



New Hampshire Psychiatric Society

Newsletter

Winter 2015

We exist to bring together psychiatrists to work for the benefit of our patients and our profession.

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JOIN US May 6

Please join your colleagues at the N.H. Psychiatric Society's Annual Spring Meeting, Awards Dinner & Scientific Presentation

May 6, 2015 at 5:30-8:30 p.m.
Lake Sunapee Country Club
100 Country Club Lane
New London, N.H.

Presentation by:
Kevin Hill, MD, MHS

President's Message

Four years ago I took up the reins as Society President with hope and eagerness.

I was eager to work with our members, our executive committee, and our sister medical societies to meet the mental health crises of our day. Lengthening wait times for hospitalizations, billing and coding rule changes, CMHC budget cuts, the ACA, and a looming federal legal action on mental health access all presented certainty of change, and we all knew that psychiatrists needed to be part of that conversation.

But I was also hopeful that New Hampshire's psychiatric community was ready to reconnect. We have been growing our annual meeting, reaching out to residents, and bringing members together through special events over the past four years and I hope that many of you have found in our Society reasons to be proud of our NH psychiatric community.

After this year, I will continue to serve you and the Society as the legislative liaison. I encourage you to let me know about issues that matter to you and your patients, as I work with our representatives in Concord on behalf of our patients and our profession.

Announcements:

This year's Leadership Award recipients are...



Alex de Nesnera, MD



Rep. James MacKay, MS, MSW, PhD



Jeffrey Fetter, MD

Guardian *ad litem*

Ken Cohen, MD

In most cases, divorce is a time limited traumatic experience and when child custody is not involved; the process can be relatively benign. Furthermore, the vast majority of divorcing parents navigate the challenge of redefining their lives and those of their children with a minimum of trauma.

However, in cases where the level of contentiousness, vitriol and acting out is more severe and children are presenting behavioral and emotional distress, the family court will sometimes assign a Guardian ad litem (GAL). In New Hampshire, the GAL is the eyes and ears of the bench, assigned to investigate and advise how best to understand and serve the best interests of the child. Although the GAL works for the court, in most cases, payment for the GAL's services is assigned to the parents.

As the high conflict divorce crisis unfolds, the family system flails about. Lawyers trained to work in an adversarial system often fan the flames of guilt and blame; feelings of heightened vulnerability and fear results and ricochets through the family system, uprooting the child's emotional anchors.

Overwhelmed by a flood of new social, emotional, economic and practical challenges, divorcing parents often struggle to attend to the impact of the emotional disruptions on their children.

In 2013 a total of 4,995 divorces, separations and annulments occurred in NH with 4,998 children experiencing their family's divorce. No data has been culled to determine the percentage of children placed with a GAL.

The legal process can acutely escalate simmering sadomasochistic conflicts between the parents. These dynamics usually remain under the radar coming to attention now and again in the form of restraining orders, child protection complaints and ex parte motions. The children live in this reality. Children are the canaries in the coalmines and become symptomatic as the family issues persist and escalate.

In some high conflict divorces, emotional and/or physical domestic violence occurs behind closed doors. The family system becomes a "failed state" acutely inflamed by narcissistic injuries, rage at

abandonment/betrayal and escalation of the couple's ongoing dysfunction leaving the children caught in this vicious crossfire.

It is common to find that one or both parents can be insensitive to the impact their poor behavior is having on their children. Alienation of affections is an unfortunate dynamic whereupon a child's emotions towards the other parent are negatively triangulated. The victimized parent often looks to the court and the GAL like the more disturbed person since s/he is more emotionally reactive to the furious projections of their spouse and the harm they witness to their children.

Clearly, these families present with complex and challenging emotional conflicts and more primitive behaviors. For a trained mental health professional, these families in crises present symptoms equivalent to "intensive care" level of severity.

Accurately assessing the family system dysfunction and navigating through the psychological war zone requires significant skill and training.

To become certified by the NH GAL Board, an applicant is required to have at least an associate's college degree, complete a course instruction in both general and specific area of the court process, pass a criminal background check, submit an essay on why they feel they should be a GAL as well as provide positive personal references. Applicants must not be listed on NH's DCYF registry of found cases of abuse or neglect.

No training in psychology, child development, systemic family therapy, domestic violence or any other areas of mental health training is required. The only member of the GAL Board with any mental health connection is a Child Protection Agency representative, currently the Executive Director of the Nashua Children's Home.

Guaranteed fee for service payment as assigned to the parents by the court, GALs are indemnified from malpractice suits but can have complaints lodged with the Board potentially resulting in punishments or expulsion.

Astonishingly, the untrained GAL has full authority and responsibility to intervene and recommend decisions to the court.



Continued...

