

P E N N S Y L V A N I A
S T A T E B O A R D O F
PSYCHOLOGY
N E W S L E T T E R

FALL 2007



COMMONWEALTH
OF PENNSYLVANIA

Edward G. Rendell
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Secretary of the Commonwealth

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*Commissioner,
Bureau of Professional and
Occupational Affairs*

Mark Vessella
*Deputy Commissioner,
Bureau of Professional and
Occupational Affairs*

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INSIDE:

<u>Role of the Commissioner on the Board</u>	2
<u>Board Member Receives Award</u>	2
<u>The Practice of Psychology in PA: Facts and Urban Legends</u>	3
<u>From the Public Perspective: Continuing Competence and Public Protection</u>	4
<u>Dual Relationship Case Studies</u>	5
<u>Licensure Applications Revised Due to Regulation Change</u>	6
<u>2006 PA Psychological Association: Highlights of Board Presentation</u>	8
<u>Disciplinary Actions</u>	14

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Governor's Newsletter

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to receive the weekly e-newsletter from
Governor Rendell on important issues facing Pennsylvania.

The Role of the Commissioner on the Board

by Basil Merenda, Commissioner, Bureau of Professional and Occupational Affairs

The Bureau of Professional and Occupational Affairs (BPOA) touches the lives of millions of Pennsylvanians each day. We protect the health, safety and welfare of the public from fraudulent and unethical practitioners by administering professional licensing to physicians and cosmetologists to accountants and funeral directors. In addition, the bureau provides administrative and legal support to 27 professional and occupational licensing boards and commissions.

As commissioner of the BPOA, I am responsible for administering the commonwealth's licensing boards, sitting as a voting member on disciplinary cases and policy matters for 25 of the 27 boards and signing all licenses issued by the BPOA.

My administrative duties include working with the deputy commissioner to make "the trains run on time." In BPOA's case, it means making sure license renewals, applications and inquiries are properly handled by our staff. It also involves making sure that where appropriate, reciprocal licenses requested from out-of-state individuals are properly reviewed. BPOA is also required to conduct reviews of education programs for some boards.

My duties as a voting member on 25 of the 27 licensing boards are the same duties and obligations that the professional and public members have as part of their service on our licensure boards. I act as a judge, along with the other board members, on disciplinary hearings. I participate with the other board members in the drafting and enactment of regulations, rules and other policy initiatives. In addition, I have the responsibility of coordinating policy matters of all 27 boards for Governor Edward G. Rendell.

I truly believe the most important thing I can do for you is to provide you with professional service – and that is my goal.

When Governor Rendell appointed me BPOA commissioner, he told me to make BPOA and the commonwealth's 27 licensing boards more accessible, responsive and accountable to the legislature, the licensees and the public we are sworn to protect. My pledge to you is that I, as commissioner, am working to carry out Governor Rendell's charge with intelligence, vigor and effectiveness.

If I can be of any assistance, please do not hesitate to reach out and contact my office at any time.

Board member receives award



Joseph L. French, Ed.D., received the Association of State and Provincial Psychology Boards (ASPPB) 2006 State and Provincial Service Award for his contributions to the Pennsylvania Psychological Association, ASPPB committees, State Board of Psychology, and to the profession of psychology. Shown in photo: (l-r) Karen W. Edelstein, Psy.D.; Joseph L. French, Ed.D.; Salvatore S. Cullari, Ph.D.; Eve Orlow, Ed.D., M.S.; Catherine L. Maxaner.

Upcoming 2007 Board Meeting Dates

Sept. 10-11
Oct. 15-16
Nov. 19
Dec. 17

The Practice of Psychology in Pennsylvania: Facts and Urban Legends

by **Salvatore S. Cullari, Ph.D.**

In Pennsylvania, the practice of psychology is regulated by standards outlined in two documents: The Professional Psychology Practice Act, more commonly referred to in the profession as the “white book;” and the board’s regulations, more commonly referred to as the “green book (Pennsylvania Code, Title 49, Professional and Vocational Standards, Department of State, Chapter 41, State Board of Psychology).”

The regulations outline the procedural standards based on the practice act and other professional guidelines. Unlike these regulations, which can be changed by the board following a lengthy regulatory review process, the practice act can only be changed by the legislature. For those of you who would like to read more about the questions and answers that follow, I will cite either the section number of the act (“white book”) or the page number of the regulations (“green book”), which can be found on the bottom pages of the Pennsylvania Code (written as 41-1, 41-2 for pages one and two, etc.).

Those who have not looked at the “white” or “green” book since the time they took the state license examination may not be fully informed about its contents. For example, which of the following statements are true?

- 1) In Pennsylvania, you must visually display your psychology license in your office.
- 2) A person convicted of a felony may never be granted a psychology license.
- 3) When terminating a client, they must be given three referral options.
- 4) When legally changing their name, the change must be reported to this to the board at the next license renewal period.
- 5) Licensees must earn 30 continuing education units (CEUs) every biennium renewal.

