

**STATE OF FLORIDA
BOARD OF PSYCHOLOGY****IN RE: THE PETITION FOR DECLARATORY STATEMENT OF
JEFFREY LANE, 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 January 9, 2008, by Jeffrey Lane Ph.D., ("Petitioner"). Notice of the Petition for Declaratory Statement was published on January 28, 2008, in Volume 34, No. 04, 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. Petitioner requested the issuance of a Declaratory Statement regarding the Board's interpretation of Rule 64B19-18.002, F.A.C., and Section 490.0143, Florida Statutes, and whether based on Petitioner's credentials, he could lawfully hold himself out to the public as a sex therapist. 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 64B19-18.002, FAC, provides that "prior to holding oneself out as a sex therapist, a psychologist must have received training in the provision of psychological health services and shall have completed a minimum of 150 clock hours

of education which meets the requirements of Rule 64B19-13.003, FAC, in the specific area of sex therapy and in the interaction between sex therapy and the general provision of psychological health services.”

CONCLUSIONS OF LAW

3. The Board has jurisdiction over this matter pursuant to Section 120.565, FS.

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

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

6. The Board declines to answer the Petition for Declaratory Statement, as the Board has set forth the training requirements for lawful use of the designation “sex therapist” in the rule, as required by 490.0143, FS, and, in doing so, left it to the licensees to determine for themselves whether or not they have achieved the required training.

7. 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
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 Jeffrey Lane, Ph.D., Family Psychological Center, P.A., 804 South Oliver, Wichita, Kansas 67218 ; 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.

Janice Dixon
Deputy Agency Clerk

Family Psychological Center, P.A.

804 South Oliver / Wichita, KS 67218 / 316-685-9311 / Fax 316-685-6101 / www.familypsychologicalcenter.com
Email: drlane@familypsychologicalcenter.com



Licensed Psychologist
Jeff Lane, Ph. D.
Fred de Wit, Ph. D.

Supervisors
Katherine Goodenow
Beverly Becker, LSCSW
Marjorie Lofgren, LSCSW
Steve Hammer, LSCSW
Melissa Grunau, LMSW

Primary Services
Forensic Psychological Evaluations
Counseling & Psychotherapy
Marital
Divorce Mediation
Family
Infant/Child
Children
Adolescents
Adults
Psychological Testing and Evaluation
Workshops - Seminars
Drug and Alcohol Education - Treatment

Director

Jeff Lane, Ph.D.

Forensic Psychologist

Diplomate American Board of Family Psychology

AAEFT Certified Sex Therapist

December 19, 2007

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: *Lilla M. Haralt*
DATE: 11/9/08

Florida Department of Health's Agency
Clerk's Office
4052 Bald Cyprus Way Bin#A02
Tallahassee, Florida 32399-1703

1. **Petition for Declaratory Statement Before the Psychology Board, Florida Department of Health, Medical Quality Assurance-Medical Therapies-Psychology**
2. Jeffrey Lane, Ph.D.
Florida Licensed Psychologist PY7576
Kansas Licensed Psychologist #391
AAEFT Certified Sex Therapist
Diplomate and Clinical Supervisor American Board of Sexology #1494
Diplomate American Board of Family Psychology #12
American Academy of Clinical Sexologists:
Clinical Fellow Certificate #ACF0579

Care of: Family Psychological Center
804 S. Oliver
Wichita, KS 67218
Telephone - (316) 685-9311
Facsimile - (316) 685-6101
Email - drlane@hotmail.com
Web Page: www.familypsychologicalcenter.com

3. No legal representative
4. Statutory provisions, rules, or orders on which this declaratory statement is sought: Based on my position as a substantially affected person, I am thus seeking a declaratory statement regarding an opinion of the Board. My particular set circumstances are noted in #5 of this petition.

Florida Statutes 120.565 Rule 28-105.001 Florida Administrative Code, Rule 28-105.002 Florida Administrative Code, Florida Statutes 120.565 and 120.57 #5, Rule 64B19-18.002, FAC credential requirements for title of Sex Therapist, Specific Authority 490.004 (4), 490.0143 FS. Law implemented 490.003 (4), 490.0143 FS. History-new 7-11-89, formally 21U-20.002, 61F13-20.002, 59AA-18.002, Amended 9/18/97.

