

STATE OF FLORIDA
BOARD OF PSYCHOLOGY

Final Order No. DOH-03-0153- DS-MQA
FILED DATE - 2/21/03
Department of Health
By: Vicki R. Canon
Deputy Agency Clerk

IN RE: THE PETITION FOR DECLARATORY STATEMENT OF

Rhonda R. Adkinson

FINAL ORDER

THIS MATTER came before the Board of Psychology ("Board") pursuant to Section 120.565, Florida Statutes, at a duly-noticed public meeting held by telephone conference call on January 31, 2003, for the purpose of considering the Petition for Declaratory Statement filed by Rhonda R. Adkinson ("Petitioner"). At the hearing on this matter, the Petitioner was present by telephone, and was represented by Clayton J.M. Adkinson, Esquire, who also appeared by telephone. Having considered the petition, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. Petitioner is a doctoral student enrolled at the Florida Institute of Technology, Melbourne, Florida, in an APA-approved program leading to a doctoral degree in clinical psychology.
2. Petitioner proposes to complete a 2000-hour post-doctoral residency at the COPE Center, Inc., a community mental health and alcohol substance abuse center located in DeFuniak Springs, Florida. The COPE Center does not employ a licensed psychologist.
3. Petitioner proposes that primary supervision of her post-doctoral residency be provided by Dr. Mary L. Stegall, a Florida-licensed psychologist currently in the private practice of psychology in DeFuniak Springs. Dr. Stegall is not employed by the COPE Center.
4. The COPE Center has agreed to this arrangement, although Petitioner will be solely responsible for payment of Dr. Stegall's supervisory fees.
5. All clients of the COPE Center who receive treatment from Petitioner will execute a written consent to treatment, which will identify Petitioner as a psychology resident, and Dr. Stegall as Petitioner's primary supervisor.
6. Dr. Stegall will provide two hours of weekly, face-to-face supervision to the Petitioner.
7. Petitioner will receive additional supervision from two COPE Center staff members, one of whom is licensed as a Clinical Social Worker, and the other of whom is licensed as a Mental Health Counselor.

8. Petitioner seeks the Board's opinion as to whether the proposed supervised practice would be in violation of Section 490.005(1)(c), Florida Statutes, which provides:

The experience requirement may be met by work performed on or off the premises of the supervising psychologist if the off-premises work is not the independent, private practice rendering of psychological services that does not have a psychologist as a member of the group actually rendering psychological services on the premises.

9. Petitioner further seeks the Board's opinion as to whether the proposed supervised practice would be in violation of Rule 64B19-11.005(2)(a), Florida Administrative Code, which provides:

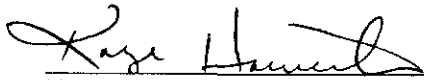
There may be no conflict of interest created by the supervisory association and no relationship may exist between the supervisor and the psychological resident except the supervisory association.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Section 120.565, Florida Statutes.
2. The Board concludes that the post-doctoral supervised practice proposed by Petitioner, as presented in the petition for declaratory statement, does not violate either Section 490.005(1)(c) or Rule 64B19-11.005(2)(a).
3. The Board encourages Dr. Stegall to make occasional visits to the COPE Center for purposes of Petitioner's supervision. The Board also notes that supervision by anyone other than a doctoral-level psychologist licensed in good standing pursuant to Chapter 490, Florida Statutes, will not be acceptable supervision for licensure purposes.
4. This Order constitutes final agency action and may be appealed by any party pursuant to Section 120.68, Florida Statutes, and Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, by filing a notice of appeal conforming to the requirements of Rule 9.110(d), Florida Rules of Appellate Procedure, both with the appropriate District Court of Appeal, accompanied by the appropriate filing fee, and with the Department's clerk of agency proceedings, within thirty (30) days of rendition of this Order.

DONE AND ORDERED this 19 day of February, 2003.

BOARD OF PSYCHOLOGY



Kaye Howerton, Executive Director
for Katurah Jenkins-Hall, Ph.D., Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. Mail to Rhonda R. Adkinson, c/o Clayton J.M. Adkinson, Esquire, P.O. Box 1207, DeFuniak Springs, Florida 32435, this 21st day of February, 2003.



**Petition for Declaratory Statement
Submitted to Florida Department of Health
Board of Psychology**

Rhonda R. Adkinson, Petitioner
P.O. Box 1207
DeFuniak Springs, Florida 32435

Clayton J.M. Adkinson
Attorney for Petitioner
P.O. Box 1207
DeFuniak Springs, Florida 32435
Florida Bar #171651
Phone: 850-892-5195
Fax: 850-892-3013

RECEIVED
DEPARTMENT OF HEALTH
MAY 13 2003

A Declaratory Statement is sought concerning Florida Statutes 490.005(1)(c) and Rule 64B19-11.005 of the Florida Administrative Code.

The petitioner is a doctoral student enrolled at the Florida Institute of Technology, Melbourne, Florida, in an APA approved program seeking a doctoral degree in clinical psychology. She is currently completing her psychology internship in Kissimmee, Florida, at Park Place Behavioral Health Care, and will graduate in September 2003.