In fact, all of these statements are false. While complying with statements 1 and 3 might be good practice, neither of these are required by state laws or regulations. Statement 2 is not true because someone convicted of a felony may be granted a license after a period of 10 years if that person has been rehabilitated. That determination is left for the board and generally the applicant has to provide the board with evidence that he or she has good moral character and has addressed the issues stemming from the conviction. A person who legally changes his or her name must report this to the board in writing within 10 days. Psychologists must earn a minimum of three CEUs per renewal period. One CEU equals 10 contact hours (see sections 6; 41-6.2; 41-9; 41-28; 41-38).

“Trick” questions? Maybe. Let’s try some others that are more directly related to every day practice. Which of the following are now totally prohibited in Pennsylvania:

- 1) Professional advertising.
- 2) Sexual intimacies with former clients or patients or their family members.
- 3) Dual relationships.
- 4) A sole proprietor operating under a fictitious name.
- 5) A certified but unlicensed school psychologist providing services in private practice.

Again, while all of these areas are regulated, none of them are, per se, totally prohibited. An analysis of issues surrounding dual relationships appears on page 5. Further sexual intimacies between client and psychologist are generally not acceptable, some may be permissible after a two-year period and under very special situations. Note that, even after a two-year period, psychologists have the

Continued on page 7

From the Public Perspective: Continuing Competence and Public Protection

by Catherine L. Maxaner, Public Member

The declaration of policy at the beginning of the Professional Psychologists Practice Act says:

“The practice of psychology in the Commonwealth of Pennsylvania is hereby declared to affect the public safety and welfare, and to be subject to regulation and control in the public interest to protect the public from unprofessional, improper, unauthorized and unqualified practice of psychology, and from unprofessional conduct by persons licensed to practice psychology...”

Public protection is paramount; it is the highest priority in the enforcement program. The major role of the public member is to be alert to situations which may have an impact on those who are users or consumers of psychological services. To further its mission, the board has become a member of the Citizen Advocacy Center (CAC), a non-profit organization, founded in 1986 and based in Washington, D.C. It is a national service policy organization serving the public interest. The CAC interfaces with citizen representatives serving on state health professional regulatory boards. Available are research, training, technical support, clearinghouse and networking opportunities. The board routinely sends its public member to the CAC annual meetings to learn about current initiatives and to provide information about Pennsylvania’s Board of Psychology.

A recent CAC meeting was dedicated to the subject of clinical competency. The federal Department of Health and Human Services advocated competency assurance in the 1960s. In 1995, the Pew Health Professions Commission Report reiterated that “states should require each board to develop, implement

and evaluate competency requirements to assure the continuing competency of regulatory health care professionals.” Additionally, both reports of the National Institute of Medicine, *To Err is Human: Building a Safer Health System* (1999) and *Crossing the Quality Chasm: A New Health System for the 21st Century* (2001) point to the urgent need for programs that assure competence of all practitioners.

Based on the findings of these reports, the CAC focused on convening the 2000 Leadership Conference, “*Measuring Continued Competence of Health Care Practitioners: Where Are We Now and Where Are We Headed.*” The legal, cultural, administrative, political and financial barriers that have stymied regulators and professions to implement continuing competency requirements were discussed. Promising strategies were identified to overcome barriers.

In 2001, CAC distributed a continuing competency survey to 500 licensing boards and heard from 65% of the people it surveyed. Among the results: 79% of boards have mandatory continuing education (CE) through state statutes, differences exist between CE and demonstrating competence, and there is little movement toward improving competencies.

In July 2003, CAC sponsored a National Summit, “*Develop Strategies for Assuring that Health Care Professionals Remain Competent through their Careers.*” Twelve national organizations in the fields of licensing, voluntary certification, CE providers and participants, employers, professional associations and public members cooperated in this endeavor. The summit reexamined barriers as identified in the 2000 Leadership Conference. A general plan to implement specific actions by stakeholder groups was proposed.

In April 2004, CAC published its action plan, “*Maintaining and Improving Health Professional Competence: Road Map*

Continued on page 13

Dual Relationship Case Studies

by Karen W. Edelstein, Psy.D., Vice Chair
and Judith Pachter Schulder, Esq., Counsel

One of the most frequent complaints the board receives involves dual/multiple relationships. A dual/multiple relationship occurs when a psychologist assumes more than one role simultaneously or sequentially with a person seeking help. While every dual/multiple relationship is not exploitative, each dual/multiple relationship has the potential to exploit. Because of this potential, and because patients are often more vulnerable and dependent, Principles 6(b) and 7(e) of the board's code of ethics, as well as the APA Ethical Principles, require that psychologists avoid any relationship where it is likely that it reasonably might lead to exploitation. *49 Pa. Code §41.61, Principles 6(b) and 7(e), and Section 1.17 of APA's 1992 Ethical Principles.*

Because the board is unable to provide licensees with advisory opinions (essentially advising whether particular conduct is legal or illegal in advance of the conduct), the board believes that it is important for licensees to be aware of the analysis the board applies in reviewing dual relationship cases. Below are summaries of two dual/multiple relationship cases which the board adjudicated in the past year. Each reflects the instability inherent in these relationships and the slippery slope into unethical, and in some instances, adjudicative territory.

