ridicule, freedom of expression, hate speech, et al.

In that context, I decided to see and review the 2014 Sony film. That decision triggered memories of another film, one I had seen as a child, Chaplin's *The Great Dictator*; because my memories of that film were dim, I watched it again, as well.

What the two movies have in common is their involving caricatures of foreign dictators, Hitler and Mussolini in the Chaplin film, North Korean Kim Jong-un in the Sony film. Both are comedies in that they ridicule their targets, making them the object of our laughter, encouraging us, not to fear them or to hate them, but to look down on them.

There are, however, striking differences between the two. Chaplin not only mocks Hitler and his cohorts, but dramatizes the injustice of anti-Semitism, or more bluntly, Jew hating. The movie centers on three characters, Adeniod Hynkel (caricaturing Hitler), played by Chaplin; Benzeno Napaloni (charicaturing Mussolini), played by Jack Oakie, and a little Jewish barber, a ghetto dweller, who is Hynkel's look-alike, also played by Chaplin.

The movie ends with the little Jewish barber, managing to masquerade as Hynkel, giving speech in which the pseudo dictator eschews hate and pleads for tolerance and love for all. *The Great Dictator* is a propaganda piece urging us to be better.

There is none of that in *The Interview*. For those who haven't seen it, the story is that of Dave Skylark, a Jerry Springer type of TV interviewer who wangles an invitation to meet with the North Korean dictator, is recruited by the CIA to assassinate the leader, finds himself drawn to Kim as his soul mate, but ultimately becomes disillusioned and kills him.

That film is remarkable for its scatological turn; the audience is lavished with crude references to every level of sexuality: oral, anal and genital. Some might be amused, others repelled, some bored by the excess.

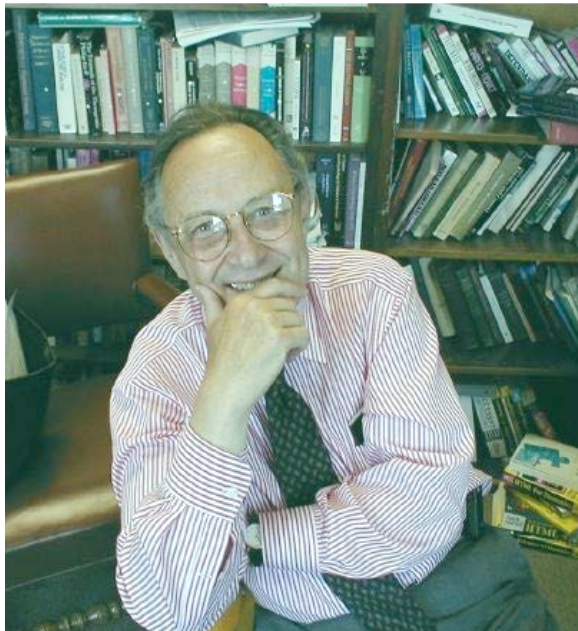
I found myself taken with the psychoanalytic aspects of David and Kim's mutual attraction. There is a mutual recognition of their having failed to earn their fathers' approbation, and feeling driven to undo that lack with public adulation.

Kim seduces David with two gifts; an idealized bust of the TV celebrity and, later a puppy to replace a pet David had lost as a child, reminding me of a sign in my veterinarian's office—I would like to be the kind of person my dog thinks I am.

Kim recognizes that David shares his aching need to be admired. Self psychologists argue that one of the anchors of self are self objects who are images of us. The powerful attraction that the two feel for each other lies in their recognition that they mirror each other.

On the other hand, David and his producer Aaron are bound together, but in a different way. They explicitly see each other in Tolkeinian terms. David describes himself as Frodo, and Aaron as his needed Samwise. We are not surprised when Aaron loses a finger protecting David; in Oedipal struggles, someone has to be castrated.

I do not see *The Interview* as a propaganda film. Unlike *The Great Dictator*, there is no positive message, little to admire and no one to love. Chaplin's comedic art that invited us to look down on the little barber, but also to find him, like a puppy, someone loveable. And to listen to his plea for goodness.



courtesy photo

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 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.

Conflict of Interest? continued

Did the LSBEP members also have a duty to protect from the "unauthorized" practice of psychology, also directed by the psychology licensing law? If so, no actions were taken in this area either, nor were there any recusals according to the minutes.

