4/9/16 LPA Executive Council Meeting

In attendance:

Cindy Bishop – Executive Director

Dr. Lacey Seymour – President

Dr. Lucinda DeGrange – President Elect, Legislative Chair / Public Education Chair

Dr. Gail Gillespie – Secretary / Continuing Education Chair

Dr. Kim Van Geffen – Director / Professional Affairs

Dr. John Fanning – Director

Dr. Michele Larzelere – Publications / Federal Advocacy Coordinator

Dr. Darlyne Nemeth – APA Legislative Chair – APA Council of Representatives

Dr. Amy Henke - Director

Dr. Joe Tramontana – Immediate Past President

Dr. Carolyn Weyand - Treasurer

Dr. Urmi Jani – Diversity Chair

Not in attendance

Dr. Bryan Gros – Director

Dr. Michelle Moore – Director / Early Career Psychologist

9:15 AM Dr. Lacey Seymour called the meeting to order. Minutes from last meeting were approved. The next EC meeting will be July 9, 2016 at Dr. VanGeffen’s home.

Dr. Lacey Seymour – President – Drs. Seymour and DeGrange attended the mental health forum and reported that there was a lot to discuss for the legislative forum and the convention. Southeast Leadership Conference (SLC) was very informative and was attended by Drs. Urmi Jani, Michelle Moore, Lucinda DeGrange, Lacey Seymour, and LPA executive director Cindy Bishop. Informative conference ideas were discussed at the meeting.

Dr. Lucinda DeGrange – President Elect, Legislative Chair / Public Education Chair

Kevin Hayes, LPA’s lobbyist, called into the EC meeting to review legislation. Many cost containment bills are up. Republicans are trying to contain costs with DHH and Medicaid. It is being proposed that all healthcare providers are charged a 6% fee for network participation. Things that will be very problematic have already gone away.

LPA supported the position on the discipline bill HB 833 by Jennifer Coco, S.P.L.C. Commission of safe, supportive discipline act of 2016 related to requiring a review of suspensions practices, and makes the schools responsible for reporting suspensions. This was the result of studies that had taken place dealing with suspensions - research which indicates when students are expelled from schools it’s a track straight into the prison systems. The bill also encourages schools to use PBIS and hopefully disrupts the “cradle-to-prison pipeline”.

SB 209 and HB 252 are duplicate bills. This bill adds family therapists into the provision of current law allowing for provisional LMFT license if a crime was committed in their past. Ms. Bishop met with LSBEP executive director Ms. Jamie Monic, and LSBEP is very concerned with this bill and suggested it should be not supported. Mr. Hayes asked if LSBEP grants provisional licenses and Dr. DeGrange indicated if a person has been convicted of a crime, they can still be licensed as a mental health practitioner if the crime is not an act of violence, a felony, or a sex offense. This bill allows ex offenders to still be licensed. Dr. DeGrange indicated that – while LPCs were included, LMFTs were left out and want to be included. At present, LMFTs can’t maintain their license if convicted of any crime. Previously, the E.D. testified, 6 were granted a license, 4 weren’t – more so because they didn’t meet criterion for licensure versus the fact that they had committed a crime. LPC board of examiners added to be exempt from the statute, allow granting of licenses to ex offenders. This bill would put LPCs in line with other boards. Dr. DeGrange indicated that the LMFT board is exempt, and Mr. Hayes relayed that LMFT’s come under the LPC board. Mr. Hayes was unclear as to LSBEP’s concern and is interested in hearing the reason as to why the LSBEP is against this bill. It was determined that more information was needed to determine support of this bill.

HB 497 is dead.

HB 525 – Proceedings and judicial reports involving abuse. In some parishes, there are only a few judges that handle abuse cases in family court. They are having a difficult time trying to set a more expeditious way to handle this process. LPA does not need involvement in this bill.

HB 517 – Bakala’s bill allows for charging providers a 6% fee for being provider. Mr. Hayes spent time with Bakala this past Monday. He is trying to find monies to bring into Medicaid. Based on conversation, he will not move forward with that bill, which was deferred.

