



LSBEP Newsletter

JAIME T. MONIC, Editor

2009

VOLUME 22 NUMBER 1

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A Note From the 2008-2009 Board Chair

Rebecca F. Nolan, Ph.D., MP

On March 20, 2008, the Licensed Professional Counselors of Examiners noticed the Louisiana Register of proposed rule changes. The Louisiana State Board of Examiners of Psychologists (LSBEP), upon review of the proposed rules, submitted strong, substantive objections to certain provisions, finding that in proposed §2111.A., §2111.A.1.a., §2111.A.2.a., and §2111.A.2.c. (and perhaps elsewhere) the word "psychological" was used to characterize, describe or define newly permitted actions. Additionally, proposed §2111.A.5. newly addresses "Diagnosis of Mental Disorders" and related treatment planning. Those objections are summarized as follows:

1.) The proposed LPC rules violate statutes that govern LPC practice. LSA-R.S. 37:1103(3) expressly prohibits licensed professional counselors from administering or interpreting tests in accordance with the provisions of R.S. 37:2352(5). The proposed rules would permit LPCs to engage in practices which the LPC statutes expressly prohibit

2.) The proposed LPC rules violate the statutes that govern the licensed practice of psychology. LSA-R.S. 37:2352(5) defines the practice of psychology. The psychology statutes restrict the lawful practice of psychology only to those who have been licensed by the LSBEP.

3.) The proposed LPC rules violate existing LSBEP rules previously approved by the Louisiana legislative oversight committee. LAC, Title 46, Part LXIII, Chapter 17, Section 1702A states that, "except as otherwise provided by law, psychological testing may only be administered and interpreted by a person duly licensed as a psychologist by this Board under R.S. 37:3215 et. seq., or by a person under the direct supervision of a psychologist."

4.) The proposed LPC rules violate the decision by the Louisiana First Circuit Court of Appeal in State of Louisiana v. Atterberry, 664 So2d 1216, 95 0391 (La. App. 1st Cir. 11/9/95). The proposed rules attempt to circumvent the protection to the public health upheld by the First Circuit's decision in Atterberry. Among other things the proposed LPC rules would change the name of permitted "appraisals" to the more expansive "psychological assessments".

5.) The proposed LPC rules would not protect the health, safety and welfare of Louisiana citizens. LPC's are not permitted to use "psychological tests" according to statute.

6.) The proposed LPC rules do not conform to national standards of lawful LPC practice. The proposed LPC rules are asserted to conform LPC policies and procedures to the latest revisions of the American Counseling Association (ACA) 2005 Code of Ethics. This does **not** mean that the proposed rules would conform LPC practice in Louisiana to national norms. The ACA is an advocacy group formed to advance interests of LPCs. To the extent that the ACA's 2005 Code of Ethics would permit LPCs to use psychological tests, describe their services as psychological, or otherwise engage in various aspects of the practice of psychology, this "Code of Ethics" violates statutory prohibitions in almost every jurisdiction in the United States and Canada.

7.) The proposed LPC rules will significantly impact the future practice of licensed psychology as a viable occupation in Louisiana, as well as cause much fiscal and economic disruption to numerous state and federal agencies and third-party payors. The proposed LPC rules greatly blur, if not eliminate, a major boundary between the licensed practice of psychology and the practice of licensed professional counselors.

On June 24, 2008, the LSBEP received a response to its objections from the LPC Board. The LSBEP found the response to be inadequate and unresponsive, therefore requesting its Attorney, Lloyd Lunceford, respond and request a formal hearing by the combined Senate and House Health and Welfare Committee.

On August 20, 2008, the combined House and Senate Health and Welfare Committee met to consider the rules proposed by the LPC Board. The LSBEP, represented by Dr. John Bolter, Ph.D., MP and Attorney Amy Groves Lowe, provided testimony before the committee. Mrs. Jaime Monic, the Executive Director, provided a handout of the substantive objections to the LPC Board by the LSBEP. As a result of the hearing, the joint House and Senate Health and Welfare Committee unanimously rejected the proposed rules based on their assertion that the proposed rules would expand the scope of practice for the LPC beyond what was authorized by statute. A Committee Report was published by both the House and Senate Committee on Health and Welfare, containing the final ruling in the Louisiana Register Vol. 34, No. 9 (September 2008).

