

October 2019



LSBEP Newsletter

The Louisiana State Board of Examiners of Psychologists was established under LA R.S. 37:2351 for the purpose of safeguarding the health, safety and welfare of the citizens of Louisiana against the unauthorized, improper and unlicensed practice of psychology.

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Vice Chair: Amy M. Henke, Psy.D.
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Member: Gina L. Gibson, Ph.D.
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Tony McCoy
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Monique Marino

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A FAREWELL MESSAGE FROM FORMER BOARD CHAIR JESSE D. LAMBERT, PSY.D., M.P.

Dear colleagues:

Psychology is a wonderful profession that offers the avenue to enhance society. Whether by way of providing mental health care, industrial consultation, research, teaching, or through some other contribution, the public affords us great trust in consuming our services. Inherent in this confidence is the expectation that the psychologist will act in a capable and virtuous manner. Without such conviction, our profession would not be perceived as credible and the benefit that our discipline can provide would be diminished, if not forfeit.

Over the past four years, I have had the privilege to partake in the regulation of Louisiana psychology. The requisites of this office are great and only surpassed by the significance of the role decreed upon the Louisiana State Board of Examiners of Psychologists (LSBEP or "Board")--to protect the public. Board members assemble monthly, but participate in accompanying emergency meetings, task force sessions, legislative hearings, and other face-to-face encounters. It is not uncommon for a member to be engaged in some type of assignment during the week. As Chair, the responsibilities multiply and acquire a strong administrative aim. These duties are discharged in the absence of salary, with the exception of a small per diem and granted travel expenses.

Each member that I worked alongside gave of their selves with dignity and respect. Diversity in opinion was embraced and the gravity of what we were charged with was always forefront. By working with such individuals, I grew not only as a professional, but also as a person. I thank my fellow Board members for the diligence, persistence, dignity, and courage that they evidenced through their service.

A special expression of appreciation to the Executive Director of the LSBEP, Mrs. Jamie Monic, is warranted. Unless you have been on the Board, you will never experience the degree of commitment rendered by Mrs. Monic in her position as Executive Director. Mrs. Monic acts as manager, executive assistant, researcher, coordinator, and in so many other aspects. She imparts structure, decency, and reason, and I am grateful for all that she has, and continues to do, for the LSBEP and the public at large.

In closing, I am grateful for having been part of the LSBEP. This was a truly enriching experience and I encourage all psychologists to contemplate Board service. I also hope that the Board will be viewed as a resource for questions related to regulation and ethics. The LSBEP is available and can be approached regarding these matters. Many thanks and I wish you all success in our profession.

With gratitude,

Jesse D. Lambert, Psy.D., M.P.
Former LSBEP Chair (2018-2019)

UPCOMING DATES OF INTEREST



Wednesday, November 6, 2019 2:00 – 3:00 PM – LSSP Committee Presenting at the Louisiana School Psychological Association conference DoubleTree by Hilton Hotel in Lafayette

Friday, November 22, 2019 – Board Meeting, 9:30AM, LSBEP Office Baton Rouge, LA

Friday, December 13, 2019 – Board Meeting, 8:30AM, LSBEP Office Baton Rouge, LA

Would you like to receive future newsletters directly to your email? Email: jaimemonic@la.gov and request to be added to the email distribution list for the LSBEP Newsletter. You may also receive meeting notices and agendas via email by subscribing to our PUBLIC NOTICE distribution

ELECTION NEWS

- **2019 REGULAR ELECTION [2020-2025 BOARD MEMBER SEAT]:** LSBEP nominations period closed on October 31, 2019. The Board will open the Nominations submitted during their regularly scheduled on November 22, 2019.
- **LSSP COMMITTEE MEMBER** The LSSP Committee currently has a vacant seat for the term July 1, 2019 – June 30, 2022. This committee meets once quarterly, generally on Tuesdays for approximately 2-3 hours. If you are a licensed psychologist with a specialization in school psychology and have an interest in serving the remainder of the three-year term, please submit your resume and cover letter to the LSBEP. Include in your cover letter your interest in serving on this committee and an attestation describing how you meet the following requirements: 1. Have maintained residency in Louisiana for not less than two years; and 2. Have a current and unrestricted license to practice in the state of Louisiana under the authority of LSBEP as either a **licensed school psychologist** for not less than two years. Self-nominations will be accepted through October 31, 2019 or until a qualified candidate is appointed. You may submit your nomination form electronically or via USPS:

**ATTN: 2019 BOARD ELECTIONS
C/O JAIME MONIC**

JAIME.MONIC@LA.GOV OR

4334 S. SHERWOOD FOREST BLVD., SUITE C-150
BATON ROUGE, LA 70816

- **PUBLIC MEMBER OF THE LSBEP: Act 515 of the 2018 Legislative Session created a position on the board for a Consumer Member.** Under LA R.S. 37:2353.A.(3)(b)(i) The consumer member shall be selected from the state at large and shall possess all of the following qualifications:
 - (aa) Is a citizen of the United States and has been a resident of Louisiana for at least one year immediately prior to appointment.
 - (bb) Has attained the age of majority.
 - (cc) Has never been licensed by any of the licensing boards identified in R.S. 36:259(A), nor shall he have a spouse who has ever been licensed by a board identified in R.S. 36:259(A).
 - (dd) Has never been convicted of a felony.
 - (ee) Does not have and has never had a material financial interest in the healthcare profession.
 - (ii) The consumer member shall be a full voting member of the board with all rights and privileges conferred on board members, except that the consumer member shall not participate in the grading of individual examinations.

To apply for this position, eligible individuals may contact the Governor's Office directly by visiting this link: <http://gov.louisiana.gov/index.cfm/form/home/14>

CONDOLENCES

To the family, friends, and colleagues of Dr. Cheryl Marsiglia, the Louisiana State Board of Examiners of Psychologists wishes to express its sincere condolences for your loss.

Proposed Rule Change
CONTINUING EDUCATION
Amy Henke, Psy.D., CPD Committee Co-Chair

The LSBEP prioritizes public safety and we are proud to also be a board committed to ensuring psychologists are competent within their science and the practice of Psychology. As such, we are excited to share with you a proposal to change the structure of continuing education for psychologists. In 2013, LSBEP made changes to continuing education requirements in efforts to expand offerings and align with national standards and guideline suggestions from professional associations such as the Association of State and Provincial Psychology Boards. Since that time, LSBEP has received feedback, suggestions, and numerous questions about acceptable continuing education offerings. While there have been many positives related to the changes, significant problems and difficulties have also surfaced as licensees and LSBEP have navigated the new regulations.

Specifically, LSBEP is pleased that licensees now have greater variety available in their continuing education offerings. We believe there are many activities that historically have not been considered acceptable continuing education but provide valuable services to our licensees. We are also pleased that changes in acceptable activities have allowed licensees to access learning experiences at a variety of price points, ranging from high-end conferences to peer consultation groups, which is especially important for our early career practitioners.

However, as LSBEP's range of accepted activities has grown, the board has faced numerous administrative challenges and confusion from licensees. As such, LSBEP is currently considering modifying continuing education requirements to retain flexibility in offerings while ensuring quality education exists in order to protect the public and maintain high standards of practice. We would like to invite licensees to contact the board directly through the survey link below or through emailing LSBEP your thoughts to provide feedback on the proposed changes.

CPD FAQ's

Q: Y'all! Didn't you JUST change the rules? I'm finally getting used to them and now I have learn more?

A: LSBEP recognizes that change causes confusion and not everyone will be happy with every decision made or every part of the proposal. As a profession based in psychological science, LSBEP feels any changes made must be data-driven. LSBEP has used the last 4 years to examine changes made and has determined that, based on information from paper renewals from 2017-2019, at least 73% contained significant mistakes in coding continuing education credits, 30.7% in 2018 and 73% in 2019. When this occurs, the file must be individually audited, costing administrative staff and board members valuable time and money, and often delaying the licensure renewal for the licensee. Additionally, even after providing education to licensees, LSBEP continues to see the same errors made again and again. LSBEP believes this is consistent with problems in the continuing education system and not an inability on behalf of licensees to absorb new information. When the majority of forms completed by professionals with doctoral degrees are incorrect despite 4 years of education, it makes sense to look at the process and revise accordingly.

Q: Ok fine. Data driven decisions. I can get behind that. So what is the proposal?