However, the LSBEP did take forceful action on the same concept two years later. In April 2011, Dr. Comaty, then Chair of LSBEP, wrote the Senate Commerce Committee to oppose a bill aiming to combine psychology and counseling boards. As Chair he emailed all psychologists asking them to contact their legislators to oppose the bill. "I have a responsibility to bring to your attention fundamental flaws in the proposed legislation..." he wrote. He said serious problems come from trying to combine two "...markedly different disciplines, with markedly different educational and training standards, differing scopes of practice, and differing ethical principles."

Attorney General Suggestions Ignored?

In a September 2009 the Attorney General (AG) suggested that the psychology board turn to the Ethics board to understand any potential conflicts of interests.

The LSBEP had asked the AG: "Is there a potential for conflict where the decisions of the Psychology Board regarding rule making may conflict with recommendations of the Medical Psychology Committee regarding that portion of a Medical Psychologists practice, which is psychology?"

In Opinion 09-0216, the AG wrote that their office is limited to issues of dual office holding, saying:

"These laws do not generally address conflicts of interest or other ethical issues which may be present in the instant matter. Rather, the propriety of a public board member's conduct is governed by the Louisiana Code of Governmental Ethics, La. R.S. 42:1111, et seq. The Louisiana State Board of Ethics issues opinions concerning the Ethics Code; you may wish to contact the Board of Ethics ..." for an advisory opinion.

The *Times* could find no evidence that the board ever followed through on the AG's recommendation, or that MP members recused themselves from discussions.

In December 2010, Opinion 09-0221, the AG once more recommended that the psychology board seek an advisory opinion from the State Board of Ethics.

The LSBEP asked: "Is there a conflict of interest when a psychologist [licensed under the psychology practice act] is a member of the Psychology Board and is simultaneously licensed as a medical psychologist with Medical Examiners Board?"

The AG answered:

"Our office is unable to determine whether a conflict of interest may exist when a psychologist serving on the Psychology Board simultaneously holds a medical psychologist's license with the Medical Examiners Board. As previously stated by this office to you in Opinion 09-0216,

'[w]hen this office receives questions about the legality of holding two or more positions of public office or public employment, our opinion is limited to an examination of the dual office holding laws, La. R.S. 42:61, et seq. These laws do not generally address conflicts of interest or other ethical issues which may be present in the instant matter. Rather, the propriety of a public board member's conduct is governed by the Louisiana Code of Governmental Ethics, La. R.S. 42:1111, et seq. The Louisiana State Board of Ethics issues opinions concerning the Ethics Code; you may wish to contact the Board of Ethics at P.O. Box 4368, Baton Rouge, LA 70821, telephone: (225) 219-5600, for an advisory opinion addressing your concerns.'

We further recommend that you seek an advisory opinion from the State Board of Ethics on this issue."

The *Times* could find no evidence that the board followed up on this second suggestion.

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Tulane and Dr. Figley Launch MOOC Jan 30

Dr. Charles Figley, Professor in the Tulane School of Social Work, and Tulane University, have launched Tulane’s first Massive Open Online Course, called a MOOC, on January 30.

According to *GreenWave*, Tulane’s news service the course is open to all Tulane students and employees and there are plans to open it up to the public in the future.

The subject of the course will be trauma and resilience, and based on Figley’s teachings. Figley is the Director of Tulane’s Trauma Institute.

MOOCs are a new trend in higher education because they allow people from all over the state, nation and from other countries, to enroll free in classes that they otherwise could not attend.

The first MOOC for Tulane is based on materials from Dr. Figley’s work and his book *Encyclopedia of Trauma*. The course will include the regular readings, discussions, and quizzes, but also video links to YouTube interviews, brief lectures, and documentaries.

The “more revolutionary element” of the new MOOC, is a video game called *Trauma Quest*, Dr. Figley explained to the *Times* in a previous interview. The game simulates a disaster so that the students can choose paths which allow them to experience challenges that help to learn and integrate concepts of the course.

“It’s the first of its kind anywhere,” said Dr. Figley. “The original MOOC model was flawed. MOOCs were simply the traditional classroom structure...” They were often only videotaped lectures moved online and free. But, “They were boring, rigid, and rather inflexible,” he explained.

Last year Dr. Figley presented at the American Psychological Association, session called “First Do No Self-Harm–Self-Care Strategies for Psychologists Working with Trauma Survivors.”

Figley is the Paul Henry Kurzweg Distinguished Chair and Professor in the Tulane School of Social Work, and Director of the Tulane’s Traumatology Institute. His recent texts are *First Do No SELF Harm: Understanding and Promoting Physician Stress Resilience*, and *Encyclopedia of Trauma: An Interdisciplinary Guide*.