BOARD MEMBERS

FAREWELLS AND INTRODUCTIONS



John F. Bolter, Ph.D., MP Completes Second Term on Board

After completing his second term on the Board from October 2004 to November 2008 the LSBEP says farewell to Dr. John F. Bolter. Dr. Bolter single-handedly managed his position as a member of the LSBEP while at the same time maintaining his practice as a Clinical Neuropsychologist as well as serving as the Director of the Department of Clinical Neuropsychology at the NeuroMedical Center; Clinical Assistant Professor for the LSUMC Department of Family Medicine; Medical Expert Witness for DHH Office of Hearing and Approvals; and Neuropsychology Consultant to DHH Social Security Administration and several other major hospitals in the greater Baton Rouge area.

Dr. Bolter brought energy and an expert knowledge to the LSBEP during a time when it was much needed. Among the most notable challenges during his tenure were facilitating the development and execution of rules for Medical Psychologists, and successfully representing the Board before the Joint Legislative Committee on Health and Welfare in opposing rules by the LA Board of Examiners of Licensed Professional Counselors which would have unlawfully expanded the scope of practice to include services limited to the practice of psychology. His service and dedication to the LSBEP could not be overestimated and neither could the appreciation of his fellow board members and the LSBEP staff!



New Member, Paul Dammers, Ph.D., MP

Dr. Paul Dammers has been a licensed psychologist in Louisiana since 1995 and received his certification to practice medical psychology in 2005. Dr. Dammers received his doctoral degree in clinical/medical psychology at Louisiana State University, and a master's degree at Wake Forest University in Winston-Salem, North Carolina. He completed his internship in clinical neuropsychology at Brown University in Providence, Rhode Island. Dr. Dammers has also completed post-doctoral training in psychopharmacology. He is licensed in both clinical psychology and clinical neuropsychology. Dr. Dammers joined The NeuroMedical Center as a neuropsychology fellow in July 1994.



New Member, Glenn A. Ally, Ph.D., MP

Dr. Glenn Ally has been a licensed psychologist in Louisiana for the past 27 years. Over those years, he has developed a successful private practice in Lafayette, Louisiana providing neuropsychological services in both the outpatient and inpatient settings. In addition to specializing in clinical neuropsychology, Dr. Ally received his certification to practice medical psychology in 2005.

For more than 15 years, Dr. Ally has provided psychological services to a large general hospital where he has been on active medical staff, working on an acute psychiatric unit and an acute physical rehabilitation unit. In addition, Dr. Ally consults medical staff at another large general hospital

in Lafayette, two long-term acute care facilities, and a free-standing physical medicine hospital. Since gaining prescriptive authority, he has contracted through the Office of Mental Health to provide services to the community mental health center.

In addition to Dr. Ally's years of experience in psychology, he has been deeply involved in our profession both at the State and national levels. He has been a member of LPA for 27 years, serving approximately 16 of those years as a member of the LPA Executive Committee and elected President of LPA in 1998. On the national level, he was elected by Louisiana psychologists to represent Louisiana on the APA Council of Representatives, serving the full two-term limit; elected to serve on APA's Committee for the Advancement of Professional Practice (CAPP); served as Chair of the RxP Committee for APA; and, served on the APA Grants Committee. Dr. Ally is currently a Board Member of APA's Division 42, the Division of Independent Practice, and largest division of APA, and serves as Secretary of Division 55.

"I'm really happy to be a member of the LSBEP. I look forward to working more closely with many of my friends and colleagues throughout the state in order to continue to make psychology a respected and progressive profession in Louisiana," Dr. Ally said. There are many challenges that face psychology in the immediate future and Dr. Ally brings to the board a wealth of experience in psychology in multiple settings and at both the state and national levels. His experiences as a medical psychologist also add a significant level of expertise to the LSBEP. We are pleased to welcome our newest board member!

New Rules and Rule Amendments

The following rules were promulgated effective July 20, 2008 in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. The LSBEP amended LAC 46:LXIII.103, 201, 403, and 813 and adopted LAC 46:LXIII.1201, 1203, 1205, 1207, 1209, 1211, 1213, and 1215. These rules pertain mainly to conducting criminal background checks on applicants for licensure and special certification, and one change to clarify the date a license is subject to lapse for non-compliance with continuing education requirements.