SB 36 – Excludes one from malpractice coverage if practicing outside of your area of expertise. Hayes said he wants to have a discussion on it, but at present the bill is not going anywhere.

HB 61 – LPA supports school psychologists being able to be rehired after retirement. Currently if a school psychologist is hired after they retire, they can’t get their retirement and also be paid for working, so there is no incentive to return to work. The passing of this bill would allow them to maintain retirement and be paid for working at the same time.

HB 552 was withdrawn.

HB 680 – Adding additional entities that have to go through background checks. Mr. Hayes’s concern is that there are solutions and ways for DHH to get more money, short of putting taxes on healthcare providers. Background check means money gained, then used to get a match from CNF of Medicaid dollars to supplement cuts made to healthcare providers. Mr. Hayes is trying to discuss how to generate more money. Healthcare providers have been cut 23%, according to CMF, which is one of the highest rate cuts in the country. State police doesn’t want to give up their money they receive for doing background checks. Mr. Hayes will try to figure out ways to stop healthcare providers from being taxed for their participation.

HB 732 – Representative Abramson is representing this bill, which requires private and public facilities to report psychiatric inpatient beds once daily. This bill would set the industry up to develop a web-based bed registry. Dr. DeGrange indicated two concerns –funding source and feasibility of this information to be updated daily. DHH has to do this, and if they can’t do it in-house, they will issue an RFP for someone else to do this. Dr. Henke said this process is not realistic, as people are admitted and discharged so frequently that the database would not be accurate. The concern is that children are being transferred out of state when there are beds available in state. Dr. Henke said she doesn’t know of any children who are transferred out of state. This bill will be monitored.

HB 762 – Representative Katrina Jackson is representing this bill, which deals with pregnant women and mental health counseling. This bill was begun because a woman who was pregnant was denied counseling. This bill requires providers to provide a referral as soon as is practical without unnecessary delay. Mr. Hayes indicated that there were lots of unanswered questions such as - What if they only have Medicaid, or by what mechanism are they referred, how would this work if a woman doesn’t have the financial capability to pay? Dr. VanGeffen indicated that they could be referred back to their insurance. Mr. Hayes said it’s the duty of psychologists to refer appropriately anyway. Dr. VanGeffen suggested no position at present, and for LPA to monitor this bill.

SB 309 – Provides relative to behavioral health services, and amends supervision requirements for addictive disorders in custodial environments. One person was doing assessments / practicing mental health services without a license in drug courts. This bill provides that one can’t render services unless licensed, certified, registered as an addiction counselors or with the LA Association of Mental Health Counselors. LPA is in support of this bill.

SB 210 – Allowing hiring of expert witnesses. Discussion with Mental Health Counselor’s Association. This bill is not a concern for LPA. LSBEP said clarification is needed. Exempts from licensure providers furnishing behavioral health services in court. Dr. DeGrange reported that this bill is related to SB 309. The thrust is that there are unlicensed people working in drug courts in rural areas making assessments unsupervised. Addiction people are asking for us to oppose this bill.

SB 236 – Relative to admission by PEC a person suffering from mental illness and substance abuse. Under current law, St. Tammany has a provision. 4 parishes shall apply – when a patient is transferred to another parish – a second PEC, when appropriate, shall be issued by the second facility. The coroner shall be notified and will have 72 hours to evaluate. Dr. DeGrange said that once a patient is transferred, another PEC timeline starts, and the patient has another 72 hours at the second location. Dr. Seymour said that a coroner told her yesterday that a second PEC does restart the 72-hour commitment. LPA supports this bill.

SB 239 – Provides for a proper venue for all administrative hearing against all professions. Where a defendant lives determines where one files. If one lives in a state different from the board examining their case, individuals on that board come to the licensee, versus the licensee coming to the board. LPA opposes this bill.

SB 317 – Provides relative to student behavior and discipline, against the use of seclusion and physical restraints with student with exceptionalities. LPA supports this bill.

SB 326 – Reporting to DCFS child abuse and neglect. There was a child who died in a group home. This requires more info from DCFS. LPA supports this bill.

