

By: Rachel P. [Signature]
Deputy Agency Clerk

**STATE OF FLORIDA
BOARD OF PSYCHOLOGY**

**IN RE: THE PETITION FOR DECLARATORY STATEMENT OF
MICHAEL JOHN GOURNARIS, Ph.D.**

FINAL ORDER

THIS MATTER came before the Board of Psychology ("Board") pursuant to Section 120.565, Florida Statutes (FS), at a duly-noticed public meeting held on April 4, 2008, in Tampa, Florida, for consideration of the above-referenced Petition for Declaratory Statement filed February 20, 2008, by Michael John Gournaris, Ph.D., ("Petitioner"). The Notice of the Petition for Declaratory Statement was published on March 7, 2008, in Volume 34, No. 10, of the Florida Administrative Weekly. No comments by interested persons were received. Petitioner was neither present at the meeting 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 licensed psychologist in the state of Florida.
2. Rule 64B19-13.003(1)(i), Florida Administrative Code (FAC), provides that "continuing psychological education credit will be granted for continuing education courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health, provided that such courses enhance the psychological skills and/or psychological knowledge of the licensee."

3. Rule 64B19-13.003(2)(g), FAC, provides that no continuing psychological education credit may be earned for home study except from providers approved by the American Psychological Association or any of its affiliates.

4. Petitioner completed three home study courses that had been approved by the Florida Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling, but had not been approved by the American Psychological Association or any of its affiliates.

5. Petitioner asks for an interpretation of Rules 64B19-13.003(1)(i) and 64B19-13.003(2)(g), FAC, in conjunction and with regard to the home study courses he completed, for a determination as to whether or not he is entitled to continuing psychological education credit for these courses.

CONCLUSIONS OF LAW

6. The Board has authority to issue Final Orders pursuant to Section 120.565, FS, and Rule 28-105, FAC.

7. The Petition filed in this cause is in substantial compliance with the provisions of Section 120.565, FS, and Rule 28-105.022, FAC.

8. The Board finds that the three home study courses Petitioner completed do not meet the requirements of Rule 64B19-13.003(2)(g), FAC, in that the providers were not approved by the American Psychological Association or one of its affiliates and, therefore, Petitioner is not entitled to continuing psychological education credit for these courses.

9. Having answered the first question in the negative, the Board declines to reach the question of whether or not the courses in question meet the requirements of Rule 64B19-13.003(1)(i), FAC, by enhancing psychological skills and or psychological knowledge.

10. This Order constitutes final agency action and may be appealed by any party pursuant to Section 120.68, FS, 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 21 day of April, 2008.

BOARD OF PSYCHOLOGY



Allen Hall, 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 Michael John Gourmaris, Ph.D., 667 Elm Street, Paynesville, MN 56362 ; and by interoffice mail to Mary Ellen Clark, Assistant Attorney General, Administrative Law Section, PL-01 The Capitol, Tallahassee, Florida 32399-1050, this 22 day of April, 2008.


Deputy Agency Clerk

RAEUL B...
2-20-08

Petition for Declaratory Statement before the Florida Board of Psychology

This letter is in reference to the statutory provisions provided by the Florida Board of Psychology related to Continuing Psychological Education Credits:

64B19-13.003 Continuing Psychological Education Credit.

(1) Continuing psychological education credit will be granted for:

(i) Continuing education courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health, provided that such courses enhance the psychological skills and/or psychological knowledge of the licensee.

64B19-13.003 Continuing Psychological Education Credit.

(2) No continuing psychological education credit may be earned for:

(g) Home study except from providers approved by the American Psychological Association or any of its affiliates.

I subscribe to CEBroker.com's services where I bank my CEUs online. This online service is supported by the Florida Department of Health and I was recently informed that my nine CEUs were removed from my transcript by the CEBroker.com to ensure transcript integrity. It also stated that no continuing psychological education credit may be earned for home study except from providers approved by the American Psychological Association or any of its affiliates. I was advised to contact you, the Psychology Board directly to address this. The three home-study courses that were denied by CEBroker.com are listed in this letter. According to the statutory provisions, these home-study courses should be accepted and a total of nine CEUs should be counted toward my psychology license because these courses are either approved by the Florida Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling which is within the Division of Medical Quality Assurance under Department of Health and/or by any affiliates of American Psychological Association (APA). The National Board of Certified Counselors (NBCC) is one of the affiliates of the APA. In addition, I currently hold a National Certified Counselor certification (NCC) through NBCC.

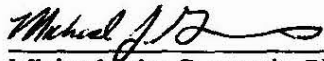
The course that I took on 12/8/2006 was titled "Professional Ethics" (4 CEUs) which was offered by the Contemporary Teaching, Inc. (www.contemporaryteaching.com) was denied. These courses were approved by the Florida Board of Marriage & Family Therapists, Social Workers, Mental Health Counselors (BAP-513) and Florida Certification Board CBAPF (Provider A-115).

The last two courses that I took on 6/17/2006 and 11/26/2006 respectively, titled "Running on Empty: Therapist Self-Care" (3 CEUs) and "Ethics in Internet Counseling and Telecounseling" (2 CEUs) were also denied. These courses were offered by Innerlandscape (www.siteceu.com) and they are approved by both NBCC (Provider

#5803) and the Florida Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling (Provider BAP745).

I am seeking how the rules apply to my situation in terms of being able to count the nine CEUs that I earned through three different home-study courses toward my psychology license; therefore I am exercising the option to seek a legally binding opinion from the Board by filing this Petition for Declaratory Statement.

Thank you,



Michael John Gournaris, Ph.D.
PY#7149

2/12/08

Date

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