CASE I

In 1992, a psychologist began treating a 17-year-old patient. During the patient's hospitalization, the patient was diagnosed with multiple personalities, ranging in age from three to 17. Ongoing

psychotherapy lasted from 1986 through 1997, except when the patient was away for a few months. Some of the therapy sessions lasted five or six hours. Even when the patient was out of the area, the patient and the psychologist corresponded and talked by phone. Both the patient and the psychologist initiated contact.

In 1992, in addition to treating the patient, the psychologist and patient would meet at the patient's home to pray. From 1997 through 2000, the psychologist employed the patient to perform billing and secretarial work in the psychologist's office. Finally, the psychologist adopted the then-29-year-old patient in 1998.

Although the psychologist maintained that billing had stopped, and therefore treatment terminated with the patient, simply stopping billing is not a termination of the psychologist-patient relationship. The psychologist had nothing in the records to indicate that the relationship had been terminated with the patient in compliance with the APA Code of Ethics. In addition, even though the billing stopped, the evidence in the case revealed that the psychologist continued to provide services to the patient and continued to hold herself out to other providers as the patient's psychologist. In this case, the board concluded that an exploitative dual relationship did exist and revoked the psychologist's license.

Continued on next page

**Reminder... your license
will expire on Nov. 30, 2007.**

Renew Your License Online

You are eligible to renew online if:

- You are currently in your license renewal period
- Your license is delinquent by no more than 30 days

First-time users need the following information:

- Pennsylvania License Number
- Registration Code
- Current mailing address
- Credit Card information
- E-mail address
- Continuing Education information

**Renewal notices will be mailed 60 to
90 days prior to the expiration date.
Once you receive your renewal notice,
go to the Department's Web site at
www.dos.state.pa.us**

**Click on RENEW a Professional License
(www.myLicense.state.pa.us).**

**Then simply follow the instructions
to renew your license online.**

Licensure Applications Revised Due to Regulation Change

by Christina Stuckey, Board Administrator

As a reminder, the board's regulations were changed, effective June 3, 2006, to accept only applicants from doctoral programs accredited by the American Psychological Association (APA) or designated by the Association of State and Provincial Psychology Boards (ASPPB). This regulation change contains a grandfathering clause allowing first-time applicants enrolled in a graduate degree program in psychology prior to July 1, 2008, to be evaluated under the regulations in effect at the time of enrollment.

In line with this regulation change, the board has created two licensure applications – one for candidates who have completed APA-accredited/ASPPB-designated programs and one for candidates who have completed doctoral programs that are not APA-accredited/ASPPB-designated. In order to ensure that the board receives the most complete information about the non-APA accredited/ASPPB designated program, the board's modified application requests additional documentation frequently omitted by these programs that must be requested after the application is filed. Once the grandfathering period expires, this application will be phased out.

If currently serving as a supervisor for a post-doctoral trainee, please tell them that new licensure applications are available. The applications are available on the board's Web site at www.dos.state.pa.us/psych by clicking on "Licensure Information" followed by "Board Forms." Additionally, applications can be requested by e-mail (st-psychology@state.pa.us) or through the board's automated telephone system at 717-783-7155.

Dual Relationship Case Studies

Continued from previous page

CASE II

A psychologist provided psychological services, including individual and group therapy, to a male patient for a total of almost 20 years. After approximately six years, the psychologist hired the patient to perform contracting services in the psychologist's home. This dual relationship occurred on and off for 14 years.

In testimony, the psychologist insisted that the patient dealt with the psychologist's spouse on a final remodeling project, but the psychologist was the person who hired the patient. Also, during and after therapy sessions, the psychologist referred to and discussed the patient's work and the bill.

Due to the power differential between psychologist and patient, the lengthy dual relationship became exploitative. The disciplinary sanction included one year of probation and supervised practice, with a focus on retraining the psychologist about non-sexual dual relationships.

Notably, in the individual testimonies of the respondent psychologists, each pointed to caring and concern as the primary motivator for becoming involved in a dual relationship. Unfortunately, neither psychologist consulted with another psychologist about their actions, took steps to obtain professional supervision prior to or during these relationships and neither advised the patient about the ethical concerns inherent in dual relationships. Principle 3(a) of the

board's code of ethics requires psychologists to "seek competent professional assistance" where they undertake an activity that may interfere with professional effectiveness. With no interventions to clarify the psychologist's role and the potential for harm, what may have started as a desire to help became exploitative indeed.

A copy of these adjudications and orders, as well as any adjudications and orders and consent agreements, can be obtained from the prothonotary's office at 717-772-2686. Transcripts from the formal hearing must be obtained directly from the stenography service for a fee.

