PRIVILEGED COMMUNICATIONS: THORNY PROBLEMS

Privileged communications present many problems to physicians, police, courts and attorneys. Many issues revolve around the discretion of the courts and physicians, and around the persistence of attorneys.

Problems in this area were discussed Dec. 1, by Joseph A. Sabatier, M.D., President of Louisiana State Medical Society; Mr. Charles Ward, of the New Orleans District Attorney's office; Mr. Louis Lacour, of the Federal District Attorney's office, and Lieutenant Clarence Giaruso, of the New Orleans Police Department. William R. Sorum, M.D., was panel moderator. The panel, held at DePaul Hospital, was the scientific portion of the December meeting of the Louisiana Psychiatric Association.

Dr. Sabatier made a very strong case for the necessity for legislation protecting the doctor. He pointed out that hospital records, as such, are now held to be quasi-public documents and recent decisions hold that they should be available to any interested person. Confidentiality in the medical office seems to be slipping away, which inhibits the doctor from recording important data. As the legal machinery exists now any confidence the patient shares with the doctor could be brought out in court.

Mr. Louis Lacour pointed out how certain privileges do exist; such as the husband-wife privilege; the attorney-client privilege; a physician-patient privilege; and a minister-client privilege, among others. These apply only on criminal laws, except for the attorney-client privilege. He stressed the need of lawyers for access to expert testimony as well as full testimony where indicated. He stated that the courts could not operate without access to the facts. Evidence must be relevant to the case to be admissible and must be germane to the issues involved. This leaves some discretion to the doctors and to the courts in the actual handling of the case.

Mr. Charles Ward pointed out many different groups are claiming privileged communication. Psychologists, social workers, accountants, crime investigators, and news media claim that without privileged communication they are not able to function. This (Continued on page 3)

MID-WINTER MEET
ANNUAL LPA EVENT

Find out how Government Influence in medicine affects the psychiatrist, private hospitals, state-supported facilities.

What changes are occurring because of governmental influence? This is the theme of the Annual Mid-Winter meeting of the Louisiana Psychiatric Association, held January 13-14 at the Fontainebleau Motor Hotel, Carrollton and Tulane Avenues, New Orleans.

Registration starts at noon on Friday, January 13. Committee meetings occupy the afternoon but there's a cocktail party (Dutch Treat Bar) Friday evening. The night is left to age and ingenuity.

Saturday morning, the Scientific Session! A transcultural refreshment service will be provided.

The afternoon will be a membership meeting—with members expected to fuel up at lunch for a lengthy flight; since the next oasis comes at night—cocktails, dinner and dancing.

The transcultural refreshment service gives a hint why only New Orleans can make the breakfast a glamour meal.

Sunday is lagniappe—for all members. Sleep late. Window shop. Travel home in leisure.

The Mid-Winter meeting lets all L.P.A. members view the exciting City that Care Forgot as carefree bon vivants.

A.P.A. PRESIDENT TO VISIT L.P.A.

Harvey Tompkins, M.D., President of the American Psychiatric Association, will visit the Annual Mid-Winter meeting of the Louisiana Psychiatric Assn.

News of the visit was announced by Marvin F. Miller, M.D., L.P.A. President. Dr. Tompkins wrote he is interested in making personal visits to the branches of A.P.A. He will participate in the Convention, scheduled January 13 and 14, in New Orleans.
LOUISIANA PSYCHIATRIC ASSOCIATION

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Signed articles reflect the opinion of the writer and are not necessarily representative of the views of Louisiana Psychiatric Association.

ARIZONA RESOLUTION

SENT TO A.P.A. BRANCHES

Clarification of Federal Legislation pertaining to Mental Health Centers and psychiatric care for the medically indigent is the object of a resolution proposed by the Arizona Psychiatric Association.

William R. Sorum, M.D., delegate from Louisiana Psychiatric Association to the Assembly of District Branches of the American Psychiatric Association, has called for L.P.A. membership to review the Arizona resolution.

Items included in the resolution call for setting minimum operating standards for mental health centers; the centers should remain under psychiatric and medical control; psychiatric care for the medically indigent should not be compromised; Federal funds for mental health centers are scheduled to phase out and centers should limit requests to the amount of funds which can be obtained after Federal grants terminate.

The resolution notes the overwhelming demand for mental health care facilities, to provide care for the medically indigent and other segments of the population. Current Federal legislation apparently aims at providing mental health services to the entire population. The need for public funds to expand and erect facilities and to support training and research is noted.

Dr. Sorum said, as Assembly delegate, a thorough discussion of the resolution will assist in alleviating misunderstandings, fears and perhaps resentments in the public and private areas of mental health fields.

LET THE GOOD TIMES ROLL

Governmental Influence on Psychiatry is the Official Theme of the Annual Mid-Winter meeting of Louisiana Psychiatric Association. But, there's a second theme for New Orleans' conventions: LET THE GOOD TIMES ROLL.

How to make necessity enjoyable is the Crescent City credo.

Convention headquarters will be at the Fontainebleau Motor Hotel, Carrollton and Tulane Avenues. It's the former site of Pelican baseball field. (For the nostalgic the Pelicans were New Orleans' entry in the Southern Association.)

