

Psychoanalytic Psychotherapy in Belgium

The legal context

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For some months now we have been hearing a lot about the developments in the discussions about a legal regulation for psychotherapy in Belgium in the form of regular coverage but also in the form of rather emotional pamphlets.

The different initiatives from the cabinet of the Belgian Minister of Social Affairs, Maggie De Block, caused a lot of commotion in the therapeutic field.

The KB 78 (= Royal Resolution 78 is the law on the implementation of the health professions) from 1968 needed a long awaited update to give a legal framework to clinical psychology, clinical orthopedagogy and psychotherapy. Over the last years many attempts have been made, but they never progressed for some reason. In 2014 we finally had a legislation (= the law Muylle). The KB 78 was changed so that first the clinical psychologist and secondly the clinical orthopedagogue could be acknowledged as an autonomous health profession as of 1 September 2016. But the third section of the 2014 law, namely the part concerning psychotherapy, gave rise to a number of legal problems. As a consequence the Minister rewrote this third section rather thoroughly. Psychotherapy is now described as "a form of treatment in health care that makes use of a coherent body of psychological means (interventions) in a consistent and systematic way. These have to be rooted in a psychological scientific framework whereby interdisciplinary cooperation is required."

Starting from the academic year 2017-2018 psychotherapy trainings will only be accessible to persons holding a degree of clinical psychologist or clinical orthopedagogue and also for doctors. Legally psychotherapists will no longer exist because psychotherapy is considered to be a form of treatment or authorization within mental health care and not an independent profession. Psychotherapy can only be performed by persons who have been trained as a clinical psychologist, as clinical orthopedagogue or as doctor and who completed a supplementary training in psychotherapy of at least seventy ECTS-points at a university or college.

Furthermore, the new law offers a broad regularization for those who already practice psychotherapy. Who disposes of a recognized title in the domain of health care (doctors, clinical psychologists, clinical orthopedagogues, but also qualified nurses, physiotherapists,...) can under the condition of a regularization, continue to practice psychotherapy. Those, whose preliminary education is not covered by the law on health professions (like social work, criminology, philosophy,...), can only continue to practice psychotherapy under the supervision of someone who is authorized to practice psychotherapy autonomously. It will come as no surprise that this part of the law gave rise to some fierce reactions. The criteria for the regularization still have to be determined by the Federale Raad voor Geestelijke Gezondheidsberoepen (=Federal Council for the Mental Health Professions). The law Muylle provided for three federal councils: one for clinical psychology, one for clinical orthopedagogy and one for psychotherapy which was supposed to represent the four main psychotherapeutic paradigms (psychoanalytic therapy, behavioral therapy, systemic therapy and client-centered therapy) that have a sufficient scientific validation, as stipulated in advice nr. 7855 of the Hoge Gezondheidsraad (=High Council of Health). The law De Block provides for only one federal council in which clinical psychologists, clinical orthopedagogues and doctors will be

represented. For psychotherapists no direct representation is provided. The four therapeutic paradigms are no longer mentioned. Psychoanalysis in the sense of classical psychoanalytic treatment is not mentioned as it was neither included in the 2014 law.

Considering these developments, most psychoanalytical organizations in the Flemish part of Belgium united in a federation called the VAPGV, the Vlaamse Associatie van Psychoanalytisch Georiënteerde Verenigingen (=Flemish Federation of Psychoanalytically Oriented Associations). On the other hand the main four psychotherapeutic orientations founded an umbrella organization that wants to represent psychotherapists from the Flemish part of Belgium BWP, the Beroepsvereniging voor Wetenschappelijk onderbouwde Psychotherapie (= Professional Association for Scientifically founded Psychotherapy). Within the Flemish part of Belgium the BWP presents itself as the contact for the Minister of Social Affairs and the Federal Council in matters concerning psychotherapy. For some time now all involved associations have put in many efforts to preserve the complexity and the diversity of the psychotherapeutic field.

Recently the first steps were taken towards the installation of that Federal Council and the minister also postulated the conditions under which a professional association can be recognized. For now the umbrella organization is trying to be recognized as a professional association in order to weigh on the criteria that will be developed by the Federal Council. These criteria will guarantee a high-quality and scientifically founded psychotherapy and give shape to the conditions for the regularization. It is of main importance, obviously, that the psychoanalytical orientation will participate in these negotiations.

Obtaining an authorization to practice psychotherapy is also important for the future arrangements about the repayment of first line psychological aid and of psychotherapy. The government will require that sufficient scientific evidence is provided demonstrating the effectiveness of the proposed therapeutic models. It is beneficial that psychoanalytic psychotherapy will also prepare for this.

This demand for scientific evidence could give the impression that the government is aiming for a psychotherapeutic practice that is strongly medicalized, very integrative and rather based on (cognitive) behavioral and/or protocolled psychotherapy models. We do not find any of this in the legal texts for the moment. However we should be precautious to ensure that the current diversity in the psychotherapeutic field, including the psychoanalytic and psychodynamic therapies, will not fail in the future.

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