Future Newsletter Publications

If there is an issue you would like to see addressed in the Pennsylvania State Board of Psychology newsletter, please email the board office at ST-PSYCHOLOGY@state.pa.us or submit your suggestions in writing to:

State Board of Psychology
"Newsletter"
P.O. Box 2649
Harrisburg, PA 17105-2649

Facts and Urban Legends

Continued from page 3

burden of proving that there has not been any exploitation of the client or patient. Regarding fictitious names, sole practitioners or group practices may use these, but these must be pre-approved by the board and registered with the corporation bureau of the Department of State. A certified school psychologist may perform any service that they provide in a school setting in private practice as long as they are employed as a school psychologist in Pennsylvania (41-11,12; 41-22,23; 41-34, 35; 41-39; 41-49,50).

Next, try the following true or false questions.

In Pennsylvania, you must:

- 1) Get written informed consent for treatment from all of your clients.
- 2) Report any criminal activities that your clients divulge in therapy.
- 3) Always warn third parties of possible harm.
- 4) Be certified by the Department of Health in order to provide substance abuse services.
- 5) Never use deception with participants in research.

The correct answer is false for all of the above. Informed consent does not necessarily have to be written, psychologists do not have to report any previous criminal activities divulged by clients in therapy and, while Pennsylvania does have a duty-to-warn requirement, it is based on the case of *Emerich v. Philadelphia Center for Human Development* and not *Tarasoff*, a case generally taught in graduate school.

Since confidentiality is such an important factor in treatment, it may be prudent for everyone to periodically review these standards. For example, a psychologist may reveal confidential information when there is a clear and imminent danger to an individual or society, but this should be done only after careful consideration and, if time permits, consultation with other mental health professionals.

Regarding the other statements, licensed psychologists may provide addiction services without other certification as long as they are trained and competent to do so. In special situations, deception may be used in research as long as it is fully justified (see 41-7, 8; 41-25, 26; 41-37,38; 41-42; 41-45, 46, 47).

True or false:

- 1) In order to be listed under the heading of “psychologists” in the yellow pages, the advertiser must be a licensed psychologist.
- 2) Licensees must keep written, legible notes and records for all of their clients.
- 3) The Board of Psychology does not know about complaints when they are filed and does not directly carry out any investigations of complaints.
- 4) Supervised experience must be at least 15 but no more than 40 hours per week.
- 5) Psychologists may not accept as clients or patients persons with whom you have had previously engaged in sexual intimacies.

Answers to these questions are true. Only psychologists licensed by the board may be listed under the heading of psychologists in the yellow pages. Psychologists licensed in another state should provide the board with written proof of their out-of-state licensure. Psychologists must maintain a legible record for each client/patient for at least five years after the date of last service for adults or longer if required by other legal authorities. As for the third statement, because of a Pennsylvania Supreme Court decision in *Lyness v. State Board of Medicine*, the board itself does not investigate, prosecute and then adjudicate. Investigators hired

Continued on page 11

June 2006 Pennsylvania Psychological Association Highlights of Board Presentation

The State Board of Psychology presented a workshop at the June 2006 Pennsylvania Psychological Association Annual Convention. For those board licensees unable to attend this workshop, below are highlights of this presentation.

Update on Regulations

Joseph L. French, Ed.D., provided an update on the status of regulations. Dr. French, a professor at Pennsylvania State University, has served on the Board of Psychology for eight years. He received the ASPPB State and Provincial Service Award and sits on the APA Accreditation Committee.

Newest Regulations - Notification of Discipline

§41.91. Reporting of crimes and disciplinary actions

- (a) A licensee shall notify the board of having been convicted, as defined in Section 8(a)(6) of the Act (63 P.S. §1208(a)(6)), of a felony or misdemeanor within 30 days of the conviction, or on the biennial renewal application, whichever is sooner.
- (b) A licensee shall notify the board of disciplinary action in the nature of a final order taken against the licensee by the licensing authority of another state, territory or country within 90 days of receiving notice of the disciplinary action, or on the biennial renewal application, whichever is sooner.

§41.92. Notice of active suspension or revocation.

A licensee who has voluntarily surrendered a license in lieu of discipline or whose license has been actively suspended or revoked by the board shall return the suspended or revoked license to the board and notify all current clients or patients, and any individuals obtaining supervision for licensure from the licensee, of the disciplinary action in writing within 30 days of receiving notice of the disciplinary action. The notice shall contain the following:

- (a) The sanction imposed
- (b) The effective date and length of the sanction.
- (c) The nature of the violation.
- (d) A statement that the licensee will assist patients in obtaining alternative professional resources and in transferring psychological records.