A: Quality over quantity. Currently, LSBEP requires 40 hours of continuing education in a bi-annual period. This proposal would lower the requirements to 20 hours of continuing education in a bi-annual period. To improve quality, LSBEP is proposing limiting acceptable offerings to current approved sponsors (including LPA, APA, accredited institutions of higher education, hospitals which have APA approved doctoral internship training programs, etc.) while also providing a means for popular but non-traditional learning experiences such as journal clubs and consultation groups to obtain approval, either through an above mentioned sponsor or directly through LSBEP for a \$50 yearly fee, with a \$25 renewal fee for subsequent years (per group, not per person). This provides for high-quality but non-traditional continuing education offerings to continue with pre-approval. LSBEP will also cease offering post-

approval/review of activities during the license renewal period in an effort to improve efficiency and encourage licensees to seek approved sponsors for more non-traditional activities.

Q: I don't get it. Give me some examples.

A: A licensee belongs to an organized and structured consultation group that meets monthly. The group can seek approval from a traditional approved sponsor or can seek approval from LSBEP by completing a form listing the nature of the group, group goals, and how the activity relates to psychology. The group then submits the \$50 fee and is approved for the entire year until licenses renewed. For cost breakdown, if your group has 5-10 people and meets 10 times per year, each member would pay approximately \$5-10 for 10 CE credits. Pretty good deal.

Q: So what are you NOT allowing in this proposal?

A: LSBEP is proposing that unapproved sponsors no longer be allowed to count for continuing education hours. This would include much of the self-directed study section including reading books, participating in outcome measures, and one-time peer consultations.

Q: Why? I love the self-directed study section!

A: Great question. This section has been popular since it was added to acceptable continuing education offerings in 2013. But – in practice there has been significant misunderstanding and misuse of the category. LSBEP has reviewed continuing education that we do not feel reflects the quality and standards of a doctoral level profession. For instance, LSBEP has received requests for approval for activities such as YouTube videos, magazine articles, pop-psychology books, vague seminars from amusement parks, and staff meetings that occur within the context of a normal work day. LSBEP feels strongly that these do not represent quality offerings that further psychologists knowledge in our field.

Q: I want an example of how a continuing education activity might be denied under this proposal.

A: A licensee attends a time-share presentation while on vacation in Cancun. They are provided with a certificate of completion labeled "Executive Training." The licensee turns this on June 15th when they renew their license. The "Executive Training" has never been reviewed by LSBEP or any other approved sponsor. The hours are denied. [Note: this example is loosely based on an actual scenario that has occurred]

Q: I don't feel like reading this article because I'm super busy planning my Cancun trip. Are there any charts I can look at while I mull this over and consider my feedback to LSBEP?

A: Ok, fine.

	Current Continuing Education	Proposed
Hours	40 – bi-annual period	20 – bi-annual period
Content	9 categories: 1. Peer Consultation 2. Practice Outcome Monitoring 3. Professional Activities 4. Conferences/Conventions 5. Academic Courses 6. Instruction 7. Publications 8. Approved Sponsored CE 9. Self-directed Learning	2 categories, 1. Approved sponsored CE (including conferences/conventions) 2. LSBEP pre-approval
Sponsors	1. accredited institutions of higher education; 2. hospitals which have approved regional medical continuing education centers; 3. hospitals which have APA approved doctoral internship training programs; 4. national, regional, or state professional associations, or divisions of	Same as current with the following two changes: 1. The Louisiana Department of Health will be removed as a sponsor due to the fact that there is no chief psychologist responsible to review and approve activities for

	<p>such associations, which specifically offer or approve graduate or post doctoral continuing education training;</p> <p>5. American Psychological Association (APA) approved sponsors and activities offered by APA (including home study courses);</p> <p>6. activities sponsored by the Board of Examiners of Psychologists; and</p> <p>7. activities sponsored by the Louisiana Department of Health or its subordinate units and approved by the chief psychologist of the sponsoring state office.</p>	<p>psychologists.</p> <p>2. In addition to LSBEP sponsored activities, LSBEP will preapprove activities.</p>
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Licensing Board	Continuing Education – current requirements
Psychologists	40 hours bi-annually
Physicians	20 hours annually
Social Workers	20 hours annually
Licensed Professional Counselors	40 hours bi-annually
Behavioral Analysts	32 hours bi-annually

WHAT'S YOUR OPINION?