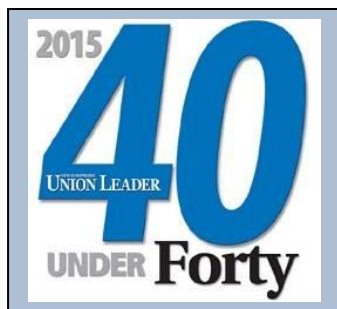
Guardian ad litem cont.

Although the court and/or the GAL can request expert testimony and recommendations, the GAL is not obligated to defer to the opinions or recommendations of experts in rendering a decision.

No doubt, most GALs are well-intended individuals. However, the lack of training, a poor understanding of boundaries and the potential leakage and projections of the GAL's own psychological issues onto his/her perceptions of the family can be damaging and result in child endangerment.

In an effort to address these issues, a committee of professionals is forming across mental health disciplines to discuss and recommend changes. If you are interested in joining the list serve to add your voice as well as participate in the discussion, please send your email address to: kenhcohen@comcast.net.

Matt Davis: A calling to serve patients who can't advocate for themselves



Matt Davis' future in medicine took an unexpected turn during his psychiatric rotation as a medical student.

The aspiring surgeon changed course. Davis saw a greater need in patients suffering from mental illnesses — a diagnosis that continues to carry a stigma despite significant strides in awareness. He is now Dr. Matt Davis, staff psychiatrist at New Hampshire Hospital in Concord, and remains every bit as compelled to improving lives disrupted by mental illness.

"It's something I certainly feel passion about — doing things that will ultimately serve the patients with severe mental illnesses who are often unable to advocate for themselves," Davis said.



* The Union Leader's 40 Under Forty program recognizes some of the state's brightest young achievers who have a record of professional and volunteer accomplishments in New Hampshire.

Matt Davis cont.

Davis said the patients he encountered during his psychiatric rotation reminded him of some of the people he met while volunteering at a shelter when he was a student at Manchester High School Central.

Davis graduated from Central in 1998. He studied public policy and chemistry at Duke University, then attended medical school at the University of Rochester with the intention of becoming a surgeon. While medicine was still his calling, Davis said he was compelled to refocus on a different specialty.

"It just kind of opened my eyes. 'This is what I'm meant to do,'" Davis said. "I spent time talking to them and I found I have a lot more in common with these people than I realized. They're human beings and they're often, I feel like, dehumanized. It struck me that would be a way I could be a physician and also do more for people I felt this connection to."

Davis still feels the connection, which he said is reaffirmed every day he works at the state hospital. While some patients are dealing with overwhelming conditions that even the latest advances in psychiatry can't help, Davis said most others are capable of leading relatively normal lives — provided they receive the necessary care.

"I think there's a lot more that we as a society could do for folks with severe mental illnesses to enhance their quality of life and to have them be a greater part of the functioning society," Davis said. "This should be a setting of last resort and unfortunately I think with some of the deficiencies we have in our mental health system in New Hampshire, it's leaned on a little bit too much."

Davis said a significant hurdle yet to be completely cleared has been in public perception. Mental illness is too often associated with potential dangers to society, Davis said. News coverage of violent and horrific incidents are attributed to a mental affliction, which Davis said only reinforces the stigma. If the person was suffering from diabetes or cancer, Davis said there would be a much different image portrayed in the news coverage.

DOUG ALDEN

New Hampshire Union Leader

Published Jan 26, 2015 at 3:00 am (Updated Jan 25, 2015)

Matt Davis, MD is currently the NHPS Treasurer

Legislative Update

NHPS is actively tracking several bills this year.

- **HB 422** is a bill allowing PAs a number of expanded powers including IEA authority.
- **HB 232** requires CMHC staff to receive training in suicide risk assessment, treatment, and management and establishes a commission to study suicide prevention training.
- **HB 330** establishes an oversight commission for medical cost transparency.
- **HB 337** states that in the event of a conflict between the wishes of a patient's family and the patient's bill of rights, the former will prevail when treating an incapacitated patient.
- **SB 114-FN** enables a driver's license applicant to indicate on his or her license that he or she has an autism spectrum disorder.
- **HB 489** allows a civilly committed patient to annul his/her mental health record (meaning the court proceedings).



- **SB 23** allows advanced practice nurses to authorize involuntary commitment to state institutions.

Please contact me at jfetter@mhm-services.com if you have comments to share, or write to your representative or senator. You can find your representatives in Concord at the General Court website <http://gencourt.state.nh.us/>.

Writers Wanted

The NHPS Newsletter staff welcome content from our readers. Please consider sharing your thoughts and words about psychiatry in 2015 and the future with the New Hampshire community of psychiatrists.

We accept letters to the editor, articles, book reviews or commentaries. Let us hear from you!

Email Len at len.korn.md@gmail.com, Jeff at jfetter@mhn-services.com or Katrina at Katrina.Watson@nhms.org.



Letter from the Editor

Len Korn, MD

As I sit down to edit this *NHPS Newsletter*, my sixteenth, I want to extend an invitation to you, the reader, to share your thoughts for future issues. Please consider writing an article or an opinion piece regarding mental health issues and psychiatric practice in 2015. Indeed, share your thoughts and words about anything. Psychiatry in NH could be so much stronger if more of us were active and involved.