The 2010 psychology board asked the Attorney General about conflict of interest matters but it does not appear that board members followed up on the Attorney’s suggestions to ask state Ethics board.

Conflict of Interest? continued

Reversal of Opinion #012

In May 2011, the psychology board voted to qualify medical psychologists (MPs) as supervisors of psychology interns even when the MP no longer held a state psychology license.

The action came after the Chair, Dr. Comaty, was contacted by Dr. John Bolter, a LAMP member and representative of the Medical Psychology Advisory Committee, and by the Executive Director, both of the state medical board. The request was approved based on excerpts from laws where the two terms, psychologist and medical psychologist, appear interchangeable and also because psychologists licensed in other states may qualify as supervisors. No one recused themselves.

However, the decision runs contrary to all other states and the current *Louisiana Administrative Code* (LAC) that states supervisors must be “licensed psychologists.” R.S. 37:2352(9) defines a psychologist as “any person licensed as a psychologist under this Chapter,” referring to the psychology law and rules.

Other Decisions

In March 2011, after meeting with a MP leader, the psychology board voted to reduce fees for reinstatement for MPs, from \$570 to \$50. According to minutes, no similar reduction was extended to psychologists and no MPs recused themselves from the decision.

In 2013 the board was informed that MPs applying for LSBEP licenses had submitted continued education training from an unapproved sponsor, specifically, the LAMP Political Action Committee (PAC). Under LAC, the administrative law for psychologists, PACs are not approved sponsors for continuing education. MPs on the LSBEP either knew or should have known that the LAMP PAC was not qualified to be a provider of professional training.

However, no actions were taken to correct past training deficiencies for medical psychologists and there were no recusals noted.

In 2010 members of the psychology board negotiated with the medical board on Rules for physicians. The outcome was wording that omitted psychologists and could suggest to physicians that they can consult only with MPs — “A physician shall not consult and collaborate, as defined in §7203 of these rules:” [...] “3. with a psychologist who is not an MP;...”

Based on a review of minutes, the LSBEP appears to be ignoring the use of specialty titles by MPs. These titles are privileges that are used by psychologists to describe their services to the public and are described in administrative law for “Specialty Titles.”

After the passage of Act 251 the LSBEP negotiated a Memorandum of Understanding with the medical board. The agreement gave the medical board control of those medical psychologists’ practice of psychology who retained their state

psychology license. However, it did not give the psychology board equal control of the practice of psychology by MPs under the medical board, an arrangement that could frame future decisions in favor of the MPs, but there were no recusals listed

Who Has a COI?

LAMP members have a separate PAC, a separate regional association, their own school, and their own licensing law and standards under the medical board. It seems that the goal to create a new profession has worked.

In 2011 LAMP lobbied to include a clause in the counselors practice act that required counselors, and now marriage and family therapists, to seek consultation with a prescriber licensed under the medical board, whenever the counselor treated a person with a “serious mental illness.” The lobbyists included, and sources say was negotiated by, LAMP. Psychologists were not included as providers of this consultation, despite the fact that they are highly qualified to do so.

The question remains: is there a conflict of interests for medical psychologists making decisions on the state psychology board?

[Author’s Conflicts of Interest: *The publisher of the Times and author of this article, J. Nelson, is a licensed psychologist. She declares no financial conflicts of interests. Regarding principled conflicts of interest, readers should be aware she opposes elements of Act 251.*]

Up-Coming Events

Feb 19-21 in Baton Rouge

Marriage and Family Therapists Gather

The Louisiana Association for Marriage and Family Therapy will hold its Annual Conference, February 19- 21, 2015, at the Renaissance Hotel in Baton Rouge.

Keynote presenter will be author Robert Whitaker, speaking on Long-term Effects of Psychiatric Medications.” Whitaker will also present, “Practical Implications of Research Literature on Long-term Effects of Psychiatric Medications.”

Dr. Jacqueline Sparks, is presenting on “Listening to Clients, Not Labels: Outcome-Informed Practice with Children and Families,” and “Anatomy of a Crime: Psychiatric Drugging of America’s Youth”

Current association President, Dr. Matt Morris, will present “True or False: LMFTs and LPCs can Diagnose Panic Disorder,” with Cindy Nardini. Morris will also be presenting “Counseling Vietnamese Americans,” with co-presenters Rebecca Pham and Jacqueline Nguyen.

