

By: Heather Coleman
Deputy Agency Clerk

**STATE OF FLORIDA
BOARD OF PSYCHOLOGY**

**IN RE: THE PETITION FOR DECLARATORY STATEMENT OF
CITRUS HEALTH NETWORK, INC.**

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 June 17, 2005, by telephone conference call, for the purpose of considering the Petition for Declaratory Statement filed April 15, 2005, by Donna L. Johnson, Esq., on behalf of Citrus Health Network, Inc. ("Petitioner"). Notice of the Petition was published on May 6, 2005, in Volume 31, Number 18 of the Florida Administrative Weekly. No comments by interested persons were received. Donna L. Johnson, Esquire, was present on behalf of Petitioner at the meeting. The Board was represented by Mary Ellen Clark, Assistant Attorney General. Having considered the petition, the Board makes the following findings and conclusions:

FINDINGS OF FACT

1. Petitioner is a psychology internship program accredited by the American Psychological Association.
2. Petitioner provides training to its employees and interns on cultural sensitivity and other areas as required by various licensing agencies.

3. Rule 64B19-13.003(1)(c), Florida Administrative Code provides that continuing psychological education credit will be granted for “[c]ompletion of a colloquium, a presentation, a workshop or a symposium offered for continuing education credit by a doctoral psychology program or an internship which is part of a psychology program that is accredited by the American Psychological Association.”

4. Petitioner asks whether continuing education credit can be awarded to its employees who are members of the psychology field who attend training Petitioner conducts that is not a part of its internship program, i.e, when the interns are not present?

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Section 120.565, Florida Statutes and answers this question only as it relates to those licensed pursuant to Chapter 490, Florida Statutes.


2. The Board answers the question in the negative. When Petitioner conducts training for its employees that is not a part of its internship program, Rule 64B19-13.003(1)(c), Florida Administrative Code is not applicable and those employees who are members of the psychology field in attendance may not be awarded continuing education credit. For Petitioner to be able to provide continuing education under these circumstances, it would have to make application to the Board for approval pursuant to Rule 64B19-13.004, Florida Administrative Code.

3. 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.

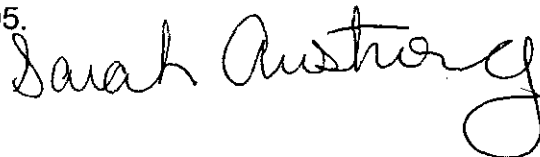
~~DONE AND ORDERED~~ this 13 day of July, 2005.

BOARD OF PSYCHOLOGY


Kaye Howerton, Executive Director
for Richard Hoffman, 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 Donna L. Johnson, Citrus Health Network, Inc., 4175 West 20th Avenue, Hialeah, FL 33012-5835; and by interoffice mail to Mary Ellen Clark, Assistant Attorney General, Administrative Law Section, PL-01 The Capitol, Tallahassee, Florida 32399-1050, this 14th day of July, 2005.



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Deputy Agency Clerk

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PETITION FOR DECLARATORY STATEMENT BEFORE THE
DEPARTMENT OF HEALTH, BOARD OF PSYCHOLOGY OFFICE OF THE CLERK

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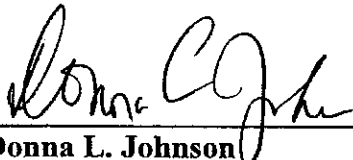
CLERK *Heather Colman*
DATE 4/15/05

Petitioner: Citrus Health Network, Inc.
4175 West 20th Avenue
Hialeah, FL 33012-5835

Petitioner's Attorney: Donna L. Johnson, Esq.
Citrus Health Network, Inc.
4175 West 20th Avenue
Hialeah, FL 33012-5835

Administrative Rule: F.A.C. §64B19-13.003 (c) Continuing Psychological
Education Credit

Query: Can the continuing education credit be provided to members of the psychology field outside of the internship program? Our Director of Training often provides training on cultural sensitivity and other areas that is required by JCAHO, AHCA and other licensing agencies. CHN employs psychologists, social workers and other disciplines that require licensure. When Psychologist and Master level clinicians licensed under Chapter 491 attend trainings under the supervision of the Training Director for the Center and the APA accredited internship which do not physically include the interns' attendance, are we allowed to provide CEUs for them pursuant to 64B19-13.003?



Donna L. Johnson
In-House Counsel
(305) 424-3060

Submitted: April 12, 2005

To: Department of Health's Agency Clerk's Office
4052 Bald Cypress Way, Bin#A02
Tallahassee, FL 32399-1703