5. I, Jeffrey Lane, the petitioner, have been an AASECT certified sex therapist for the past 24 years in full-time practice of psychology and sex therapy at the Family Psychological Center in Wichita, KS. The requirement for AASECT called for five years post licensure practice, plus passing a test, and completing continuing education. In 1982, twenty-six years ago, I was awarded a Diplomate in Marital and Sex Therapy, diploma #12, by the American Board of Family Psychology, which ultimately remains as a Board, though credentialing is now through the American Board of Examiners in Professional Psychology (ABEPP). In 1991, Certification #1494, was awarded to me as a Clinical Supervisor by the American Board of Sexology. Finally certificate #CF0579 was granted to me as a Clinical Fellow by the American Academy of Clinical Sexologists. Continuing education to maintain these certificates has occurred across all these years. However, I have retained only some specific titles of some of the courses, especially those that were at a higher level than necessary for the basic Sex Therapist. These were in the areas of Forensic Sexology/Psychology, for which my credentials have been accepted in State, County, and Federal Courts. A copy of the specific continuing education courses I kept note of is attached to this petition.

I am not familiar with the accepted mode of communication through this petition, and thus, will state my case here in answer to question number five. Credentialed at the highest level by the nation's largest and pre-eminent sex therapist certification organization, that is AASECT, I have been a practicing therapist for many years. I will be moving to Florida, where I have been recently licensed as a psychologist. My hope is that I be allowed to continue the practice of sex therapy and that I may hold myself out to the public as being properly credentialed and supported by the Board of Psychology. This might be seen as an atypical grandfathering or a special circumstance for a very senior level petitioner, as an individual with the credentials

that I have presented and the experience that I have in the area of sex therapy. I have included a copy of a page from the AASECT web page, showing my name as being AASECT certified, one of three within Wichita, Kansas.

I believe that my initial training in sex therapy, as well as continued education through the past twenty some years far exceeds the 150 clock hours of education meeting the requirements for Rule 64B19-13.003 FAC, in the specific area of sex therapy, and in the interaction between sex therapy and the general provision of psychological health services. The rationale for requesting a Declaratory Statement from the Board is twofold: 1) So that I can continue on in a profession for which I am well qualified and experienced, that allows me to make a living and, 2) So that citizens of Florida will have access to one more highly experienced, senior level sex therapist thus helping meet the sexual health care needs of the State of Florida.

Sincerely,


Jeffrey Lane, Ph.D.

Kansas Licensed Psychologist #391

Florida Licensed Psychologist #PF7576

Kansas Licensed Clinical Marriage & Family Therapist #117

AASECT Certified Sex Therapist

Diplomate American Board of Family Psychology #12

American Board of Sexology, Clinical Supervisor Certification #1494

American Academy of Clinical Sexology, Clinical Fellow Certificate #CF0579

Counsel for the National Register of Health Service Providers #20232, 1978

12/18/07

FORENSIC SEXOLOGY/PSYCHOLOGY CONTINUING EDUCATION

- Self-Mutilation Behavior in Youth and Adults: Causes, Treatment, and Prevention. March 2006
- Who Can Catch a Liar? A Meta-Analysis of Individual Differences in Detecting Deception. March 2006
- Psychosexual Disorders. October 2005
- Prison Gangs: Descriptions and Selected Interventions. October 2005
- Treating Abused and Neglected Children. October 2005
- Developmental and Motivational Factors of Transnational Terrorists. October 2005
- Forensic Considerations for Assessing Violence. August 2005
- An Update on the Effects of Marijuana & its Potential Medical Use: Forensic Focus. August 2005
- Testosterone Treatment in Women. July 2005
- Childhood Animal Cruelty: A Review of Research, Assessment, and Therapeutic Issues. June 2005
- Educating All Children Equitably: A Strengths-Based Approach to Advocacy for Sexual Minority Youth in Schools. March 2005
- Characteristics of Juvenile Firesetting Across Childhood and Adolescence. December 2004
- Violent Media and Videogames, and Their Role in Creating Violent Youth. December 2004
- Managing Client Expectations: Debunking the Myths. December 2004
- Adult Male Survivors of Sexual Abuse: Sexual Issues in Treatment. November 2004
- Assessing Law enforcement Personnel: Comparative Use of the MMPI's, American College of Forensic Examiners International, July 2004
- Developmental Considerations in the Forensic Assessment of Adolescent Sexual Offenders..., American College of Forensic Examiners International, June 2004
- Independent Custody Evaluation: Rendering Assistance to Domestic Relations Attorneys and Courts. March 2004
- A Contemporary Review of Capital Punishment in America, American College of Forensic Examiners International, June 2003
- The Impact of Identity Theft Through Cyberspace, American College of Forensic Examiners International, June 2003
- Discourse Analysis for Secretly Taped Conversations, American College of Forensic Examiners International, May 2003

