

**CERTIFIED PSYCHOANALYSTS ADVISORY COMMITTEE
124 HALSEY STREET, NEWARK NJ 07101
MORRIS CONFERENCE ROOM, 6TH FLOOR
9:30 A.M., WEDNESDAY, APRIL 6, 2005**

OPEN SESSION MINUTES

I. CALL TO ORDER

Committee Chair, Patricia Bratt called the meeting of the Certified Psychoanalysts Advisory Committee to order at 9:30 a.m.. Dr. Bratt announced that in accordance with the Open Public Meetings Act, adequate notice of this meeting was sent to the Secretary of State, The Star Ledger, The Trenton Times, The Bergen Record, The Courier Post and The Atlantic City Press.

II. ROLL CALL

Present

Patricia Harte Bratt, Ph.D., Chair
Vicki G. Semel, Psy.D.
Jerome J. Rosenberg, Ph.D., Vice-Chair
Delores Johnson, M.D. (Public Member)

Absent

Marien Tartak Colon (Public Member)

Announcement of Quorum

Dr. Bratt stated that a quorum of all appointed Committee members was present.

Also Attending

Joyce Brown, Deputy Attorney General
Elaine L. DeMars, Managing Executive Director
Anthony Miragliotta, Division Deputy Director
Danielle Swenson, Regulatory Analyst
Lucy Chalet, Administrative Staff

III. REVIEW OF MINUTES

Upon motion made by Dr. Delores Johnson and seconded by Dr. Vicky Semel the Committee voted unanimously to approve the minutes for the February 23, 2005 public agenda meeting as presented.

IV. PUBLIC COMMENT

Managing Executive Director DeMars welcomed three members of the public and provided an explanation of this segment of the meeting. While the comment period for the proposed regulations, N.J.A.C. 13:42A ended on February 4, 2005, those in attendance were invited to briefly address any concerns to the members of the Committee. Ms. DeMars advised that the Committee is not obligated to respond, but may ask for clarification of the issues raised and will take all comments into consideration.

Dr. Irwin Badin, Licensed Psychologist, Director of the Institute of Psychoanalysis and Psychotherapy of New Jersey (IPPNJ)

Dr. Irwin Badin provided a description of IPPNJ and its membership. He expressed the concerns that he and many others have with the proposed regulations. Of primary concern is the issue of the once a week personal psychoanalysis requirement that has been stipulated for the applicants who seek State certification. Dr. Badin reported that the entire psychoanalytic community, with minor exception, finds that in the interest of public protection, the once weekly criteria is much too lenient. He emphasized that the prevailing wisdom, state-wide, nationally and across the globe, is that people who say they can do psychoanalysis are people who have had a much more extensive period of personal psychoanalysis. According to Dr. Badin, almost all other training institutes consider the minimum of 3 times a week if not 4 or more times a week for personal psychoanalytic experience. He related that there is a distinction made in training people to be psychoanalysts versus psychotherapists, with the latter requirement being the more lenient. For those seeking training as psychoanalysts, institutes require a much more extensive personal experience. The essence of being a psychoanalyst and providing psychoanalysis is to provide an in-depth personal exploration of oneself, typically at multiple times a week.

Dr. Baden referenced the right of licensed mental health professionals to provide psychotherapy. He opined that the current law is written without distinctions between psychotherapy and psychoanalysis and the effect of minimizing the difference. It appears to him that the regulations that have been developed are much more reflective of a political process and an extreme minority school of thought within the psychoanalytic community rather than an attempt to thoroughly protect the consumer and insure that the people, who are in fact certified, have a rich and in-depth training experience.

In closing, Dr. Baden thanked the Committee and expressed his hope that the Committee would consider his perspective.

Dr. James G. Garafallou, Dean, Contemporary Center for Psychoanalytic Studies, Fairleigh Dickinson University.

Dr. Garafallou expressed his agreement with the comments provided by Dr. Badin adding his estimate that the institutes represented by the three men present probably train the bulk of psychoanalysts in the State. The faculty of those institutes have been trained in New York and New Jersey and the institutes abide by very similar guidelines that are nationally and internationally accepted and in operation for many years. Dr. Garafallou emphasized his concern with the issues regarding the personal psychoanalysis requirement and supervision.

He also addressed the examination requirement, inquiring how the examination will be created and administered. Dr. Garafallou expressed concern that the standards and procedures included in the current proposal do not meet those of the programs that require a higher level of training.

The lack of a "grandfather" provision is of concern as there are analysts who have trained at several significant institutes around the country and there is no idea what status that would afford. Dr. Garafallou stated that he is very concerned since everything that he has seen to date seems very much at variance with that which is known about psychoanalytic training.