Regulation Changes

- ❑ **Education Regulations** – limits education qualification to APA-accredited or ASPPB-designated programs – *recently finalized*
- ❑ **Qualification regulations** – permit applicants to take the licensure examination once they complete their educational requirements and establish rules for primary and delegated supervisors – *being sent for pre-draft input*

Proposed Regulation Changes

- ❑ **Code of Conduct** – amend the board's Code of Ethics to bring it more in line with the ASPPB Code of Conduct and the APA Code of Ethics – *currently being drafted*
- ❑ **Electronic Transfer** – increases the number of hours of continuing education that can be completed by distance education – *currently being drafted*

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Legislative Initiatives

- ❑ Authority to impose fines of a maximum of \$10,000
- ❑ Authority to impose Cost of Investigation as part of final adjudications in disciplinary actions
- ❑ Authority to require licensees as a condition of licensure to cooperate with disciplinary investigations and hearings
- ❑ Authority to issue Civil Investigative Demands (CID Authority) as part of disciplinary investigation

Review of the Complaints Process

Julia A. Feld-Caralle, Esquire, a Department of State prosecuting attorney since 2000, and Allan M. Tepper, J.D., Psy.D., an attorney/psychologist, who has represented psychologists before the board, provided a review of the licensing complaints process.

A 1987 graduate of the George Mason University School of Law, Ms. Feld-Caralle served as a prosecuting attorney in the Dauphin County District Attorney's office from 1988 to 1990, after which she focused on medical malpractice in the private sector in York.

Impact on License: Overview of the Disciplinary Process

10 steps resulting in significant impact for you and your license

1. Disciplinary action is initiated by a complaint from a variety of sources
 - Consumers
 - Attorney General's Bureau of Consumer Protection – other agencies
 - Internal referrals
2. Processing of the complaint is done by BPOA's Professional Compliance Office
 - Complaints are confidential
 - Referred to Bureau of Enforcement and Investigation (BEI) when appropriate
3. BEI – Bureau of Enforcement and Investigation
 - Conducts the investigation – gathers evidence and interviews witnesses
4. Prosecution Division – makes final decision on whether to bring formal charges
 - They have prosecutorial discretion
 - Charging document is the Order to Show Cause
 - Filed with the BPOA Prothonotary Office
5. Pre-hearing procedures
 - Respondent/licensee files an answer
 - Exchange of information – limited discovery
6. The hearing
 - Either before the entire board or a hearing examiner, generally if practice case before board. Board decides on case-by-case basis whether to hear or delegate.
 - Rules of Evidence are followed
 - Burden of proof is on the commonwealth as the moving party
 - Standard of proof – preponderance of the evidence
 - Closing statement or a legal brief
7. Post Hearing
 - Decision must be rendered within 180 days after the record in a matter that has been closed
 - Hearing examiner: Proposed Adjudication & Order (A&O)
 - Board case: Final Adjudication and Order (FA&O)
8. Appeal rights
 - Respondent/licensee may appeal final A&O to Commonwealth Court
 - Standard of Review: Whether the board's final A&O is supported by substantial evidence

Continued on next page

Highlights of Board Presentation

Review of the Complaints Process

Continued from previous page

9. Identify three other legal procedures for disposing and adjudicating cases:
 - Citation – Act 48 cases
 - Default Motion – Judgment on the pleadings
 - Consent Agreements
10. Consequences – Penalty
 - Impose fines – maximum of \$1,000 per count
 - Discipline
 - o Public reprimand
 - o Suspension of license
 - o Revocation
 - Probation – specific terms and conditions
 - It is on your record, and it is a matter of public record

Violations of the Act That Can Lead to the Imposition of Discipline

1. Conviction of a felony or crime of moral turpitude
2. Immoral or unprofessional conduct
3. Violating standards of professional practice or conduct (i.e. exploitative dual relationships, competence, confidentiality)
4. Presenting false information on application for license
5. Submitting a false or deceptive biennial renewal for a license
6. Having a license in another state suspended, revoked or refused
7. Violating a board regulation
8. Being unable to practice safely due to illness, drunkenness, excessive use of drugs or mental or physical condition

Powers of the Board

The board is given the powers that are necessary to carry out the purposes of the Professional Psychologists Practice Act

- Subpoenas issued through the board's attorney can request witnesses to testify in board hearings
- The board can issue fines, fees and other penalties
- The board has the power to revoke licenses
- The board can recommend or order the rehabilitation of impaired professionals
- The board does not have a staff that actually monitors practitioners – if no complaint is filed, improper actions can go uncorrected
- The board must act openly and in an unbiased manner; therefore, it is subject to such laws as the Sunshine Act and the Right to Know law

Facts and Urban Legends

Continued from page 7

by the Bureau of Enforcement and Investigation conduct all investigations on the board's behalf. The prosecution office, with the help of members of the compliance office, review complaints and decide whether to bring formal charges. Once those charges are filed, the board becomes aware of the case and, following a hearing or agreement of the parties, decides the appropriate penalty (see 41-15, 16, 17; 41-25, 26; 41-34; 41-49; Section 3.2; Section 8; Section 11.1).

So, time to look at the "green" and "white" booklets again? Both of these documents are available at the board's Web site. Printed copies are also available upon request from the board office.