At the present time she has the opportunity to complete a 2000-hour postdoctoral residency at the COPE Center, Inc., a community mental health and alcohol substance abuse center located in DeFuniak Springs, Florida. The agency does not employ a licensed psychologist. Dr. Mary L. Stegall is the only licensed psychologist currently practicing in DeFuniak Springs. Dr. Stegall is a Board certified forensic psychologist, a retired professor of psychology and now maintains an independent, part-time practice. She is not employed by nor affiliated with the COPE Center. However, Dr. Stegall has agreed to serve as primary supervisor for Mrs. Adkinson while she is employed at the COPE Center during the year of postdoctoral residency. The COPE Center has agreed to this arrangement although Mrs. Adkinson will be

responsible for payment of Dr. Stegall's supervisory fees. All parties will execute the appropriate confidentiality releases and the informed consent executed by clients of the COPE Center will identify Mrs. Adkinson as a psychology resident and Dr. Stegall as her primary supervisor. Mrs. Adkinson was a former student of Dr. Stegall, prior to 1991, while pursuing an Associates of Arts degree at the local community college.

The concern we have is with regard to the language contained in F.S. 490.005(1)(c) which states:

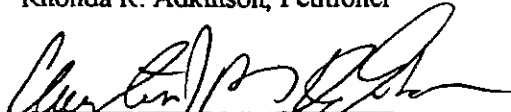
"...The experience requirement may be met by work performed on or off the premises of the supervising psychologist if the off-premises work is not the independent, private practice rendering of psychological services that does not have a psychologist as a member of the group actually rendering psychological services on the premises."

Also, the language in the Florida Administrative Code 64B19-II.005(2)(a) states:

"There may be no conflict of interest created by the supervisory association and no relationship may exist between the supervisor and the psychological resident except the supervisory association."

Mrs. Adkinson respectfully requests a Declaratory Statement as to whether the supervisory experience described above would comply with the Florida Statutes, the Florida Administrative Code, and satisfy the post doctoral training requirements for licensure purposes.


Rhonda R. Adkinson, Petitioner


Clayton J.M. Adkinson
Attorney for Petitioner
P.O. Box 1207
DeFuniak Springs, FL 32435
850-892-5195
Florida Bar #171651

Dated: December 30, 2002

RECEIVED
DECEMBER 31 2002
STATE BAR OF FLORIDA

**Supplement to Petition for Declaratory Statement
Submitted to Florida Department of Health
Board of Psychology**

Rhonda R. Adkinson, Petitioner
P.O. Box 1207
DeFuniak Springs, Florida 32435

Clayton J.M. Adkinson
Attorney for Petitioner
P.O. Box 1207
DeFuniak Springs, Florida 32435
Florida Bar #171651
Phone: 850-892-5195
Fax: 850-892-3013

The petitioner, by and through her undersigned attorney, hereby files a Supplement to the Petition for Declaratory Statement dated December 30, 2002, for the purpose of specifying the type of services to be performed by the psychology resident at the COPE Center, Inc., and clarifying the type of supervision to be provided for the psychology resident during the year of post doctoral residency.

The psychology resident shall provide, under the direct supervision of the primary and secondary supervisors named below, the following psychological services:


Routine screening and assessment – all ages, all populations
Emergent and urgent screening and assessment – all ages, all populations
Outpatient and/or inpatient residential individual and group therapy – all ages, all populations (including the chronically mentally ill and substance abuse populations)
Psychological evaluation, testing and report writing – all ages, all populations
Psychological education with client populations
Community presentations and psychological education

The psychology resident shall receive supervision from the following three supervisors:

Mary L. Stegall, Ph.D. – Primary Supervisor to provide weekly, off-site supervision (23 years clinical experience)
Rachel R. Gillis, LCSW – Secondary Supervisor and Executive Director of the Cope Center, Inc., daily, on-site supervision and weekly staffing (26 years clinical experience)
Suzette Dejarnette, LCSW – Secondary Supervisor and Clinical Director of the Cope Center, Inc., daily, on-site supervision and weekly staffing (30 years clinical experience)

Dr. Mary L. Stegall shall be oriented to agency confidentiality standards and shall enter into a written agreement to comply with the same. The primary supervisor and the psychology resident shall be free to discuss clients and client charts without restriction. All agency clients receiving treatment from the psychology resident shall execute a written consent to treatment which shall identify Rhonda R. Adkinson, M.S., as a psychology resident, and Mary L. Stegall, Ph.D., as her primary supervisor. Dr. Stegall shall provide two hours of weekly, face-to-face supervision to the resident. The content of said supervision sessions shall include, but is not limited to, case conceptualization, theoretical constructs, intervention planning, and addressing the developmental needs of the resident as an entry level psychologist, including counter transference issues. The primary supervisor shall also review selected audio recordings of therapy sessions. Any client involved in a taped therapy session shall execute a written consent to the recording for supervisory purposes only.


Rhonda R. Adkinson, Petitioner


Clayton J.M. Adkinson
Attorney for Petitioner
P.O. Box 1207
DeFuniak Springs, FL 32435
850-892-5195
Florida Bar #171651

Dated: January 6, 2003

03 JAN -7 PM 4:31

110A/MEDICAL THERAPIST