HB 624- Bill by Representative Helena Moreno – Related to psychologists possession of arms in judicial proceedings. Reporting of firearm information in database. The bill, effective 1/17/16 shall report NICBC database name and other information, by reason of conviction of following – requires reporting abuse or battery, acquittal of reason of crime by insanity, no mental capacity to proceed – these individuals can’t possess a firearm. Clerk has to report the information to the supreme court. It’s on LSBEP E.D. Jamie Monic’s list because she perceives it as impacting licensed psychologists. 4th item on the digest says “behavioral health providers”. Mr. Hayes said if someone is inpatient it’s a law that they can’t possess a firearm.

SB 324 – Moves the age from 17 to 18 for juveniles to be convicted criminally as an adult. LPA supports this bill.

HB 862 – Representative Falconer. In St. Tammany parish a paraprofessional sued for injuries received at from a child with autism while in school. This bill limits liability of the family for anything a child does in a school setting. A school staff member can’t sue a family for injuries received in a school setting. LPA is in support of this bill.

HCR 24 – Urges the Office of Behavioral Health to raise awareness of dangers or abuses of inhalants. Ms. Monic asked for LPA to communicate our thoughts with her. Ms. Bishop will look at this bill.

Convention committee (Cindy Bishop and Drs. DeGrange, Moore, Gros, Gillespie, Nelson) – Ms. Bishop indicated that The Trust has given LPA $3500 for the cocktail party at the spring conference. Ms. Bishop has sent out a notice to presenters for what their technical needs are. Dr. Urmi Jani asked about the poster presentations, and Dr. Moore said she has only received eight poster submissions. Emails requesting submissions were reportedly lost or many didn’t received them. Dr. Jani said she knows students who would want to submit posters. Dr. Moore indicated that there has been no interest shown in the book sale. Last year LPA didn’t take a percentage of sales and will not this year either. Dr. Seymour suggested that authors could perhaps have a picture of their book and order forms or a list of where the book can be purchased, or have one book on hand for attendees to peruse, versus bringing a supply of books to sell. Ms. Bishop said the program is finalized and post cards for the conference have gone out. Still working on audio/visual, the party, and CE for LCSWs and LPCs. Ms. Bishop said there are only 10 registered thus far for the conference. Dr. Seymour said most state associations have a student representative, and suggested that LPA could perhaps ask if the student with the winning poster can be the student representative who attends SLC on behalf of LPA. Dr. DeGrange said that she found out at SLC that Russell Barkley presents and doesn’t charge much, and suggested he be considered for the fall conference. The last weekend in October in Baton Rouge was suggested as a date for the LPA fall workshop, and discussed was also setting a date for next year’s spring convention as well. Discussed was the business meeting to happen during the spring convention. The minutes of last meeting need to be approved at this meeting, as well as the LPA year in review. An agenda is needed for each committee member to discuss what was done through the year during the business meeting, which Dr. Seymour will present by powerpoint at the business meeting. Results of the LPA election will need to be announced. The membership is allowed to provide feedback or make motions from floor.

LPA’s Day at the Capitol was discussed. A table would be provided, and LPA needs an easel for the poster that Ms. Bishop had made, which Mr. Earl, her assistant, showed to the E.C. Ms. Bishop showed the E.C. blue stress balls purchased that LPA would give out to legislators. Dr. Moore indicated that there is a booklet to be handed out on how legislative staff can effectively handle stress. Dr. Nemeth suggested attaching something on top of the guide saying the booklet is from LPA. Dr. Seymour requested that the guide be sent to her and she’ll print it out. Dr. Nemeth suggested a lapel flower as an incentive for them to come to the LPA table. Dr. Nemeth suggested LPA provides legislators with a list of the LPA psychologists who would be available who could see a person the same day or the next day to provide consultation or referral. Drs. Gillespie and Larzelere expressed concern about the individual having an insurance in which the psychologist was not a provider, or if the LPA member wasn’t willing to be on the list. Dr. Nemeth said she would write something up for Dr. Seymour to review regarding her suggestion.