UNETHICAL OR UNLICENSED ACTIVITY

If you believe the practice or service provided by a licensed professional to be unethical, below an acceptable standard or out of the scope of the profession; or if you are aware of unlicensed practice, please call the Bureau of Professional and Occupational Affairs complaints hotline at:

In Pennsylvania: 1-800-822-2113

Out of State: 1-717-783-4854

A complaint form is available on the Department of State's Web site: www.dos.state.pa.us

REMINDERS

Change of Name and/or Address

To ensure receipt of a renewal notice or important information from the board, licensees must contact the board office with any changes in name or address. Name changes require a copy of court order, marriage certificate, divorce decree or other official document.

Disciplinary Action or Criminal Conviction

Disciplinary action taken by another state board and criminal convictions must be reported to the board by submitting certified copies of the legal documents to the address below. Criminal convictions must be reported within 30 days of conviction. Disciplinary actions must be reported within 90 days of the disciplinary action.

Send information to:
State Board of Psychology
P.O. Box 2649
Harrisburg, PA 17105-2649

Congratulations, New Licensees

Oct. 1, 2005 — Dec. 31, 2006

Jill E. Adaman
Francis M. Angelella
Patricia M. Arenth
Carla Renae Arlien
Grace Cox Ashton
Emily Russell Askin
Suzanne McAllister Avery
Jennifer Anne Babcock
Gregg Michael Baringoldz
Danielle Marie Barry
Peggy Ann Bender
John Wesley Bishop
Elizabeth A. Bjick-Larsen
Claudia Ann Blackburn
Kimberly Ann Blair
Samuel Abram Bobrow
Marian Bova
Danielle Schade Bowers
Jason Patrick Braun
Nancy Allanoff Braveman
Esther Carroll Britt
Sandra Ann Bumgardner
Stephanie Melofsky Bunin
Joel Richard Cahn
Stacey Colman Cahn
Kevin Castro-Convers
Cris Lynn Chambers
Jyh-Hann Chang
Tara Marie Chaplin
Gayle Lynn Chesley
Cynthia Calla Christenson
Ray William Christner
Kristen Maura Cirelli
Gwendy Nan Cobun
Elan Adam Cohen
Dorothea F. Colavita
George Francis Collins
Melissa Conti
Mark Daniel Cooperberg
Melanie A. Cosby
Dawn Crosson
Brian Patrick Daly
Heidi Joy Dalzell
Gail Friedman-Wheeler Dara
Andrew M. Davidson
Beth Arburn Davis
Lynne Cole Davis
Jennifer Eileen Dawson
Michael Thomas Degilio
Heather Renee Degroot
Mary Lee Deitch
Lisa Joan Diefenbach
Melanie Dawn Dubard
Michael Charles Dyson
Rosanne L. Edenhart-Pepe

Cynthia M. Edwards-Hawver
Sharon Virginia Elwell
Matthew Lynn Emery
Christy Lee Emmons
Jennifer Noelle Engler
Mary Elizabeth Ertel
Brigitte Aileen Erwin
Jennifer Lynn Fabrizio
Robert John Fazio
Jennifer Anne Fernandez
David Solomon Festinger
Travis Drake Flower
Sarah Elisabeth Franze
Dawn Marie Friend
Susan E. Funk-Bulatovic
Paul C. Furtaw
Kevin Russell Ganey
Clara Holt Gautier
Glen Edward Getz
Dora E. Ghetie
Kelly Lynn Gilrain
Michelle Menaker Goldberg
Kathleen Marie Gounaris
Jeffrey Scott Graham
Jeffrey Scott Grand
Rachel Maia Guides
Diane Marie Hall
Helen S. Hamlet
Jennifer Lynn Hartey
Bernadette M. Hayburn
Susan Joan Hayes
Stephanie Allison Heck
Trudy Diane Helge
Christopher Ian Higginson
Frank Gerard Hillary
Beverly Ann Hmel
Casey Hoffman
Suzanne Norine Houk
Cynthia L. Huang-Pollock
Beverly Ann Ingelse
Aaron Matthew Jacoby
Charles Joseph Kennedy
Kerry Ann Kennelly
Agnieszka A. Kleczek-Atkins
Donald L. Klein
Tammy Lynn Kordes
Virginia M. Koutsouros
Holly Rae Kricher
Rebecca Ann Lakin
Anna DeVries Lawler
Michael Ryan Lawrence
Mary Roberts Lawson
Wendy Sue Lawson
Daniel Aaron Lee
Carin Marice Lefkowitz

Valerie Ann Lemmon
Karen Kathleen Lemon
Kelly Lynn Lengel
Kenneth Neil Levy
Lori Dawn Lindley
Darlene Davis Link
Tara Beth Louchery
Jennifer Ludrosky
Colleen Taylor Lukens
Jennifer D. Lundgren
Michelle L. Lynch
Kenneth M. Maguire
James Patrick Mahan
Debra M. Margulies
Robert J. Marsh, Jr.
Michael P. Marshal
Nicole G. Martell
Stephanie B. Mattei
Andrea P. Mattison
Michael F. Mayers
Laurie Beth Mazzuca
Marla S. McLaughlin
Carolyn T. McMicken
Jan Louise Melcher
Carol S. Miklos
Rachel Erin Millner
Cathleen A. Miner
Charles R. Moeller
Christine Molnar
Kevin Carson Moore
Roberto Morales
Patricia K. Morgan
Michael T. Mosko
Susan M. Moslow
Clare Elise Mundell
Melissa A. Napolitano
Julie Leaf Nemeth
Elizabeth M. Nolan
Melvina A. Norwood
Paige M. Novick-Kline
Nina Lucia Pagano
Ahna Luise Pai
Joseph P. Pecorelli
Nancy L. Pegher
Amanda L. Pelphrey
Emily Lauren Perlis
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Tow Yee Yau
Monica Wood Yeater
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Avril Dawn Zaharoff