The Louisiana Administrative Code, Title 46, Part LXIII. Chapter 11 (rules) currently define the requirements for utilization of assistants to psychologists. LSBEP will be engaging in rulemaking in accordance with R.S. 37:2351 and 37:2359.A. to revise Chapter 11 to require the registration of unlicensed assistants. Additionally, LSBEP will be engaging in rulemaking related to Continuing Professional Development under the Louisiana Administrative Code, Title 46, Part LXIII. Chapter 8. To assist in this process and enable us to better understand the impacts on your practice, we are requesting your feedback. Please follow the link below to participate in a survey which will help guide the board as they move forward.

Please take less than 5 minutes and follow the link below to participate in a short survey which will help guide the board as they move forward.

<https://www.surveymonkey.com/r/62S5FRJ>

This survey is voluntary. The data collected will be used for aggregate purposes only and your individual responses/identity will be protected to the best of our ability and resources.

2019 Awards Ceremony

On October 10, 2019 the LSBEP held its annual Long Range Planning Meeting and Awards Luncheon to honor Jesse D. Lambert, Psy.D., M.P. for his dedicated service as a member of the LSBEP from August 14, 2015 – July 19, 2019 and Amy Morvant, Ph.D. for her dedicated service to the LSBEP as a member of the Licensed Specialist in School Psychology Committee from June 17, 2016 – June 30, 2019. The board was also able to present Dr. Carmen Broussard with her award for her dedicated service to the LSBEP as one of the first members of the Licensed Specialist in School Psychology Committee serving two consecutive terms from July 3, 2013 – June 30, 2018.

Throughout the year, board members, committee members and staff spend a substantial



Dr. Amy Henke presents
Dr. Jesse Lambert with dedicated service
award at 2019 Awards Luncheon.



Dr. Koren Boggs presents
Dr. Carmen Broussard with dedicated
service award at 2019 Awards Luncheon.

amount of time with each other engaged in serious discussions regarding rulemaking, licensing and disciplinary matters, weighing the impacts of their decisions on licensees against their obligation to protect the public. Therefore, each year at the honors ceremony, board members and staff look forward to a little "roasting" of the outgoing member. This year, the board decided to honor Dr. Lambert's wishes to have a bust of himself dedicated to the board room to memorialize his service on the board (as he would occasionally joke after a very serious discussion). After a good laugh, we enjoyed chocolate cake served up by the guest of honor!



*Thanks again Dr. Lambert for all of the time and dedicated service to the LSBEP
and its mission to protect the public!*

Congratulations to New Licensees!

(July 1, 2018-June 30, 2019)

* LICENSED SPECIALIST IN SCHOOL PSYCHOLOGY

July 2018:

*Kandice Batcast, S.S.P.**

August 2018:

Erika M. Rajo, Psy.D.

Meghan E. Borne, Ph.D.

David R. Perkins, Ph.D.

Crystal M. Tillis, Ph.D.

Teresa M. Rosetti, Psy.D.

Brittany R. Joslyn, Ph.D.

Elizabeth A. Berk, Ph.D.

September 2018:

Danielle N. Newman, Ph.D.

Matthew Calamia, Ph.D.

Irving Arevalo, Ph.D.

Arika D. Wadley, Psy.D.

October 2019:

Frances Ernst, Psy.D.

Frank H. Pittenger, Ph.D.

Hillary C. Becker, Psy.D.

Lee A. Annotti, Ph.D.

November 2018:

Sarah A. Fontenelle, Ph.D.

Brandon John Waits, Ph.D.

Billie C. Myers, Ph.D.

Heather Larrazolo, Ph.D.

Sean I. Gibbs, Psy.D.

December 2018:

Amy Mikolajewski, Ph.D.

Dena Abbott, Ph.D.

Tracey Murry, Ph.D.

Doris Eileen Nevin, Ph.D.

February 2019:

Megan Brokenborough, Ph.D.

Clifton S. Mixon, Ph.D.

Elise C. McIver, Ph.D.

Erin McClure, Ph.D.

Sadie Doll, Psy.D.

Janaki F. Flint, Psy.D.

March 2019:

Dani S. Archie, Ph.D.

