Perspective

Licensing is No Merry-Go-Round

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I’m a new graduate of the Integral Yoga Institute’s teacher training program, and a new member of IAYT and the Yoga Alliance as well, but I’m an old member of the National Association for the Advancement of Psychoanalysis (NAAP).

When I began practicing psychoanalysis many years ago, it seemed odd to me that I didn’t need a license. Until this year, anyone could claim to be a psychoanalyst, just as anyone today can claim to be a Yoga therapist. Like Yoga training, much of psychoanalytic training consists of intellectual and emotional studies that take place in group and individual learning situations, and include mentoring, supervision, and client contact hours. State legislatures, which deal with professional licensing issues, have difficulty understanding the traditional methods of teaching psychoanalysis, which include, for example, going through personal analysis. I assume that legislating Yoga therapy training will be at least as complicated, since Yoga may seem as frighteningly unfamiliar to some members of the legislature as psychoanalysis does.

NAAP has been lobbying for professional licensing for more than 30 years. Finally, in January 2007, psychoanalysts were granted mandatory licensure in New York State. But we are still wrangling with the consequences, and it will take many more years for everything to be resolved.

Although NAAP had expected that as professionals we would work together with the state to establish standards, more often the state dictated to us what those standards were—without really understanding what psychoanalysis is and how analysts are trained. The State Education Committee did not understand psychoanalytic training. It needed a context where psychoanalysis could fit, so it referred to the more widely familiar social work training model, and forced psychoanalytic studies to conform to this handy prototype. The two fields have much in common, but they are not the same; they are simply two different disciplines that the state lumped together for expediency. This led to an extensive reorganization of the training institutes. Some of the new state rulings for psychoanalytic training are actually contrary to established psychoanalytic practice.

Diversity is enriching and encourages creativity, but state legislatures and education committees prefer uniformity because it is easier to regulate. I was grateful that I was able to choose the particular Yoga and psychoanalytic training programs most appropriate for me before the state created its standards.

It seems to me that Yoga therapists and psychoanalysts are seeking licensure for similar reasons: to protect the public, make treatment more easily available, improve training, and to equalize standards. But in many cases, the new training standards for psychoanalysis that are now mandated by the state are inferior to those the institutes had originally. For example, less ambitious students may opt for shorter training experiences, and so although they will have a license, they may be less prepared.

Sometimes NAAP and the State Education Committee have been able to reach agreement. For example, it is difficult to measure student proficiency, and so the state defined student analysts’ contact treatment hours as one of the main standards for judging the adequacy of training; it is easy to count hours, and practice is an important part of learning. However, time alone doesn’t determine ability, and more doesn’t always mean better. In November of 2007, Douglas Maxwell, a lawyer, a psychoanalyst, and the president of NAAP, led a group of concerned analysts who attended many meetings with the Albany legislature, convincing the state to modify this ruling. Fewer hours are now needed. Other tools measuring proficiency, such as case presentations and old-fashioned written papers and exams, are required to demonstrate a theoretical and empathic understanding of
clinical information, testing methods that are endorsed by NAAP and backed by Maxwell.

NAAP has been less successful influencing other legislation. For example, rules about the physical location of analytic practice are now dictated by the state. Analysts-in-training have always decided where to work, with the approval of their institutes, and have up until now often worked privately, with phone access to a supervisor if needed; the supervisor did not have to be physically present. Now the supervisor must be in attendance, which only works when students and supervisors share centrally located professional suites. This new rule makes it harder for people seeking treatment to find someone conveniently located and more difficult for the analyst-in-training to find office space.

I am the Director of the Institute for Expressive Analysis. Our institute works to protect our students and make sure that they get a good solid education, but we are often mystified about what will be called legal and what will be illegal. For example, at current writing, psychoanalysts are not allowed to make a diagnosis such as depression, but we are still expected to find the best model for treating each individual. These two expectations are at cross-purposes, and perhaps this ruling has more to do with pleasing insurance companies, who, without a diagnosis on their reimbursement forms, are not required to pay. We don’t know if licensing will lead to more third-party payments for psychoanalytic therapy or for Yoga therapy, or how much more likely physicians or other healthcare professionals will be to make referrals to psychoanalysts or Yoga therapists.

I believe that Yoga therapy deserves recognition as a licensed profession, and I expect the Yoga experience will be similar to what analysts have been through. I’m already on the state’s roller coaster, and I feel whiplashed. The main points psychoanalysts need resolved are scope of practice, location of practice, and, perhaps most important of all, training issues. Yoga therapists will have to resolve these same issues, and perhaps should begin by finding a context. Where does Yoga fit in established healthcare practices, and what will be acceptable to both the state and the Yoga training institutes?

At some point, the psychoanalytic institutes may have to begin litigation in order to have their say, and that is really expensive. The state has a lot more time and money than the institutes do. After all, the work of institute members regarding licensing and training is done for free by the analysts, who donate their time to this endeavor. This will likely be the case with Yoga therapy as well, and even very dedicated volunteers can’t compete on an equal basis with paid employees of the state.

Every time I go to the Integral Yoga Institute on 13th Street in Greenwich Village, NY, I walk past the National Psychological Association for Psychoanalysis, where I was trained to be an analyst. I am struck by the many similarities in the teachings of psychoanalysis and Yoga: a broad base of knowledge, a thorough grounding in technique, an emphasis on ethics and emotional development, and adherence to honest and empathic practice. Developing licensing legislation calls on all of our intellectual, emotional, and spiritual resources, and the help of experienced lobbyists and lawyers, as we find ways to communicate with State Education Committee members.

Is licensing worth the effort? It’s no merry-go-round, but if we manage to protect the public and ensure that our two professions are respected and accepted, then yes, of course.

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