Diversity Chair – Dr. Urmi Jani indicated that SLC was inspiring, and she believes that there could have been so much done if she had gotten to attend earlier. There were a lot of students at SLC who were diversity representatives for their state association. She wants to develop a committee to promote diversity. Half of the student body at Xavier is diverse in background. Dr. Jani is stepping down from her position at Xavier and moving to Little Rock July 1, 2016.

Director / Professional Affairs – Dr. Kim VanGeffen attended the LSBEP public hour yesterday.

Dr. Phil Grillin indicated he and Dr. Nemeth will meet to revise the definition of the neuropsychology specialty. The LEBEP is considering putting the Juris Prudence exam online and allowing psychologists to take the exam for CE credit once every reporting period. There was discussion regarding the retention of documentation of continuing education. The new CPD rule requires that psychologists maintain their CE certificates for six years, which will provide psychologists the ability to document CE in the case of a complaint. The board noted that psychologists are not required to maintain a paper copy of their certificates, but can scan them into the computer for retention. There was discussion of the issue of registration of specialty designations. The Board is considering how this issue might be handled in Louisiana in the future, as most states do not allow for specialty designations. The Board will be gathering information on how other states handle this issue.

Dr. John Fanning – Director – No report

Publications / Federal Advocacy Coordinator – Dr. Michele Larzelere. At SLC there was discussion about the LPA newsletter. Dr. Larzelere indicated that LPA doesn’t get much response from it, and discussed transitioning to a blog instead. LPA is in favor of this, and Dr. VanGeffen said EC members should submit information for the blog or web or eblast. Dr. Larzelere indicated that LPA should do one more newsletter and notify the membership this will be the last newsletter. Dr. Nemeth moved that we inform the membership of this. Dr. Seymour said it’s relatively easy to learn how to post blogs. Dr. Larzelere reported that APA is trying to develop more advocacy training at the student level, to understand how to advocate for the profession. Each association should have a group of students affiliated with APA and the graduate association. They can partner to do an advocacy training every one or two months. LPA can submit our association as being in agreement to do this. Next year when legislative day happens it was suggested that LPA has a student advocate at the LPA table.

Director / Early Career Psychologist – Dr. Michelle Moore. Dr. Moore is not submitting a self-nomination to return as a board member, but still wants to be involved and wants to remain the ECP chair. She is connected on the listserv and will continue to share information that is posted about early career psychologists.

APA Council of Representatives – Darlyne Nemeth, Ph.D., M.P. Dr. Nemeth indicated that she would be training the person who is elected into the C.O.R. position. The Hoffman Report has been bad press for APA. There is a major conflict between the peace psychologists (Division 48) and the military psychologists (Division 19). When Dr. Tony Puente takes over as president, Dr. Nemeth suggested that he hires an official parliamentarian for Council meetings. The February Council Meeting started very early and went late into the night, which was exhausting.

Minority delegates, who had been refused voting seats on Council in the past, exploded because of comments made by an expert on group process – a cultural anthropologist-who was unaware of how to properly refer to the various Apache Indian nations who lived in the West. Dr. Nemeth suggested that the diversity delegates should be seated on Council with a vote and that a bylaws change would be required to do so. If the APA sends out a proposed bylaw change to the general membership, they do pro and con statements. Every time a “con” statement is issued, the bylaw fails to pass. Dr. Nemeth suggested that the con statement should be eliminated.

The Hoffman report is flawed and an addendum to the report was needed. Seven people on the APA Board of Directors made the decision to rehire the same individuals to redo this report. In the past, the focus was on prosecution, rather than objectivity. Several council representatives, including Dr. Nemeth, objected to this Board decision. As a result of the Hoffman report, APA had to spend millions of dollars buying people out of their contracts. Payouts amounted to millions of dollars for those who had to leave because of improper conduct. APA spent and has to continued to spend more money on this, and now APAPO is broke. APAPO advocates for psychologists, while APA advocates for psychology and can’t involve themselves in advocacy. APAPO is where our support and legislative activity comes from. Katherine Nordal and Monica Kurylo are in charge. Dr. Nemeth advised Dr. Puente to stay out of the Hoffman report because he was not involved, and the problem is not solvable.