Tom Caffery and Mark Reynaud will present “The Hitchhiker’s Guide to Diagnosis and Psychotherapy,” and Caffery will also be presenting “Got Ethics,” with co-presenter, Ben Johnson.

Rashunda Miller Reed will present “MFTs in a School Setting: Toxic or Therapeutic?” and also “Inter-professional Collaboration: A Therapeutic Shift.”

Mary Alice Olsan, Executive Director for the LPC Board, and Kathryn Steele, Ph.D. and new board Vice Chair, will present “A Practical Guide to Supervision.”

“Helping Families through Cancer: A Personal and Professional Experience” will be offered by Aly Taylor, and “Addressing Problematic Behaviors in Children: Integrating Behavioral Family Therapy and Choice Theory” will be presented by Christian J. Dean; Amanda Chapoton.

Christian J. Dean will present, “LMFTs and Diagnosing: Updates, Challenges, and Practice,” and “Whose Anxiety is it Anyway?” will be offered by John Dewell, Kevin Foose, and Justin E. Levitov.

Among others presenting are Marvin Clifford, John Shalett, Judith G. Miranti, Susan Harrington, Christine Lissard, Deany Cheramie, Willis Powell, Yevonne Baran, Meagan Staab, and Joan Fischer.

Drs. Chaney and Sauley to Help LSU Cont Ed Celebrate 50 Years of “Fundamentals”

Louisiana State University Continuing Education is celebrating its 50-year anniversary for the popular course, “Fundamentals of Supervision,” the flagship program for the Management and Leadership Institute.

Key instructors for this program, and once again teaching in the popular community offering, are Dr. Courtland Chaney and Dr. Kerry Sauley, industrial-organizational psychology instructors. The two have provided the training to area business people for decades.

Courtland Chaney, PhD, SPHR is President of Human Resource Management Associates in Baton Rouge, and served as an instructor in the Department of Management at LSU for 28 years. He is a licensed IO psychologist.

Dr. Kerry Sauley, PhD, is an instructor in the department of Management at LSU. His doctorate is in IO psychology and is an active management consultant.

Fundamentals includes major topics of “Managerial Behavior– Thinking & Acting Like a Manager,” “Organizational Behavior–How to Build Effective Teams,” “Motivating, Developing & Empowering Your Staff.”

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Louisiana Association for Marriage and Family Therapy
2015 Annual LAMFT Conference

“Psychotherapeutic Alternatives to Medications”

February 19 – 21, 2015
Renaissance Baton Rouge
7000 Bluebonnet Blvd., Baton Rouge, LA

Featuring Presenters:
Robert Whitaker
Jacqueline Sparks

To register, visit www.lamft.org

Up-Coming Events

Drs. Chaney and Sauley, continued

Topics also include “Supervisory Practices—Counseling & Disciplining Employees and Learning to Delegate,” “Giving Effective Feedback,” and “Positive Conflict Resolution.” The 2015 course is offered on March 2 through 4, April 20 through 22, and June 8 to 10.

Chaney and Sauley will also present “Developing Your Managerial Effectiveness,” a program offered by LSU Continuing Education Management & Leadership Institute, on March 18 through 19, and June 3 through 4. The program provides a chance for participants to build their leadership and interpersonal skills, and add to practical management skills.

Tulane Chester B. Scrignar Lecture April 11-13 “From Sexual Sadism to Maternal/Fetal Rights: The Wide World of Forensic Mental Health”

Tulane’s Center for Continuing Education will hold the 15th Chester B. Scrignar, MD Lecture on April 11 to 13, at Westin Canal Place in New Orleans. The conference is presented by the Tulane University School of Medicine and the Department of Psychiatry and Behavioral Sciences and the Center for Continuing Education.

Dr. Richard C. W. Hall will give the Chester B. Scrignar Lecture, “Hostage Taking: National and International Aspects.”

Other theme for this year’s conference is “From Sexual Sadism to Maternal/Fetal Rights: The Wide World of Forensic Mental Health.”

Topics include, “Love and Death Behind Bars: The Manson Family at 50,” presented by Dr. Alan Newman; “Torture Porn and the History of What Scares Us,” by Dr. Timothy Allen, and “Neurological Causes of Incompetence to Stand Trial,” presented by Dr. Jeffry Nicholl.

Psychologist Dr. Rose Manguso, ABPP, will present “Language and Learning Disabilities in Criminal Defense, with Drs. Richard Martinez, Ashley Wheeler, and attorney Iris Eytan.

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