Two Techniques for Assessment of Sexual Interest: A Discussion of the Clinical Utility of Penile Plethysmography and Visual Reaction Time, American College of Forensic Examiners International. April 2003

Advanced Round Table Discussion for Case Managers, presented by Kansas Judicial Center and Counseling & Mediation Center. September 2000

Advanced Case Management Training, presented by Jeanne Erikson, Ph.D., Counseling & Mediation Center, Inc. September 2000

Deviant Sexual Behavior, presented by Robert Scholz, MA, CPC, Carondelet Management Institute, June 2000

The Role of the Forensic Psychologist in the Courts, presented by Susan Linn, KDA. June 1999

Domestic Case Management Training, presented by Lloyd C. Swartz, JD, Kathy Kirk, JD, David Barnum, JD, and Wes Crenshaw, Ph.D., Midland Mediation and Settlement Services, the Family Therapy Institute Midwest Inc. January 1999

Treating and Supervising Sex Offenders in the Community, presented by Gerry Epp, LSCSW, et al., Prairie View. November 1998

Responding to Conflict, Hostility and Violence in the Workplace, presented by Gerald Lewis, Ph.D., EMPAC. October 1998

Ethical Considerations for Psychologists, presented by Don Bersoff, Ph.D., J.D., Executive Committee American Psychology Association. June 1997

The Advanced Custody Evaluation Workshop, presented by Barry Bricklin, Ph.D., Professional Academy of Custody Evaluators, February 1997

Aggression and Abuse: Clinical and Legal Issues, presented by the University Miami School of Law and Forensic and Clinical Psychology Associates, P.A. April 1996

Ethical, Therapeutic and Legal Issues in Mental Health, presented by Forensic and Clinical Psychology Associates, and the University of Miami School of Law. April 1995

Forensic Practice, Am. Academy of Forensic Psychology. March 1995

Children, Mental Health and the Law, presented by University of Miami School of Law, and Forensic and Clinical Psychology Associates, P.A. February 1993 (21 hrs)

Psychological and Psychiatric Testimony in Court, presented by Bruce Frumkin, Ph.D., Forensic and Clinical Psychology Associates, P.A., and the University of Miami School of Law. April 1993 (21 hrs.)

Clinical Assessment of Malingering and Deception, American Academy of Forensic Psychology, March 1992 (6 hrs.)

New Psychology Rules and Regulations, presented by Kansas Association of Professional Psychologists. October 1991

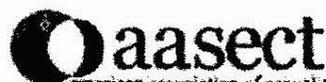
Child Abuse/Neglect Evaluation Program, presented by Joseph Petty, Ph.D., Psychological Seminars, Inc.
March 1990

Legal Issues in Family Psychology Practice (Ethics Course), presented by Florence Kaslow, Ph.D.,
Psychological Seminars, Inc. March 24, 1990

The Credibility of Children as Witnesses, presented by Theodore Blau, Ph.D., Psychological Seminars, Inc
March 1990

The Use of Mental Health Experts in Personal Injury Litigation, presented by Theodore H. Blau, Ph.D., and
Jay Ziskin, Ph.D., LL.B., Psychological Seminars, Inc. March 1988

Evaluation for Psychological Distortion, Deception and Malingering, presented by J. Randall Price, Ph.D.,
Psychological Seminars, Inc. March 1988



American Association of Sexuality Educators Counselors and Therapists
P.O. Box 1960 - Ashland, VA - 23005-1960

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Jeffrey Lane, Ph.D.

Address: 804 S Oliver

Wichita, KS 67218

Phone: 316-685-9311

Fax: 316-685-6101

URL:

E-mail: drjlane@hotmail.com

Degrees: BA, MA, Ph.D in Psychology, doctorate earned at New Mexico State University 1975. AASECT Certified Sex therapist for 18 years.

Profession/Job Title: Licensed Psychologist # 391 Ks. Licensed Marriage and Family Therapist Ks Certified Sex Therapist AASECT

Areas of Specialization: Licensed Psychologist for 24 years, also Licensed Marriage and Family Therapist as well as Certified Sex Therapist. Specialties in Sexology and therapy include, erectile problems in men, orgasmic difficulties in women, loss of desire in both sexes, commund

Office Hours: 9 - 8 M - TH 9 - 5 F Sat by appointment

Billing Information: Insurance, Credit Card, Check, Cash, some discounts for people with out insurance

Philosophy: generalist, eclectic, short term orientation

Other Information: Our Staff of 6 professional offeres a wide variety of services.

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AASECT P.O. Box 1960, Ashland, VA 23005-1960, Tel 804.752.0026, Fax 804.752.0056 aasect@aasect.org