Meetings can be fun in New Orleans. The local brand of reality is hedonistic, according to TIME magazine—which the city thinks is the only way to live. It's a marvelous reason to take time off and enjoy America's most interesting city.

No other comparable urban area is Number One on so many fascinating lists. For residents it's a wonderful reason to play bon vivant and experience why the weather and mosquitoes are tolerable. For visitors, it's a delightful sojourn in another way of life.

Red clay and pinet woods meet the black earth and swamp in interesting gumbo, seasoned by a dash of Spanish moss and an acorn from the live oak.

Marvin F. Miller, M.D., President of L.P.A., attests to the availability of golf. Harold Bolding, M.D., Recording Secretary, says boating is excellent.

Stroll through the French Quarter. Non-members of your party can take a street car, enjoy a walking tour or bus tour, visit the shops and stores, linger in museums or drop in at the Fair Grounds while you're at a meeting.

See the skyscrapers, ride the ferries, take a sightseeing tour by boat, visit Audubon Zoo and see the Chinese Crested Dogs and the Gold-Crested Cranes. The Whooping Cranes are there, too.

Have a leisurely meal, at any point in the city and discover why the Michelin guide book compared the restaurants to those of Paris.

Come! Come! Come! We have something for everyone to enjoy, even on Sunday. Be your philosophy that of Harry Golden or Auntie Mame, Nouvelle Orleans will provide.

NOMINATING COMMITTEE

Erle W. Harris, Jr., M.D., and Henry R. Olivier, M.D., were elected members of the nominating committee at the December meeting of the membership of Louisiana Psychiatric Association.

Marvin F. Miller, M.D., President, presided at the meeting. Dr. Harris, of Shreveport, and Dr. Olivier, of Baton Rouge, were nominated for the committee posts at the suggestion of L.P.A. Executive Council.
THORNY PROBLEMS
(Continued from page 1)

constitutes another problem faced by the courts as well as the doctors in protecting their dwindling privileges. Mr. Ward pointed out the ideas of Wigmore: To be privileged, a communication must first originate in confidence; secondly, that confidence must be inviolable, as a necessity to continue the profession; thirdly, is the privileged relationship of any value to society; fourthly, there must be a weighing of the equities—would society suffer more by according the privilege to the person asking for it or would it be more protected?

Mr. Giarrusso mentioned that the police must, by the nature of their situation, look on all material as evidence rather than privileges, as they are seeking the protection of society, especially where law violations occur.

All the participants felt strongly that general cooperation must be sought between the medical and legal professions.

Judge Walter Hamlin spoke from the audience, assuring doctors that most judges took a very careful view of the situation, would not compel doctors to divulge in most situations. Exceptions exist and the Musso vs. Abdullah case was cited, in which the interests of society and the care of children was held to be above the privileged communications.

Many questions were raised. Mr. Lacour pointed out that it would be very difficult for medicine to obtain a complete confidential privilege; but that through legislation, perhaps psychiatry could obtain this privilege because of the peculiar nature of the bond of the psychiatrist with the patient. The psychiatrist’s position, summed up by the moderator, shows the demand for openness, the demand for freedom in terms of the therapeutical relationship. The relationship itself becomes the means of change, especially in analytic cases. In a recent volume, “Psychotherapy, Confidentiality, and Privileged Communication,” Slvenko and Usdin have pointed out the extreme necessity of protecting the psychotherapeutic relationship as a unique one in medicine.

A final summary of the situation is that the courts and lawyers are only acting within the bounds of existing laws. Change can come only through legislation pushed by psychiatrists and other interested persons who wish to preserve the function of psychiatry in a free society.

William R. Sorum, M.D.

TULANE NOTES

Robert G. Heath, M.D., Chairman of the Department of Psychiatry and Neurology, Tulane University School of Medicine, attended a conference on Education in the Neurological Sciences. He was designated

NOAPA OFFICIALS

Officers and committee chairmen for the New Orleans Area Psychiatric Association have been announced by Arthur Samuels, M.D., President.

Arthur Burdon, M.D., is President-Elect; William Sorum, M.D., Past President; Malcolm Latour, M.D., Secretary; and Reuben Roy, M.D., Treasurer.

Committee Chairmen are:
J. Paul Pratt, M.D.—Chairman of Program and Education,
Richard Johnson, M.D. — Chairman of Liaison with Public Schools,
Malcolm Latour, M.D.—Chairman of Emergency Consultation.

FUTURE OF ANALYSIS

Psychoanalysis today is exploratory rather than descriptive, Henry Miles, M.D., told the New Orleans Area Psychiatric Association at its November meeting.

Terms such as “drives,” “structures,” and “psychic energy” are abstract. The terms do not designate specific things but provide a conceptual framework. The framework must be modified whenever new knowledge permits.

Dr. Miles predicted in his talk, “The Future of Psychoanalysis,” that psychoanalytic theory inevitably will be more and more integrated with the data of biology, ethology, biochemistry and neurophysiology. This may require special training for a small group of persons who can master both psychoanalysis and the basic sciences.