Chapter 1. Definitions

§103. Definition of Applicant for Licensure

A. An applicant is a person who submits to the board the required application fee and the complete prescribed application which includes evidence that the person:

1. is at least 21 years of age; and
2. is of good moral character; and
3. is a citizen of the United States or has declared an intention to become a citizen. A statement by the person, under oath, to apply for citizenship upon becoming eligible to make such application shall be sufficient proof of compliance with this requirement; and
4. holds a doctoral degree with a major in psychology from a university offering a full-time graduate course of study in psychology that is approved by the board with such requirements as designated in the board's rules and regulations; and
5. has a minimum of two years of experience practicing psychology under the supervision of a psychologist, one year of which may be a predoctoral internship as defined in the rules and regulations of the board and required as part of the doctoral degree in psychology as defined by the board and all other experience being postdoctoral; and
6. is not in violation of any of the provisions of R.S. 37:2351-2367 and the rules and regulations adopted thereunder; and
7. submits such number of full sets of fingerprints and fees and costs as may be incurred by the board in requesting or obtaining criminal history record information as authorized by R.S. 37:2372.1, and in the form and manner prescribed by the board's rules and regulations. The results of the criminal history record information search to be obtained, reviewed and considered acceptable by the board prior to admission to candidacy status.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:248 (August 1979), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1405 (July 2008).

Chapter 2. Reciprocity

§201. Licensure of Psychologists through Reciprocity

A. - B. ...

C. Applicants for reciprocal licensing must submit such number of full sets of fingerprints, or other identifiable information, and fees and costs as may be incurred by the board in requesting or obtaining criminal history record information as authorized by R.S. 37:2372.1, and in the form and manner prescribed by the board's rules and regulations. The results of the criminal history record information search to be obtained, reviewed and considered acceptable by the board prior to admission to candidacy status.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 23:861 (July 1997), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 27:723 (May 2001), LR 29:2075 (October 2003), LR 34:1406 (July 2008).

Chapter 4. Certificate of Prescriptive Authority**§403. Application for Certificate of Prescriptive Authority**

A. - A.4.g. ...

5. As a condition for eligibility for the issuance a Certificate of Prescriptive Authority the applicant must submit such number of full sets of fingerprints, or other identifiable information, and fees and costs as may be incurred by the board in requesting or obtaining criminal history record information as authorized by R.S. 37:2372.1 and in the form and manner prescribed by the boards rules and regulations.

B. - B.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2371-2378.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 31:70 (January 2005), amended LR 32:1228 (July 2006), LR 33:458 (March 2007), LR 34:1406 (July 2008).

Chapter 8. Continuing Education**§813. Noncompliance**

A. - B. ...

C. If the licensee fails to meet continuing education requirements by the appropriate date, the license shall be regarded as lapsed at the close of business July 31 of the year for which the licensee is seeking renewal.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2357.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 19:47 (January 1993), amended LR 32:1229 (July 2006), LR 34:1406 (July 2008).

Chapter 12. Criminal History Records Information**§1201. Scope of Chapter**

A. The rules of this Chapter govern the collection and use of criminal history records information in connection with applications for an initial license, renewal, or reinstatement of a license of a psychologist in conformity with R.S. 37:2372.1

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1406 (July 2008).

§1203. Definitions

A. As used in this Chapter, the following terms shall have the meanings specified.

Applicant—an individual who has made application to the board for the issuance or reinstatement of any license, permit, certificate, or registration which the board is authorized by law to issue.

Board—the Louisiana State Board of Examiners of Psychologists.

Bureau—the Louisiana Bureau of Criminal Identification and Information of the Office of State Police within the Department of Public Safety and Corrections.

Criminal History Record Information—information collected by the bureau or the Federal Bureau of Investigation of the United States Department of Justice or an individual consisting of detentions, indictments, bills of information, or any formal criminal charges and any disposition arising therefrom, including sentencing, criminal correctional supervision and release. Criminal history record information does not include information collected for intelligence or investigatory purposes nor does it include any identification information which does not indicate involvement of the individual in the criminal justice system.