Dr. Nemeth has proposed a Resolution to eliminate the use of GRE cut off scores as a barrier to admission into doctoral programs in psychology in order to enable more minority and disadvantaged students to be accepted. Individuals who are Caucasians and Asian are typically the only ones who meet this cutoff. Xavier has lowered the GRE cutoff because they want to be able to accept minorities. Dr. Jani says CE opportunities should also include diversity.

Accomplished was that the diversity chair’s way is now paid to certain APA events. LPA used to have to pay their own way, and now, thanks to Dr. Nemeth’s efforts, APA covers a majority of expenses for state council representatives. Dr. Nemeth has one more meeting left (August 2016) as APA Council Representative. She has encouraged APAPO to assist LPA in whatever way is possible. Ms. Bishop said APA has lost 45% of its membership over this IR Report. Dr. Nemeth gave the EC her APA Council of Representatives report from the February 2016 meeting (see attached). Ms. Bishop said for all states who received $11,000 this year from APAPO, APAPO had to dip into their reserves to support these endeavors.

Dr. Nemeth said she wanted LPA to look into a contract received by her colleague, Dr. Jennifer Volz. This contract, from East Baton Rouge Parish school system, bans Dr. Volz from going into the schools to observe unless she turns over all information received to the schools once she has completed the case—a violation of confidentiality. Dr. Nemeth asked if others knew of any other parish that has a similar contract. Dr. Seymour indicated that every school system has the ability to set their own standards. Dr. Nemeth said we need to oppose this contract. Ms. Bishop said she’ll talk to Mr. Hayes, but there is also an attorney for EBR parish. The LA Association of School Boards needs to know about this. Dr. DeGrange said there was something that passed in the legislature regarding charter schools having to store all information on students securely. Dr. Seymour reported that St. Tammany Parish makes psychologists sign a confidentiality waiver so that there are no HIPAA violations. Lincoln Parish reportedly eliminated all outsiders from entering the schools.

Dr. Nemeth was invited to be the keynote speaker at the first International Congress of Mental Health in Moscow, Russia, sponsored by the World Health Organization, the Russian Federation of Mental Health and the European Federation of Mental Health. All expenses are paid and Dr. Nemeth will be presenting a keynote speech on “Building Individual and Community Resilience in this Age of Depression and Environmental Trauma.” She will also review some of this information during her workshop on resilience regarding Hurricane Katrina at the LPA spring conference. Ms. Bishop suggested that Dr. Nemeth submit this information to the LPA newsletter, along with notice that Dr. Tramontana was nominated for secretary of the American Society of Clinical Hypnosis.

Dr. Nemeth nominated Dr. Susanne Jensen for the Distinguished Psychologist Award. Many may not be aware that Dr. Jensen was Co-Founder of the Phone, now the Baton Rouge Crisis Intervention Center. She served as the Director of the LSU Mental Health Service for approximately 20 years. She served on the Louisiana State Board of Examiners of Psychologists (LSBEP). During her years at LSU, she trained many of the psychologists who are now in practice. She is an outstanding group therapist, having won many international, national, and local awards for her expertise and mentoring in this regard. She was a part of the resilient distinguished psychologists panel at the LPA conference last year, and helped to secure our keynote speaker, Dr. Judith Brun. Thus, she has been a loyal member of LPA throughout her distinguished career. Dr. Nemeth suggested that a list be compiled of those psychologists who have received the Distinguished Psychologist Award in the past—perhaps a request can be put out on the listserve in this regard. Ms. Bishop suggested giving an award to Bill Cassidy for all he did for psychology, and all were in favor of this.

Director - Dr. Amy Henke – No report.

Election’s Committee - Dr. Joe Tramontana – Regarding council of representatives voting, Ms. Bishop reported that LPA has two nominations – Drs. Carolyn Weyand and Dr. Michelle Larzelere. APA requires two names. April 15 to May 30 will be the election for this position.