What follows is an update on several issues I've been discussing in the *NHPS Newsletter* over the years.

1. Death penalty repeal efforts in NH

The death penalty story in NH is of course that repeal lost in a 12 to 12 tie vote in the NH Senate on April 17th last year. So NH remains the only New England state allowing execution of anyone convicted of a capital crime. There is not too much hope for repeal with the current NH government. Nevertheless, the arguments for repeal continue to be compelling. For me as a physician and humanist the primary argument against the death penalty is moral and ethical. I can't see any justification for our society to kill except for self-defense or war. For many however the issues are of the exorbitant cost and also of fairness regarding race and income level. The death penalty also prolongs and



Letter from the Editor cont.

enhances suffering for all involved. It is clear that abolition of the death penalty will in time come to New Hampshire and the rest of our nation.

I do want to emphasize that neither NHPS nor NHMS has a position on the death penalty *per se*. Participation in the actual process of execution is prohibited by our ethical code, the AMA Principles of Medical Ethics. The issue of the death penalty itself has supporters and opponents in our professional societies as it has in the general population. The effort for repeal will come as the waste and futility of this practice becomes more widely appreciated. The best source of information regarding repeal in NH is the New Hampshire Coalition to Abolish the Death Penalty (NHCADP). Their website is www.nodeathpenaltyNH.org.

2. Firearm Safety

The NHMS Executive Council passed the following policy on Firearm Safety on March 12, 2014:

NHMS Policy on Firearm Safety

Resolved, that the NHMS supports universal background checks on all firearm purchases.

Resolved, that the NHMS opposes firearm purchases by individuals who have been involuntarily committed for mental health services, with allowance for restoration of those rights by court petition.

Resolved, that the NHMS supports the use of gun locks and other safety devices that will reduce accidental injury and death from firearms.

Currently, some psychiatrists on the NHPS Executive Council are appealing the provision relative to involuntarily committed patients, preferring to draw the line only for patients who subsequent to IEA are committed by probate court action. This issue will likely be deliberated at the next NHMS Executive Council meeting on February 11th.

In this current session of the legislature, there are several bills of interest. The best is a universal background check bill **HB 650-FN** by prime sponsor Rep. Kathy Rogers of Concord.



Please encourage your local representatives and senator to support this absolutely necessary legislation to do what we can to curb gun violence. On the other hand, the very worst bill is **SB 116** by prime sponsor Senator Jeb Bradley. **SB 116** would repeal the requirement to obtain a concealed carry permit in NH. More guns in more different locations are not going to help this problem, this *social disorder of violence*. Let your reps and senator know your opinion re both these gun-related bills. Your voices are crucial for reason to prevail! Let them be informed of your concerns.

Does NHPS have your email address? To keep your membership costs down, we try to utilize electronic communications as much as possible. Please make sure we have your email address.

Catrina.watson@nhms.org



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Awards Dinner & Scientific Presentation**

May 6, 2015 at 5:30-8:30 p.m.

Lake Sunapee Country Club, 100 Country Club Lane, New London, N.H.

Registration fee \$25 (Please watch your mail for a brochure)

Presentation by Kevin Hill, MD, MHS

Marijuana in 2015: State of the Science and Policy

The N.H. Psychiatric Society Leadership Award has been established to recognize and encourage excellence in advancing the goals of the Society. Recipients may be nominated at any time by any society member, who can write a letter in support of the nomination. Recipients are chosen by the Executive Council. The award will be bestowed based

on meeting at least one

of three criteria: demonstrating leadership by excellent clinical example, advancing the care of the mentally ill in New Hampshire through exemplary public service or outstanding service to the N.H. Psychiatric Society.

Awards this year will be presented to **Alex de Nesnera, MD and Rep. James MacKay, MS, MSW, PhD**

“Walking with Colleagues”

Peer and expert counseling support for NHMS members who face (or have faced) the challenge of a medical liability lawsuit or adverse outcome

New Hampshire
MEDICAL SOCIETY
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Physician Assistant
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or adverse
outcome take its toll
on you or your ability
to practice*

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NHMS Members – Sign up for *Walking with Colleagues*

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emotional-toll
anxious
isolation
loss-of-self-confidence
family-stress
coping-strategies
understanding
desire-direction
loss-of-control

TO SIGN UP CALL
BILL GUNN, PhD

**Confidential Phone
Number:
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ABOUT BILL GUNN, PhD: Dr. Gunn is an expert psychologist with 30 years of experience working with physicians in teaching and collaborative settings, as well as with leading clinical support groups.

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- **Led by Bill Gunn, PhD, a licensed N.H. psychologist.**
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- Suitable for those involved in a **medical liability suit or who have experienced an adverse outcome in the past.**
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