FBI—the Federal Bureau of Investigation of the United States Department of Justice.

Licensure or License—any license, permit, certification, or registration which the board is authorized by law to issue.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1406 (July 2008).

§1205. Criminal History Record Information Requirement

A. As a condition for eligibility for the issuance of an initial license or the reinstatement of any license, an applicant must submit such number of full sets of fingerprints, other identifiable information, and fees and costs as may be incurred by the board in requesting or obtaining criminal history record information, in the form and manner prescribed in §1209.

B. The board will use the fingerprints to request and obtain criminal history record information relative to the applicant as provided in R.S. 37:2372.1.

C. The application of an applicant who fails to comply with the requirements set forth in §1205.A shall be deemed incomplete and shall not be considered by the board unless and until such requirements have been satisfied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1406 (July 2008).

§1207. Effect of Application

A. The submission of an application for licensure to the board shall constitute and operate as an acknowledgement and authorization by the applicant to any state or federal agency, including, but not limited to, the bureau and the FBI, to disclose and release to the board any and all state, national, or foreign criminal history record information; the submission of an application for licensure to the board shall equally constitute and operate as a consent by the applicant for disclosure and release of such information and as a waiver by the applicant of any privilege or right of confidentiality which the applicant would otherwise possess with respect thereto.

B. The submission of an application for licensure to the board shall constitute and operate as an acknowledgement and authorization by the applicant for the board's utilization of criminal history record information to determine his or her suitability and eligibility for licensure, and whether just cause exists for the board to refuse to issue, suspend, revoke, or impose probationary or other terms, conditions, or restrictions on any license held or applied for by an applicant in the state of Louisiana for violation of any of the causes specified by R.S. 37:2359 or 37:2360, and the board's rules respecting any such health care provider as set forth in LAC 46:LXIII.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353, 37:2356 and 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1407 (July 2008).

§1209. Procedural Requirements

A. In conformity with the substantive requirements of §1205, an application for licensure, whether initial, by credential, or reinstatement to the board, shall be accompanied by each of the following:

1. two or such other number of fully completed fingerprint record cards, containing all identifiable information requested, as well as certified sets of fingerprints which have been affixed by a sheriff, police officer, or other law enforcement personnel;
2. a check in the amount of no less than \$50 in satisfaction of the fees and costs incurred by the board to process fingerprint cards and to request and to receive criminal history record information from the bureau and the FBI.

B. Fingerprint cards and instructions pertaining thereto will be supplied by the board upon application.

C. An applicant shall be responsible for any increase in the amounts specified in §1209.A.2, which may be assessed by any state or federal agency, including, but not limited to, the bureau and the FBI, or for the fees and costs which may be incurred by the board in requesting and obtaining criminal history record information. An applicant shall also be responsible for payment of any processing fees and costs resulting from a fingerprint card being rejected by any state or federal agency, including, but not limited to, the bureau and the FBI.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1407 (July 2008).

§1211. Falsification of Criminal Record Information

A. An applicant who denies the existence or extent of criminal history record information on an application, which is discovered by information, records, or documentation provided by the bureau, FBI, or any other state, national, or foreign jurisdiction shall, in addition to the potential disqualification of licensure for any of the causes specified in §1207.B, be deemed to have provided false, misleading, or deceptive information, or false sworn information on an application for licensure, and to have engaged in unprofessional conduct, providing additional cause for the board to suspend or revoke, refuse to issue, or impose probationary or other restrictions on any license held or applied for by an applicant in the state of Louisiana culpable of such violation, pursuant to R.S. 37:2359 and 37:2360.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1407 (July 2008).

§1213. Confidentiality of Criminal History Record Information

A. Criminal history record information obtained by the board pursuant to R.S. 37:2372.1 and the rules of this Chapter, which is not already a matter of public record or to which the privilege of confidentiality has not otherwise been waived or abandoned, shall be deemed nonpublic and confidential information, restricted to and utilized exclusively by the board, its officers, members, investigators, employees, agents, and attorneys in evaluating the applicant's eligibility or disqualification for licensure. Criminal history record information shall not, except with the written consent of the applicant or by the order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency, provided, however, that any such information or documents which are admitted into evidence and made part of the administrative record in any adjudicatory proceeding before the board shall become public records upon the filing of a petition for judicial review of the board's final decision therein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychology, LR 34:1407 (July 2008).