Continuing Competence and Public Protection

Continued from page 4

to *Continuing Competency*,” an outgrowth of the July 2003 Summit. The action plan includes two parts: pilot programs and knowledge gathered during the programs. It also calls for a public-private partnership to implement its five recommendations: develop a national consensus definition of health professional competence for each profession; pass laws in every state requiring periodic health professional competency assessment and assurance as a condition of maintaining licensure; use only evidence-based programs to assess and demonstrate health professional competence; and adopt higher standards for health professionals enrolled in continuing education courses, including testing.

A national conference of opinion leaders from stakeholder groups, including state regulatory board public members, and researchers will be convened to address the CAC action plan agenda. In future newsletter articles, licensees will be informed of its progress.

While Pennsylvania does not test licensees for clinical competency, Principle 2 of the board’s code of conduct requires licensees to maintain competency in their area of practice.

Licensees may be disciplined for failing to do so.

Right-to-Know Act and Home Addresses

The Bureau of Professional and Occupational Affairs is sensitive to its licensees’ concerns about personal privacy. However, the Pennsylvania Right-to-Know Act, 65 P.S. § 66.1, mandates release of information contained in a “public record” stored by that agency if a member of the public requests it.

The bureau will take all reasonable steps to safeguard personal information contained in your licensure records. We realize that many of you use your home address on the licensure records maintained by the bureau. However, given the uncertainty over what the Right-to-Know Act requires, neither the bureau nor the board that issues your license can guarantee the confidentiality of the address shown on your licensing record. Therefore, we recommend that if you have a personal security concern, you might want to consider what many of our licensees have already done: use a business address or box number as the official address on licensure records.

Also, with the License 2000 computer system, you may indicate to the board an address for release to the public that may be different from your home address.

To further protect your privacy and identity, the bureau will only accept a request to change a licensee’s address if it is submitted in writing and includes the licensee’s Social Security number, license number and the old and new addresses.

Disciplinary Actions

Following is a chronological listing of disciplinary actions taken by the board throughout 2006. Each entry includes the name, certificate or registration number (if any), and last known address of the respondent; the disciplinary sanction imposed; a brief description of the basis of the disciplinary sanction and the effective date of the disciplinary sanction.

Every effort has been made to ensure that the following information is correct. However, this information should not be relied on without verification from the Prothonotary's Office of the Bureau of Professional and Occupational Affairs. One may obtain verification of individual disciplinary action by writing or telephoning the Prothonotary's Office at P.O. Box 2649, Harrisburg, PA 17105-2649; (717) 772-2686.

Please note that the names of persons listed below may be similar to the names of persons who have not been disciplined by the board.

Michael Golinkoff, license no. PS004796L, of Bala Cynwyd, Montgomery County, was assessed a \$1,000 civil penalty and indefinitely suspended until he provides the board with acceptable documentation that he completed three contact hours of education in ethical issues. (12-22-05)

Arthur D. Hamarich, license no. PS005024L of Pottstown, Montgomery County, was assessed a \$6,000 civil penalty, must attend 12 hours or remedial education, send a letter of apology to the patient and a reprimand was placed on his permanent board record. Hamarich displayed gross incompetence, negligence or misconduct in carrying on the practice of psychology; violated the regulations that set forth standards for the employment and supervision

of unlicensed persons with graduate training in psychology and require that a psychologist maintain a legible record for each client or patient which includes, at minimum, the name and address of the client or patient and, if the client or patient is a minor, the name(s) of the parent(s) or legal guardian; and violated those sections of the American Psychological Association Ethical Principles of Psychologists and Code of Conduct that address delegation to and supervision of subordinates; requires a psychologist's assessments, recommendations, reports, and psychological diagnostic or evaluation statements be based on information and techniques sufficient to provide appropriate substantiation for their findings; requires that when a therapist is a student intern, the client or patient be informed of that fact and set forth the standards for informed consent (01-09-06)

Ann H. Carlin, license no. PS005473L of Stroudsburg, Monroe County, was suspended for a minimum period of three years, of which not less than two years shall be served actively. Carlin engaged in a dual relationship and unprofessional conduct with a client (1-9&10-06)

Robert P. Craig, license no. PS004505L, of Grove City, Mercer County, was assessed a \$950 civil penalty, a public reprimand was placed on his board record, and he must complete the lacking 9.5 hours of continuing education within ninety days. Craig failed to meet the required continuing education requirements by 9.5 approved hours for the Dec. 1, 2001 through Nov. 30, 2003 psychology licensing period. (03-20-06)