Sarah Thomas, Ph.D.

Brittany Joseph, Ph.D.

*Anna M.Y. Pardue, M.A., S.S.P.**

May 2019:

Sarah K. Black, Ph.D.

June 2019

*Cynthia Verhalen, M.Ed., S.S.P.**

Claudia Mosier, Psy.D.

Kristen Pearson, Ph.D.

NEW: OPINION No. 024:

LSSP SCOPE OF PRACTICE, ORDERING SERVICES

Adopted September 20, 2019

To clarify the scope of practice for Licensed Specialists in School Psychology

On September 20, 2019, the Board reviewed and discussed the legal opinion drafted by Attorney Courtney P. Newton. On that date, the following was adopted as a formal opinion of the LSBEP:

Ordering services is within the scope of practice of a licensed specialist in school psychology (hereinafter, "LSSP") depending on the practice setting of the LSSP as follows:

a. The scope of practice for LSSPs either contracted or employed by the school system, including charter, public, and private schools, engaged in work germane with educational bulletins, including but not limited to Louisiana Bulletins 1508 and 1706, **does** include "ordering" services.

b. The scope of practice for LSSPs working outside the school system, and by law under the supervision of a psychologist or medical psychologist, **does not** encompass "ordering" services.

NOTE: For the purposes of this opinion, an "order" for services within the school setting by an LSSP includes recommendations for psychological evaluation, educational tests, and other assessment procedures, including interpreting results, and/or the planning implementation and management of psychological services and interventions.

La. R.S. 37:2352(6) defines the scope of practice of an LSSP. The essential elements of a LSSP's scope of practice as defined in statute are as follows:

1. *Application* of psychological principles, methods, and procedures to help children and youth success academically, socially, behaviorally, and emotionally;

2. *Collaboration* with educators, parents, and other professionals to create safe, healthy, and supportive learning environments that strengthen the connection between home, school and the community for all students;

3. *Application* of knowledge of both psychology and education during consultation and collaboration with others;

4. *Conduct effective decision* making using a foundation of assessment and data collection;

5. *Provide services* to schools and families that enhance the competence and well-being of children;

6. *Performing evaluations* that are germane to the current state of educational bulletins, including but not limited to Louisiana Bulletins 1508 and 1706.

La. R.S. 37:2352 prohibits LSSP from diagnosing mental disorders as defined by the Diagnostic and Statistical Manual of Mental Disorders or diseases as defined by the International Classification of Diseases. La. R.S. 37:2356.3 further defines the scope of practice for LSSP drawing a distinction between the scope of practice and supervision requirements for those LSSPs working within the school system and those working outside the school system. Specifically, La. R.S. 37:2356.3.B.(1)(b) provides that a licensed specialist in school psychology who is engaged [as an independent contractor] and working outside of the school system shall be required to do so **under the clinical supervision of a licensed psychologist or a medical psychologist... The licensed psychologist or medical psychologist shall be administratively, clinically, and legally responsible for all professional activities of the licensed specialist in school psychology, and the licensed psychologist or**

medical psychologist shall be required to sign any final reports prepared by the licensed specialist in school psychology. (emphasis added).

These laws are further interpreted by L.A.C. Tit. 46, Part. LXIII, §§ 3501 – 4301 (hereinafter, "Rule"). Rule § 3501, entitled "Limits in Practice" provides, in part, as follows:

A. Licensed specialists in school psychology shall apply their knowledge of both psychology and education to render services that are germane to the current state educational bulletins, including but not limited to **Louisiana Bulletins 1508 and 1706**.

B. A licensed specialist in school psychology cannot diagnose mental disorders as defined by the Diagnostic and Statistical Manual of Mental Disorders or disease as defined by the International Classification of Diseases (emphasis added).