§1215. Exceptions to Criminal History Information Requirement

A. The criminal history record information requirements prescribed by this Chapter shall not be applicable to a psychologist applicant who seeks:

1. a temporary registration issued in accordance with LAC 46:LXIII.

B. The criminal history record information requirements prescribed by §§1201-1213 may be waived in such instances as the board, in its discretion, may deem necessary or appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychology, LR 34:1407 (July 2008).

CONDOLENCES

To the family, friends, and colleagues of Dr. George Middleton, Dr. Thomas Washington, and Dr. Joel Abrahams, the LA State Board of Examiners of Psychologists wishes to express its sincere condolences for your loss.

2008 RENEWAL STATUS REPORT

May of 2008 marked the beginning of renewals for the 2008-09 fiscal year. At that time, Louisiana had a total of 640 licensed psychologists, (which number encompassed 20 Emeritus Status, and 45 credentialed Medical Psychologists).

At the end of renewals on July 31, 2008, the total population of psychologists in Louisiana was 632 reflecting a loss of 13 (1 deceased and 12 lapsed). Although the Board experiences a small loss of psychologists at each renewal period, the population of licensed psychologists has actually increased since last fiscal year by 32.

We appreciate the 315 psychologists renewing their licenses using the on-line renewal system offered by the LSBEP. We hope that the system was fast, convenient, and easy to use. Our goal is to continue to slowly improve that system as our budget allows.

Lapsed Licenses:

F. Merrit Ayad, #598	Nancy M. Brehm, #918	Barbara Cooper, #836
John M. Cornwell, #576	Suzanne M. Gabriele, #913	James R. Gay, #298
Elsie M. Gordon, #984	David J. Kutz, #949	William F. Martin, #614
Jerry A. Morris, Jr., #1001	Yvonne H. Osborne, #425	Lucien D. Rose, #942

Medical Psychologist Certificates Issued 2007-2008

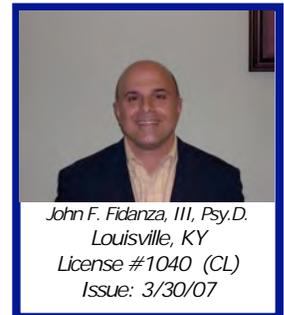
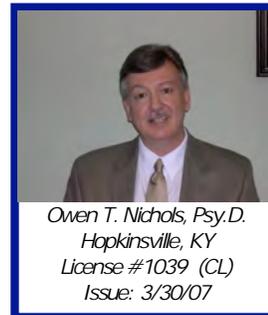
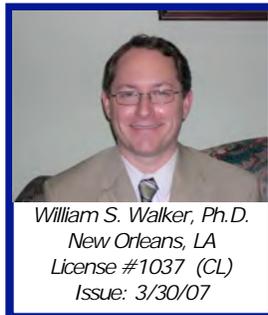
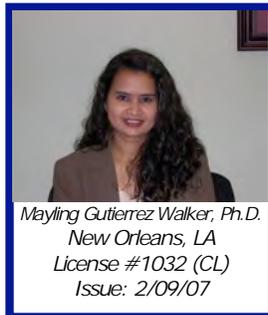
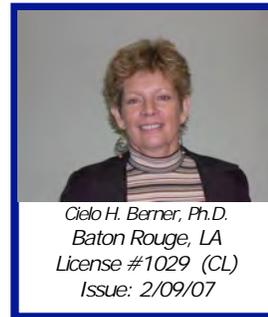
Issue Date	Name	Issue Date	Name
3/30/07	George Stephen Park, Ph.D., MP	3/30/07	James Douglas Calvert, Ph.D., MP
6/22/07	Leslie H. MacCardell, Ph.D., MP	7/13/07	Bryan Louis Bolwahn, Ph.D., MP
8/17/07	Lynette Heslet, Ph.D., MP	8/17/07	John F. Fidanza, Psy.D., MP
10/19/07	David K. Jackson, Ph.D., MP	12/26/07	Darlyne G. Nemeth, Ph.D., MP
1/25/08	David J. Williams, Ph.D., MP	1/25/08	James B. Pinkston, Ph.D., MP
6/20/08	Kelly Paulk Ray, Ph.D., MP	6/20/08	Victoria Witt, Ph.D., MP
7/25/08	Bryan C. Eckert, Psy.D., MP	8/22/08	Steven Marc Baskin, Ph.D., MP
8/22/08	Karen R. Speier, Ph.D., MP	12/5/08	Joseph John Sesta, Ph.D., MP