Another concern is the issue of representation on the Committee and the Committee's efforts to disseminate information regarding the statutory and regulatory process. He reported that the psychoanalytic community at large is just getting mobilized around the issues and acknowledged a level of responsibility. There is, according to Dr. Garafallou, a general perception that the process has a secretive quality. He asked that the Committee be fair-minded on the issues raised to both protect the analysts in the state and the consumers who are going to be analyzed by them through an increased level of representation of the institutes. Dr. Garafallou expressed his desire that today's exchange will not be accepted as adequate as additional issues will emerge and requires a forum to voice those concerns. As an alternative to representation on the Committee, he requested ongoing communication with the various institutes as they represent the bulk of psychoanalytic training in the State. Dr. Garafallou concluded by thanking the Committee for the opportunity to address the issues of concern.

In response to the request for information and communication, Ms. DeMars referred the three members of the public to the Committee's Web-page which will be updated with relevant information, announcements, agendas

and ratified minutes. Regulatory Analyst Danielle Swenson advised that their names and the names of any others they suggest will be added to the notification list.

Dr. Richard Reichbart, Licensed Psychologist, member of IPNJ (past Board member) and Secretary of the New Jersey Psychoanalytic Society, member of the American Psychoanalytic Association and a member of the International Psychoanalytic Association.

Dr. Reichbart stated that his principal concern is the issue of the personal psychoanalysis frequency requirement. Although his training required 4 sessions a week, 3 times a week is now accepted as a standard for training. The Consortium which is composed of the National Association of Social Workers and the American Psychological Association, Division 39 and the American Psychoanalytic Association all maintain the standard of 3 personal psychoanalytic sessions per week. The standard is the same for the International Psychoanalytic Association, the American Psychoanalytic Association and a number of institutes in New York City. This standard is world-wide even though there are literally thousands and thousands of people that follow the 4 times a week standard. Dr. Reichbart emphasized the minimum frequency saying that it is necessary in order to work with people who can be quite disturbed, under very emotional circumstances and the issues of transference so analysts react in a way to the benefit of the client who is seeking fundamental changes. Dr. Reichbart expressed his concerns that New Jersey is at risk of misleading the consumer who will not know the difference between a state certified psychoanalyst or licensed mental health practitioner who practices psychoanalysis under that license. He opined that there appears to be a distinction between a state certified psychoanalysts and a licensed psychologist or medical doctor who also practices psychoanalysis. He stated that the certificate may mislead the public.

Dr. Reichbart expressed concern that institutes in which the Committee members are involved, do not require the 3 times a week frequency. He feels that there is a real problem in having just one small group make the law. He suggested that all the men in attendance have the minimum frequency in common, regardless of the school of thought. The intensive work is something that defines psychoanalysis. The reason, he stated, is that it is very difficult to do good job with a patient unless you have been fully analyzed in your training and you have had work with a supervisor. He opined that if New Jersey doesn't change that aspect of the law, it will be out of step not only internationally and nationally but with the institutes in New Jersey and the people at the psychoanalytic society. To exclude this from regulations is to reflect the thought of a very small group of people who may not hold that particular standard as important.

Dr. Reichbart questioned the composition of the Committee, emphasizing that the lay (public) membership should be a total of two in addition to the four psychoanalysts. Regulatory Danielle Swenson explained that the non-psychoanalyst members are referred to as public members.

Ms. DeMars provided a brief explanation of the Committee/Board member appointment process and the responsibility of the Governor's Appointment Office to make initial appointments and fill vacancies. Mr. Miragliotta noted that while the professional vacancy has existed for quite sometime, the law requires that all replacements be Certified Psychoanalysts and since the certification process can only be initiated following the adoption of regulations, the vacancy cannot be filled prior to commencing the certification process.

In response to questions regarding the issue of the frequency requirement for personal psychoanalysis and the decision-making process, Deputy Director Anthony Miragliotta recollected discussions during the regulatory process and offered that records may or may not reflect the extent of the discussion. Since, however, it has been raised as part of the comments, the Committee has an obligation to respond. Mr. Miragliotta also noted that as a non-expert, if the issue was not raised during the process, he would accept the proposal provided by the Committee. If, however, the general public says, "wait a minute once is not enough, 5 times a week is better," then a call has to be made. The Committee has been entrusted through this legislation to make those judgements, however, the process allows for public comments and the Committee will take all comments into consideration. Finally, he emphasized the fluidity of the process allowing for future revisions to the regulations should the need be recognized.

Regulatory Analyst Danielle Swenson reviewed the process following the notice of proposed legislation,

enactment and rule making. She noted that the process of codifying the statute has gone on for several years and there were no comments or questions received. Ms. Swenson also requested that she be provided with additional names for inclusion on the distribution list.

V. CERTIFICATION MATTERS

Application for Certification

The review of revision made to the Application for Certification was tabled for a future meeting.

VI. EXECUTIVE DIRECTOR'S REPORT

Copy of the Division of Law Billing - The quarterly report of costs was accepted as informational.

VIII. MEETING DATES FOR 2005

05/04/2005

09/07/2005

06/15/2005

10/05/2005

06/29/2005

11/02/2005

08/10/2005

12/14/2005

At 2:00 p.m., motion was made by Dr. Rosenberg, seconded by Dr. Semel to adjourn the meeting. All voted in favor of the motion.

APPROVED:

Patricia Harte Bratt, Ph.D.
Chair Date