

**STATE OF FLORIDA
BOARD OF PSYCHOLOGY**

**IN RE: THE PETITION FOR DECLARATORY STATEMENT OF
JESSICA L. PODOLSKY**

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 on April 28, 2006, in Tampa, Florida, for the purpose of considering the Petition for Declaratory Statement filed March 10, 2006, by Jessica L. Podolsky, ("Petitioner"). Notice of the Petition was published on March 31, 2006, in the Florida Administrative Weekly, Volume 32, No. 13. No comments by interested persons were received. Petitioner was neither present at the meeting and nor represented by counsel. 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 candidate for a Ph.D. in Counseling Psychology at the University of Miami and will seek licensure as a Florida psychologist upon the completion of her post-doctoral supervised experience requirements.
2. Petitioner asks whether a sufficient number of hours in either of the following two types of experiences would satisfy the requirements of Rule 64B19-11.005, Florida Administrative Code:

a. Employment in a public high school providing individual counseling to students, consultation with parents, teachers and administrators, and program development where a supervising Florida licensed psychologist is present on campus at all times.

b. Employment at a community or four year college providing short-term psychoeducational-based consultation or advising, career counseling, program development and consultation with faculty, parents, and staff where a supervising Florida licensed psychologist is present on campus at all times.

CONCLUSIONS OF LAW

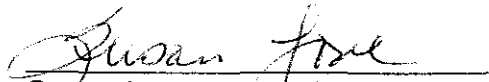
1. The Board has jurisdiction over this matter pursuant to Section 120.565, Florida Statutes.

2. The Board conditionally answers the questions in the affirmative. Both types of experiences constitute the practice of psychology and could satisfy the requirements of Rule 64B19-11.005, Florida Administrative Code, although the Board would require more specific information regarding what is meant by "program development" to answer with respect to that particular activity.

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 5th day of June, 2006.

BOARD OF PSYCHOLOGY



Susan Love, Executive Director
for Rafael Rivas-Vazquez, Psy.D., Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. Mail to Jessica L. Podolsky, 6900 SW 44th Street, Apt. #216, Miami, FL 33155; and by interoffice mail to Mary Ellen Clark, Assistant Attorney General, Administrative Law Section, PL-01 The Capitol, Tallahassee, Florida 32399-1050, this 5th day of June, 2006.



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Deputy Agency Clerk

FILED

DEPARTMENT OF HEALTH
DEPUTY CLERK

CLERK

Jhena Melton

DATE

3-10-06

March 6, 2006

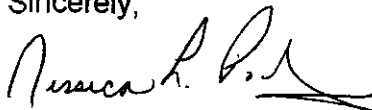
Attn: Florida Board of Psychology

This letter is requesting a Petition for Declaratory Statement Before the Board of Psychology for Jessica L. Podolsky a doctoral student (5th year) in Counseling Psychology at the University of Miami. I am currently completing my internship year and applying for informal post-doctoral positions at various sites in South Florida. I would like clarification from the Board on what would be needed for these potential employment opportunities to meet the requirements for the 2000 hours of supervised post-doctoral experience (64B19-11.005) in terms of psychologist licensure. I have questions on the following two experiences:

- 1) I am currently completing my PhD in Counseling Psychology at University of Miami, and I have a strong desire to work in a public school providing counseling services (under the supervision of a licensed psychologist) to high school students next year. It is expected that this position would include a substantial amount of individual counseling (students), consultation (parents, teachers, administrators), and program development. The school district also has licensed psychologists who are assigned to the various schools in the county or at the district level, so there would be coverage if there was an emergency in the school or if my primary supervisor was off-site. I was wondering if, provided that I have a licensed psychologist supervise me for 2 hours/week, work 40 hours/week, and earn 900 hours of client contact hours over the course of the year, if there would be any additional criteria needed for this type of position to meet the post-doctoral requirement? This question is in reference to 490.003 (4) in terms of the definition of the "practice of psychology" and 490.005 (4) in terms of whether a licensed psychologist supervisor must be on-premise or if he or she can be off-site.
- 2) Moreover, although my first preference would be to work in a public high school, I am also applying for Counselor and Advisor positions at local colleges and community colleges. I was wondering whether the "practice of psychology" (490.003 (definition 4)) also includes short-term psychoeducational-based consultation or advising, career counseling, program development, and consultation with faculty, parents, and staff?

I certainly appreciate your time and consideration. Please feel free to contact me at (305) 668-0271 or via U.S. mail if the Board has any additional questions.

Sincerely,



Jessica L. Podolsky
6900 SW 44th Street
APT. #216
Miami, FL 33155

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MOA/MEDICAL THERAPIES/
PSYCHOLOGY