DISCIPLINARY ACTIONS

On July 25, 2008, **Richard McWhirter, Ph.D.** entered into a Consent Order with the LSBEP following an investigation of a complaint alleging violations of the Ethical Standards 2.01(a), 2.01(f) and 9.01(a) of the APA Ethical Principles of Psychologists and Code of Conduct (2002).

On December 5, 2008, **David E. Greenway, Ph.D.** entered into a Formal Reprimand and Consent Order with the LSBEP following an investigation of a complaint alleging violations of La. Rev. Stat. § 37:2359.B.(1), 37:2359.B (3), (4), (11), (12) and (13), and Ethical Principle C of the APA Ethical Principles of Psychologists and Code of Conduct (2002).

On April 9, 2009 the license of **Robert E. Angelloz, Ph.D.** was summarily suspended after Dr. Angelloz failed to appear for a meeting with LSBEP investigators regarding the investigation of a complaint alleging violations of La. Rev. Stat. §37:2359(B)(13). On May 10, 2009, the LSBEP held a hearing at which time the Board ratified the summary suspension and further ordered the license of Dr. Angelloz suspended for 2 years.

NEW LICENSEES 2007-2008

NEW LICENSEES, continued...



Monique M. Leblanc, Ph.D.
Baton Rouge, LA
License #1051 (CL)
Issue: 8/17/07



Alicia A. Bourque, Ph.D.
New Orleans, LA
License #1052 (CO)
Issue: 8/17/07



Angela Sue Breidenstine, Ph.D.
New Orleans, LA
License #1053 (CL)
Issue: 08/17/07



Baraka Whittington Perez, Ph.D.
Metairie, LA
License #1054 (CL)
Issue: 9/14/07



Andrew J. Thrasher, Ph.D.
Carlyss, LA
License #1055 (CL)
Issue: 9/14/07



Lillian M. Range, Ph.D.
New Orleans, LA
License #1056 (CL)
Issue: 10/19/07



Melissa Jeandron Aubert, Ph.D.
Metairie, LA
License # 1057 (CL)
Issue: 10/19/07



Jay T. Moak, Ph.D.
Jackson, MS
License # 1058 (CL)
Issue: 10/19/07



William M. Schmitz, Jr., Psy.D.
Baton Rouge, LA
License # 1059 (CL)
Issue: 11/16/07