Mark Edwin King, license no. PS002518L of Pittsburgh, Allegheny County, was ordered to complete 30 contact hours of continuing education. This is to include 20 contact hours addressing the subject of child custody evaluations and 10 hours addressing the subject of ethical issues. A public reprimand was also placed on King's permanent board record. King failed to gather, reassemble, and/or fully utilize available data, or data that had been destroyed; and failed, as a result, to perform a child custody evaluation/assessment of sufficient scope and quality. (3-20-06)

Alan M. Kotzen, license no. PS005394L, of Richboro, Bucks County, was suspended for 15 days, effective immediately, and must complete the lacking 18 hours of continuing education credits within 90 days. Kotzen failed to meet the required continuing education credits by 18 hours. (03-20-06)

John Quintana, license no. PS002895L, of Philadelphia, Philadelphia County, was assessed a \$900 civil penalty, a public reprimand was placed on his board record, and he was ordered to complete the lacking six hours of continuing education within ninety days. Quintana failed to meet the required continuing education requirements by six hours. (03-20-06)

Morton Zivan, license no. PS000992L, of Philadelphia, Philadelphia County, was suspended for two years and ordered to complete 15 hours of remedial psychology education, based on findings of unprofessional conduct. (05-01-06)

Elaine Barbara Axelman, license no. PS006084L, of Penn Valley, Montgomery County, was assessed a \$500 civil penalty because she practiced psychology while her license was inactive or had lapsed. (7-11-06)

Caroline M. Bachman, license no. PS003989L, of Elkins Park, Montgomery County, was assessed a \$500 civil penalty. Bachman practiced psychology while her license was inactive or had lapsed. (09-18-06)

Steven Crain, license no. PS003883L, of State College, Centre County, was revoked because Crain engaged in sexual intimacies with a former client within two years following the termination of the professional relationship. (09-18-06)

D. Laurence More, license no. PS007873L, of Ardmore, Delaware County, was suspended for a minimum of five years, not less than four years of which are to be served actively. More engaged in sexual intimacies with a former client within two years following the termination of the professional relationship. (09-18-06)

Carol A. Wagner-Adams, license no. PS002634L, of Corrales, NM, was suspended for 30 days effective immediately, and within ninety days of the effective date of board order, Wagner-Adams was ordered to complete the lacking 24 hours of continuing education credits. Wagner-Adams submitted a false or deceptive biennial registration to the board and failed to complete at least thirty hours of required board-approved

continuing education courses or programs for that licensing period. (10-16-06)

Tobias F. Cabral, license no. PS015239, of Yardley, Bucks County, was assessed a \$500 civil penalty. Cabral practiced psychology while his license was inactive or had lapsed. (10-16-06)

Susan R. Prest, license no. PS005553L, of Madison, WI, was assessed a \$250 civil penalty for failing to submit proof of approved continuing education credits. (10-24-06)

David S. Greenwald, license no. PS002572L, of Philadelphia, Philadelphia County, was assessed a \$750 civil penalty and a public reprimand was placed on Greenwald's permanent board record. Greenwald completed only 25 of 30 acceptable continuing education credits for the 2003 through 2005 psychology licensing period. (11-20-06)

Philip J. Kinney, license no. PS006139L, of Coopersburg, Lehigh County, was reprimanded, assessed a \$2,500 civil penalty, and required to complete an in-class graduate course in ethics from an accredited or designated psychology program and an in-class three hour continuing education course on child custody. Kinney's forensic assessments, recommendations and reports were not based on information and techniques sufficient to provide appropriate substantiation for their findings, and he made statements about the mother and her ability to parent without having conducted any examination of

her, failed to clarify the impact of his failure to examine mother on the reliability and validity of his report and testimony and failed to appropriately limit the nature and extent of his conclusions and recommendations, failed to maintain an objective and impartial stance in his evaluation of the child, failed to obtain informed consent from all adult participants prior to performing a custody evaluation on the child, failed to use multiple methods of data gathering, and over-interpreted or inappropriately interpreted clinical or assessment data. (11-27-06)

Lois McLatchie, license no. PS004459L, of Euclid, OH, was reprimanded based on findings that she was reprimanded and placed under supervision by the proper licensing authority of another state. (11-27-06)

Frank J. DiPrima, license no. PS005364L of Dillsburg, York County, was suspended for two years, immediately stayed, and was assessed a \$1,000 civil penalty, and must complete 12 contact hours of remedial education in topics related to professional ethics. DiPrima was convicted of a misdemeanor in the practice of psychology. (12-18-06)

Debra Taras, license no. PS009288L, of Philadelphia, Philadelphia County, was immediately suspended for 15 days and must complete the lacking 15 continuing education credits must be completed within 90 days of the effective date of the board order. (12-18-06)

Check www.dos.state.pa.us for updated disciplinary action reports.

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