

BRIDGING THE GAP

A newsletter for medical professionals

Published by Pearson | January 2009

Feature Article

A consistent, objective approach to psychological evaluation

In 1995, psychologists David Fisher, PhD, and Sheridan Fenwick, PhD, launched PsyBar, LLC, a company that provides psychological, neuropsychological, and psychiatric evaluations and testimony for clients involved in situations with substantial legal implications. PsyBar focuses on presenting objective, consistent evaluations with a high degree of scientific integrity.

Fisher and Fenwick were motivated in part by the 1993 Supreme Court decision, known as Daubert, which established a requirement that scientific testimony must possess demonstrated reliability and validity. In creating PsyBar, Fisher and Fenwick organized a national network of psychologists and psychiatrists dedicated to conducting evaluations that would meet or exceed the Daubert standard.

The PsyBar network comprises more than 1,200 doctoral-level psychologists and psychiatrists with forensic experience, located throughout the U.S. The company's focus on providing high quality evaluations attracts clients nationwide, including insurance companies, corporations, government agencies, law firms, and correctional institutions.

Well-developed process helps ensure consistency

PsyBar has established a process designed to guide their consulting doctors to clear, reliable opinions. One element of that process is using doctors with expertise in handling the specific type of claim or psychological problem at issue.

Plus, the company has developed standard protocols to follow for specific types of evaluations, such as for chronic pain patient evaluations, for spinal cord stimulation and intrathecal pump evaluations, and for neuropsychological evaluations. PsyBar also provides network members with specialized claimant consent and release forms, which help the doctors perform evaluations in compliance with state and federal laws. Another important component of PsyBar's process is that they stay abreast of new and revised industry guidelines and adjust their protocols accordingly.

"Psychological evaluation is not a sideline for us - it is our core business," says Fisher. "And that allows us to devote our attention to maintaining a highly refined process that benefits our clients."

Scientific methods help clients make the best decision for all parties

PsyBar's primary clients include employers and Employee Assistance Program (EAP) professionals, for whom they conduct Fitness for Duty evaluations (FFDEs). The company enables these clients to apply scientific knowledge to legal and employment issues. The cases typically involve employees who have threatened violence on the job or who may be experiencing psychological problems that could affect the workplace.

Another key constituency served by PsyBar is insurers, for whom the company provides Independent Medical Evaluations, File Reviews, and related services to address psychological and psychiatric claims. "Many insurance companies need to understand the cause of the problem and the insured's ability to function," says Fisher. "We bring scientific knowledge to bear in the resolution of these issues."

Reliable, standardized tests help support doctor's opinions

A key element of PsyBar's approach is the use of objective, scientifically sound psychological tests by their network of doctors. "The courts have repeatedly stressed the importance of objective testing," says Fisher. "Without it, doctors' opinions and claim decisions can be more difficult to justify."

Fisher also observes that insurance companies and employers have come to place more value on objective testing, particularly for the assessment of truthfulness. "Judging truthfulness is very tricky," says Fisher. "Objective tests serve as a cross-check against a practitioner's gut feeling' and give the expert witness a leg to stand on in defending decisions against unfair suits. Employers and insurers are realizing that the use of a scientifically based instrument can save them millions of dollars down the line in litigation costs."

The protocols that PsyBar has developed for specific case types include recommendations on particular tests. For example, the protocol for evaluating subjective illnesses such as chronic pain, chronic fatigue, and fibromyalgia includes the use of the Battery for Health Improvement 2 (BHI™ 2), which is designed to help evaluate biopsychosocial factors that can affect medical treatment, such as maladaptive coping styles. For evaluations of work-related disability, FFDEs, and risk assessments, PsyBar recommends the use of the Minnesota Multiphasic Personality Inventory®-2 (MMPI®-2), which they find especially useful in assessing validity.

"We have researched the instruments available," says Fisher. "We know the tests that are best suited for different kinds of evaluations and that will provide the most defensible results. Sometimes our doctors wish to use other instruments than the ones we have recommended and we allow for that flexibility ó but we always encourage doctors to use instruments that fit within our parameters of being scientifically validated, standardized tests with proven track records."

High quality evaluations lead to defensible decisions

"It's exciting to be part of a growing enterprise that's operating on a national scale," says Fisher. "I think we bring something unique to the arena of psychological evaluationóas neutral agents whose interest is in helping our clients reach effective decisions that are based on scientifically supported evaluations."

David Fisher, PhD, was a staff psychologist at Abbott Northwestern Hospital in Minneapolis prior to co-founding PsyBar. His practice emphasized employee assessment, brain injury, and forensics. He has published numerous articles and presented professional papers internationally on medical psychology, Independent Medical Evaluations, Fitness for Duty Evaluations, Violence Risk Assessments, behavioral medicine, and rehabilitation. Fisher is a member of the American Psychological Association and holds diplomate status with the American Board of Professional Psychology.

Sheridan Fenwick, PhD, earned a doctoral degree in psychopathology from Cornell University, attended Yale Law School, and completed an APA-approved internship at Montefiore Medical Center-Albert Einstein College of Medicine. She has been a faculty member of the psychology department at Columbia University and of Wake Forest University. From 1984-1994, Fenwick was the Director of the Behavioral Medicine Clinic at Abbott Northwestern Hospital in Minneapolis where she directed a group practice of psychologists that provided psychological, neuropsychological, and forensic services. She is a member of the American Psychological Association.

Learn more about PsyBar at www.psybar.com.

BHI™ 2 is a trademark of Pearson Education, Inc. or its affiliates.

MMPI®-2 and Minnesota Multiphasic Personality Inventory are registered trademarks of the University of Minnesota, Minneapolis, MN