Yolanda D. Crump, Ph.D.
Hammond, LA
License # 1060 (CO)
Issue: 11/16/07



Gaela S. Youngblood, Psy.D.
Shreveport, LA
License # 1061 (CL)
Issue: 11/16/07



Joy G. Nichols, Ph.D.
Shreveport, LA
License #1062 (CN)
Issue: 11/16/07



Michelle L. Niemeier, Ph.D.
New Orleans, LA
License #1063 (CL)
Issue: 12/07/07



William Ron Hill, Psy.D.
Gulf Breeze, FL
License #1064 (CL)
Issue: 12/07/07



Jamie C. Landry, Ph.D.
Hammond, LA
License #1065 (CO)
Issue: 12/07/07



Pamela B. Deters, Ph.D.
Metairie, LA
License # 1066 (CL)
Issue: 12/07/07



Cristy L. Cox Akins, Ph.D.
New Orleans, LA
License #1067 (CL)
Issue: 12/07/07



Mary P. von Witzleben, Ph.D.
Mandeville, LA
License #1068 (CL)
Issue: 12/07/07



Tiffany M. Stewart, Ph.D.
Baton Rouge, LA
License #1069 (CL)
Issue: 2/22/08



Glenn W. Ahava, Ph.D.
Lafayette, LA
License #1070 (CL)
Issue: 2/22/08



Emily Young Ibert, Ph.D.
New Orleans, LA
License #1071 (CL)
Issue: 2/22/08



Tonya S. Jackson, Ph.D.
Alexandria, LA
License #1072 (DV)
Issue: 2/22/08



Stacy T. Davis, Psy.D.
Lafayette, LA
License #1073 (CL)
Issue: 2/22/08

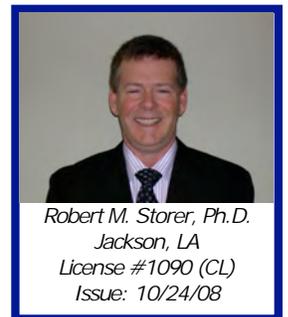
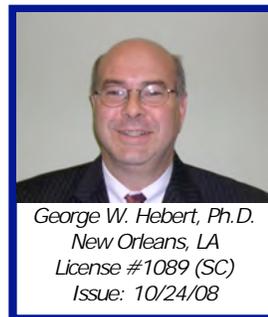
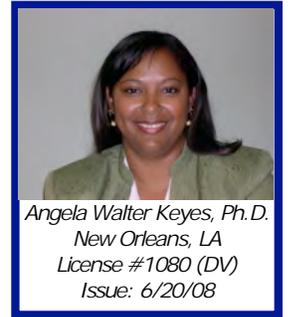


Rande L. Booksh, Ph.D.
Metairie, LA
License #1074 (CL)
Issue: 3/28/08



F. Cal Robinson, Psy.D.
Baton Rouge, LA
License #1075 (CL)
Issue: 3/28/08

NEW LICENSEES, continued...



Q&A

#1 Psychologist's Emergency Certificate

QUESTION: May a mentally ill person or a person suffering from substance abuse be detained by emergency certificate issued by a psychologist?

ANSWER: Yes, a mentally ill person or a person suffering from substance abuse, who meets the criteria for involuntary admission, may be admitted and detained at a treatment facility for observation, diagnosis, and treatment upon the execution of a **Psychologist's Emergency Certificate (PEC)**. This provision is granted under Chapter 28 of the Mental Health Law for those licensed psychologists who have engaged in the practice of a clinical specialty for not less than three years. The LSBEP recognizes that the specialties designated by this Board as clinical practice areas include Clinical, Counseling, School and Neuropsychology.

#2 Ordering Medical Tests

QUESTION: Can a psychologist order **Magnetic Resonance Imaging (MRI)**?

ANSWER: In 2004 the Board revised its "Opinion 011: Psychologist Ordering Medical Tests" which states that, "Except for Medical Psychologists practicing under the provisions of R.S. 37:2371-2378, it is generally advisable for psychologists to avoid ordering medical tests. This is particularly true if the psychologist is considered the primary caregiver. If the psychologist is the primary caregiver and has reason to believe there is physical pathology, referral to a physician is generally the appropriate course of action."

#3 Responding to Subpoena's

QUESTION: How does a psychologist respond to a **subpoena** or **subpoena duces tecum**?

ANSWER: Unfortunately this is not a question with a quick answer, and it is one that is received by the LSBEP frequently. This Board recognizes the conflict between the responsibility of psychologists ethical and professional obligation (to maintain client confidentiality and protect clients from harm) and the demands of the legal system. However, it is important to understand that the LSBEP is not postured to offer legal advice to its licensees on client matters, and would encourage its licensees to consult an attorney upon receipt of a subpoena or other legal process that requires or is likely to require disclosure of client records, test data, manuals, protocols, or other testing information to third parties.

APA published an article in *Professional Psychology: Research and Practice* (2006, Vol. 37, No. 2, 215-222), "Strategies for Private Practitioners Coping With Subpoenas or Compelled Testimony for Client Records or Test Data". The recommendations offered through this article may help alleviate some of the uncertainty in addressing these matters in your practice. The article address differentiating between responding to subpoenas, court orders and requests for records and clarifies that a response does not necessarily entail disclosing confidential information. This article may be downloaded from <http://www.edst.purdue.edu/CD/Psychology/PDF/LegalIssues-2.pdf>

Additionally, because it is extremely likely that a psychologist will address this issue at some point in his/her practice, the LSBEP encourages licensed psychologists' to seek a formal continuing education activity in this area as a part of ones continuing education requirements to fulfill the 2 hour biennial ethics/forensics requirement.