Based on the language of Rule §3501.A., Louisiana Bulletins 1508 and 1706 are incorporated by reference into the Rules governing LSSPs. Accordingly, they also provide guidance when interpreting the scope of practice set forth in La. R.S. 37:2352(6). Louisiana Bulletin 1508, §1511 as follows:

A Definition. School Psychological Services include but are not limited to:

1. administering psychological and educational tests, and other assessment procedures;
2. interpreting assessment results;
3. obtaining, integrating, and interpreting information about student behavior and conditions relating to learning (which may also include assisting in the development of academic intervention strategies, progress monitoring, evaluating intervention and service delivery outcomes, conducting functional behavior assessments, and conducting program evaluations);

4. consulting with other staff members in planning school programs to meet the special educational needs of students as indicated by psychological tests, interviews, direct observation, and behavioral evaluations;

5. **planning and managing a program of psychological services**, including psychological counseling for students and parents (which may also include implementing and/or monitoring interventions, conducting social skills training, anger management/conflict resolution training, study skills training, substance abuse prevention, crisis prevention and intervention, parent skills training, and coordinating services with other community agencies.); and

6. assisting in developing positive behavioral intervention strategies. (emphasis added).

All other references to psychological services, evaluating, planning, managing, etc. in Louisiana Bulletin 1508 reference specifically "Certified School Psychologists" providing that Certified School Psychologists are legally authorized to engage in all such practices. Louisiana Bulletin 1706 references Louisiana Bulletin 1508.

The law bifurcates the scope of practice for LSSPs working or contracting outside of the school system from those working or contracting within the school system. La. R.S. 37:2356.3.B.(1)(b) mandates that those LSSPs working outside the school district must be supervised by a licensed psychologist or medical psychologist who is administratively, clinically, and legally responsible for all professional activities of the LSSP. The scope of practice for LSSPs working outside of the school system is further limited by the requirement that the supervising psychologist or medical psychologist sign any final reports prepared by the LSSP. In so requiring, the LSSP is making recommendations to be reviewed and approved by the supervising psychologist or medical psychologist. It is the supervising psychologist or medical psychologist that is legally placing an "order" for services.

Such supervision and limitation does not exist for LSSPs either contracting or employed by the school system. LSSPs working in a charter school, public school, or private school work in conjunction with other educational and healthcare professionals to evaluate and prepare a plan or "order" for services. Such authority is specifically provided or in Louisiana Bulletin 1508, §151 states that an LSSP is lawfully able to "plan and manage" a program for psychological services. In so "planning", an LSSP is the professional with the authority to "order" or specify that a service be provided. Accordingly, it is squarely within the scope of practice for LSSPs working within the school system to "order" services.

2019 RENEWAL REPORT

Opening Renewal July 1, 2019:

LICENSED PSYCHOLOGISTS: **770** (**62** RENEWED AT THE REDUCED RATED IN 2018)

LSSP: **22**

PROVISIONAL: **11**

Closing Renewal July 31, 2019:

LICENSED PSYCHOLOGISTS: **737** (**63** RENEWED AT THE REDUCED RATED IN 2019)

LSSP: **22**

PROVISIONAL: **7**

Lapsed:

LICENSED PSYCHOLOGISTS: **33** (3 Deceased)

LSSP: **0**

PROVISIONAL: **4**

LSBEP Investigation Report Updated: 9/15/2019

Year	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Total Investigations	16	22	11	22	18	22	16	23
Psychologists	9	17	9	18	9	12	12	16
Non-Psychologists	7	5	2	5	4	10	4	7
Disciplinary Actions	6	2	3	1	1	3	2	2
Actions Against Psychologists	2	3	3	1	1	3	2	2
Actions Against Non-Psychologists	0	0	0	0	0	0	1	0
Open	0	0	1	1	1	1	6	12

NOTICE: In compliance with Act 655 of the 2018 Regular Session, the LSBEP hereby gives notice to its licensees and applicants of their opportunity to file a complaint about board actions and board procedures. You may submit such complaints to one or more of the following organizations:

- Louisiana State Board of Examiners of Psychologists: **Submit in writing to:** LSBEP, 4334 S. Sherwood Forest, Blvd., #C-150, Baton Rouge, LA 70816; admin.lsbep@la.gov; (225)295-8410
- Committee on House & Governmental Affairs, La. House of Representatives: **Submit to:** H&GA@legis.la.gov or Committee on House & Governmental Affairs, La. House of Representatives, PO Box 44486, Baton Rouge, LA 70804; (225) 342-2403
- Committee on Senate & Governmental Affairs; La Senate: **Submit to:** s&g@legis.la.gov or Committee on Senate & Governmental Affairs; La Senate PO Box 94183, Baton Rouge, LA 70804; (225)342-9845