Practitioners of psychoanalysis will continue to test theoretical concepts in the clinical setting. Use of analysis as a specific method of treatment will continue to be limited. If the trends predicted by Creech in his paper, “Medical Practice in 1990” evolve, the psychoanalysts will function more and more as consultants, teachers and supervisors.

as representative of Charles Sprague, M.D., Dean of the Medical School.

“Training of Subprofessionals in Mental Health” is the topic of a paper by Harold I. Lief, M.D., Professor of Psychiatry at Tulane. It appears in the December issue of the Archives of General Psychiatry.

Dr. Lief participated in a conference on sex education (held in November, which was sponsored by the Sex Information and Education Council of the United States. He also gave talks in October to the Multomah County Medical Society, Portland, Oregon, and at a meeting sponsored by the Department of Psychiatry and Obstetrics and Gynecology, University of Pennsylvania. In September, Dr. Lief addressed the Michigan State Medical Society.
ADOLESCENCE HEALTH & ILLS

“Symposium on Adolescence” was sponsored by Touro Infirmary in New Orleans in early December.

The three-day event, organized by the Division of Psychiatry and Community Mental Health Center of Touro, attracted a large interstate audience.

Participants included:

Reuben Roy, M.D., Assistant Professor of Clinical Psychiatry, Tulane School of Medicine; James Knight, M.D., Assistant Dean at Tulane School of Medicine; Dana Farnsworth, M.D., Henry K. Oliver Professor of Hygiene and Director of University Health Services at Harvard University, Cambridge, Massachusetts; George Tarjan, M.D., Professor of Psychiatry and Program Director of Mental Retardation at University of California, Los Angeles, California; Max Sugar, M.D., Courtesy Staff, Division of Psychiatry at Touro Infirmary; Irvin Marcus, M.D., Clinical Professor of Child Psychiatry at Louisiana State University School of Medicine; Mottram Torre, M.D., Associate Director, Touro Community Mental Health Center, New Orleans, La.; John Schimel, M.D., Associate Director of William Alanson White Institute of Psychiatry, Psychoanalysis and Psychology, New York, New York; Carl Adatto, M.D., Chairman of New Orleans Psychoanalytic Institute;

Howard Kern, M.D., Director, APA-General Practitioner Education Project, Associate Professor of Clinical Psychiatry at John Hopkins University School of Medicine, Baltimore, Maryland; Cyril Phillips, D.P.M., Director of Morris Kirschman Clinic of Child Mental Health at Tulane Medical School; Irvin Kraft, M.D., Associate Professor of Pediatrics and Psychiatry, Baylor University College of Medicine, Houston, Texas; Van Spruiell, M.D., Associate Professor of Clinical Psychiatry at Tulane School of Medicine; Carroll Witten, M.D., President-Elect, American Academy of General Practice, Instructor in Medicine, University of Louisville School of Medicine, Louisville, Kentucky; and Murray A. Diamond, M.D., Executive Director of Touro Infirmary, New Orleans, Louisiana.

N.O. CHARITY RAISES HOUSE STAFF STIPENDS

Charity Hospital of Louisiana has raised house staff stipends effective January, 1967.

On that date the following schedule will be effective:

Interns: $350.00 per month
Residents, first year: $450.00 per month
Residents, second year and up: $500.00 per month

The raise puts N.O.CH. on a competing level with other training centers.

Room, board and laundry courtesies are extended to house staff.

Editor’s Note: Publication of any letter stating the writer was a member of the N.O.CH. house staff at a lesser stipend will include the writer’s name.

LONG HAIR AND ADOLESCENCE

By John R. Gonzalez, M.D.

(Continued from last issue)

Even in the midst of the current crisis over hair, adolescents who engage in competitive contact sports, do not wear their hair long. It is my observation that those who do have their hair long, in addition to being not very athletically minded, are more inclined to be introspective, self-searching, and preoccupied with problems of a philosophical or ethical nature and to engage in group activity of a non-competitive, non-athletic sort, like rock-and-roll dancing or protest marches, often in the company of adolescent females who resemble them in dress and hair style very closely.

Finally, why should the hair on the head be chosen as a vehicle of expression at all? Considering this entire matter now from an intrapsychic instead of from a social or interpersonal point of view, I think it must be conceded that intrapsychically, preoccupation with the head on a conscious level is an expression of preoccupation with the penis on an unconscious level. The head and the penis are probably the two most highly valued areas of the body. They are at opposite (mirror image) ends of the trunk. Both are associated anatomically with intense concentrations of hair growth that are absent from most other areas of the body surface. And all the orifices of the body are either in the head or in the perineal region. The word ‘haircut’ is used in English slang to mean a venereal lesion on the glans. It has been known for years that both in dreams and in other conscious manifestations of unconscious life, that the head is an upwardly displaced phallic symbol. What a man does with his hair, how he wears it, the manner in which he presents it to himself and to the public, most of the time is probably expressive of unconscious wishes to exhibit his genitals and to communicate both to himself and to his fellows the meaning of his genitals to him and what he would like them to mean to those around him.

Is not the celibate monk who devalues his hair and shaves it off saying something about the devaluation of his penis and his status as a psychological castrate?