Monday night Dr. Tramontana sent a form to the LPA membership for elections to the EC and there was no response as of Monday, per Sarah. There has been one nomination for Early Career Psychologist, and none for Distinguished Psychologist. Dr. Henke said she knows someone who will self-nominate, Dr. VanGeffen indicated that she will renominate herself as director, and Dr. Weyand will self-nominate for position of president. Ms. Bishop suggested the board looks at the bylaws. Deadline for elections is April 15, and LPA will extend nominations until April 19, 30 days before the annual meeting on May 20, 2016.

Ethics – Dr. Lee Matthews was unable to attend the E.C. meeting, but sent a summary of some legislative bills. Drs. Matthews and Seymour are scheduled to confer this week by phone on various bills.

Treasurer - Dr. Carolyn Weyand referred to Ms. Bishop’s financial report (see attached). $18,000 is in the LPA checking account, which is much better than the amount there this time last year. $5202 in savings, and two $10,000 CDs. There is an $11,000 check coming from APA’s donation, which must be publicized in our newsletter. This money has to be spent in a certain way - part for the annual meeting, part to change the LPA website, and part to increase the retainer for the executive director. No legislative grants.

Membership – Dr. Bryan Gros – 136 active members as of today, and 21 new members this year, even after raising dues. One corporate member. It was suggested that LPA solicits drug companies for grants. Dr. Nemeth is having lunch weekly for the next 6 weeks with six different drug companies and will discuss this with them. $31,740 collected in membership from start time to now. 77 former members have yet to renew and March 31 is the drop date. Ms. Bishop asked Dr. Gros to not drop them from the listserv so that LPA can advertise to them. Dr. DeGrange asked about automatic renewals, but Ms. Bishop said there are liability concerns as a result of storing credit card information in the data base. At SLC some states provide a check box where they can opt out of automatic renewals. Ms. Bishop is going to check with SESPA on the listserv about this. Sarah will provide the board the list of nonrenewed people so that the E.C. can see who hasn’t renewed so the E.C. can reach out to them personally. LPA paid $1000 for the list of emails of psychologists, and there are 700 on this list. A number of the EC board members are not on the list, and psychiatrists are also on the list. For this reason, Ms. Bishop said that they are redoing the list. It’s guaranteed or LPA gets their money back.

CE Chair / Secretary – Dr. Gail Gillespie is in the beginning process of filling out applications for LPCs and LCSW’s for CE for the upcoming conference. Regarding the Speaker’s Bureau –Dr. Gillespie asked the E.C. if there were any EC members interested in being on a list to be available to provide presentations in the community to various groups needing a presenter for mental health information to email her. Dr. VanGeffen indicated that there was a rule published by the LSBEP in which anyone presenting a new presentation at a workshop could only receive twice the number of CE hours that their workshop was, versus the previous-awarded four times the amount. Dr. Henke suggested that LPA takes a formal position on supporting presenters receiving four hours versus two. When the LSBEP put forth the changes in CE it was based on a former board member adopting all suggestions ASPPB made. At LSBEP’s long range planning meeting last year, the CE were discussed in detail, as the way in which they were currently written were tedious. Dr. VanGeffen received details from LPA members and provided commentary to the board, and LSBEP was in agreement with all of the recommendations LPA made. While the board does agree that presenters receiving four hours seems appropriate, the rule was already published. To delay for this would change all of the rules. They will put this on the agenda for the next long-range planning meeting. Ms. Bishop believes that there is a way to change it without repromulgating the entire rule. Ms. Bishop will write a letter saying LPA supports four times the CE, versus two. Dr. Henke motioned for the letter and Ms. Bishop said she shall send a letter of support for this change. Dr. Henke said we should get clarification as to why there was a timeline of April 9 at noon suggested by Dr. Nelson regarding LPA members to email the LSBEP in support of this.

New Business:

Dr. Gillespie suggested setting a date for the board retreat. Dr. Seymour suggested that – due to time restraints for the EC meeting – this be discussed by email.

12:00 – the E.C. meeting was ended.