

Final Order No. DOH-06-0181-DS-MOA
FILED DATE - 2-2-06
Department of Health
By: Jhenea McKown
Deputy Agency Clerk

**STATE OF FLORIDA
BOARD OF PSYCHOLOGY**

**IN RE: THE PETITION FOR DECLARATORY STATEMENT OF
THOMAS K. ZANDER, Psy.D.**

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 January 20, 2006, in Tampa, Florida, for the purpose of considering the Petition for Declaratory Statement filed December 7, 2005, by Thomas K. Zander, Psy.D., ("Petitioner"). Notice of the Petition was published on December 30, 2005, in the Florida Administrative Weekly, Volume 31, No. 52. No comments by interested persons were received. Petitioner was present at the meeting and not 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 desires licensure as a psychologist in Florida, having earned a Psy.D., and completed an APA accredited internship.
2. Pursuant to Section 490.005(1)(c), Florida Statutes, applicants for licensure as a psychologist in Florida must complete 2,000 hours of post-doctoral supervised experience that meet the requirements of Rule 64B19-11.005, Florida Administrative Code, for a cohesive and integrated training experience.

3. Petitioner is currently working in Wisconsin under the supervision of a psychologist licensed in Wisconsin to meet the post-doctoral experience requirements. The work consists of performing psychological evaluations of criminal defendants and preparing reports of those evaluations, in matters involving competency to stand trial, insanity defenses, sentencing, and general psychological evaluations.

4. Petitioner proposes to spend some months in Florida, working under the supervision of a psychologist licensed in Florida. The work will consist of doing outpatient psychotherapy with persons charged with or convicted of sex crimes and who have been determined to be in need of psychological treatment for mental disorders related to those crimes. Petitioner would then return to Wisconsin to resume the work described above.

5. Petitioner asks whether he can meet the post-doctoral experience requirements of Section 490.005(1)(c), Florida Statutes, and Rule 64B19-11.005, Florida Administrative Code, with the described assignments by working some months in Wisconsin, some in Florida, followed by more months in Wisconsin.

CONCLUSIONS OF LAW

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

7. The Board answers the question in the affirmative; the described work arrangement will meet the requirements of Rule 64B19-11.005, Florida Administrative Code, for a cohesive and integrated training experience.

8. 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 6th day of February, 2006.

BOARD OF PSYCHOLOGY



Susan Love, 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 Thomas K. Zander, Psy.D., 2704 Beach Trail, Indian Rocks Beach, FL 33785-3127; and by interoffice mail to Mary Ellen Clark, Assistant Attorney General, Administrative Law Section, PL-01 The Capitol, Tallahassee, Florida 32399-1050, this 8th day of February, 2006.



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Deputy Agency Clerk

State of Florida
Department of Health
Board of Psychology

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK *Jhenssa McKown*
DATE 12-7-05

**In the Matter of the Petition for
Declaratory Statement of
THOMAS K. ZANDER
before the Florida Board of Psychology.**

File No. _____

The petition of Thomas K. Zander respectfully states:


1. I am the petitioner herein. My contact information appears at the end of this document. I am not represented by an attorney in this matter.
2. I am a resident of Florida and Wisconsin, and own homes in each state.
3. I received a doctorate in psychology (Psy.D.) from the Illinois School of Professional Psychology (Argosy University), Chicago, Illinois, in August, 2005. This doctoral program is and was, during my student status there, accredited by the American Psychological Association.
4. I am currently doing a post-doctoral psychological residency in Milwaukee, Wisconsin under the supervision of a psychologist licensed as a psychologist by the State of Wisconsin. The months of that residency will cover September-December, 2005. This work consists of doing psychological evaluations of criminal defendants, and reports of those evaluations, in matters involving competency to stand trial, insanity defenses, sentencing, and general psychological evaluations.
5. It is my intention to continue my post-doctoral psychological residency during the months of January-April, 2006 in Tampa, Florida under the supervision of a psychologist licensed as a psychologist by the State of Florida. This work will consist of doing outpatient psychotherapy with persons charged with or convicted of sex crimes, and who have been determined to be in need of psychological treatment for mental disorders related to those crimes.
6. It is my intention to continue my post-doctoral psychological residency during the months of May-August, 2006 in Milwaukee, Wisconsin with the same psychologist and doing the same type of work referred to in paragraph 4, *supra*.
7. I believe that, by performing the post-doctoral psychological residency referred to in paragraphs 4, 5, and 6, *supra*, I will have satisfied the requirements of sec. 64B19-11.005, Florida Administrative Code. However, I hereby seek the clarification of

the Board of Psychology as to whether the aforementioned post-doctoral work will satisfy the requirement in sec. 64B19-11.005(2)(c), Florida Administrative Code, which requires that "the post-doctoral training be a cohesive and integrated training experience," assuming that it otherwise satisfies subparagraphs 1-3 of sec. 64B19-11.005(2)(c).

8. I believe that the psychological residency described in paragraphs 4, 5, and 6 will be a cohesive and integrated training experience for me, because: (a) the licensed psychologist who is supervising my psychological residency in Wisconsin will be my primary supervisor, as required by sec. 64B19-11.005(2)(b); (b) my psychological residency in Wisconsin and Florida will all involve psychological services provided with respect to criminal defendants, with the Wisconsin work concentrating on *psychological assessment* of offenders, and the Florida work concentrating on *psychological treatment* of offenders.

Wherefore, I petition the Florida Board of Psychology to issue a declaratory statement that my plan for my post-doctoral psychological residency training experience, as outlined in this petition, will constitute "*a cohesive and integrated training experience*" within the meaning of sec. 64B19-11.005(2)(c), Florida Administrative Code, assuming that this post-doctoral psychological residency training experience also satisfies subparagraphs 1-3 of sec. 64B19-11.005(2)(c).

Dated this 28th day of November, 2005 at Milwaukee, Wisconsin.


Thomas K. Zander, Psy.D., J.D.

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