BEFORE THE

BOARD OF PSYCHOLOGIST EXAMINERS

STATE OF OREGON

In the Matter of the Conduct of:	) AGENCY NO: OBPE #2015-021
JUDY HART, Psy.D.	) DEFAULT ORDER
Applicant	)

1.

The Board of Psychologist Examiners (Board) is the state agency responsible for licensing and disciplining psychologists, and for regulating the practice of psychology in the State of Oregon. The Board is also responsible for enforcing the laws against the unlicensed practice of psychology in the State of Oregon. Judy Hart, Psy.D. (Applicant) is not licensed by the Board to practice psychology in the State of Oregon, but has applied for licensure in this state.

2.

On September 30, 2015, the Board issued and on October 1, 2015, sent to Applicant by regular and certified mail a Notice of Intent to Impose a Reprimand and Civil Penalty of $500 against Applicant, pursuant to ORS 675.010(4); ORS 675.020(1) and (2), ORS 675.070(1)(g) and ORS 675.070(3)(b)(E), for engaging in the unlicensed practice of psychology and by representing herself to be a psychologist by offering or rendering services to individuals and groups included in the practice of psychology. This Notice informed Applicant that if she failed to request for hearing within thirty (30) day or failed to appear at a scheduled hearing, the Board may issue a final order by default. Applicant did not submit a request for hearing. As a result, Applicant has waived her right to a hearing and now stands in default. The Board elects in this

case to designate the record of proceedings to date, which consists of Applicant's file with the Board as the record for purposes of proving a prima facie case, pursuant to ORS 183.417(4).

NOW THEREFORE, after considering the Board's file relating to this matter, the Board enters the following Order.

3.

FINDINGS OF FACT

Applicant's acts and conduct that constituted the unlicensed practice of psychology, to include representing herself as a psychologist by offering or rendering services included in the practice of psychology, are more particularly described below:

3.1 Applicant received a doctorate in clinical psychology (Psy.D.) in December 2013. From January 2012 to February 2015, Applicant worked as a Clinician III at Cascadia Behavioral Healthcare, which is a community mental health care program. During this time, Applicant engaged in the practice of psychology by conducting behavioral assessments and intake assessments, offering consultations, performing evaluations, and providing psychological testing and therapy for clients in various institutional settings. As a result, Applicant practiced psychology for more than 24 months after she began practicing psychology at Cascadia Behavioral Healthcare, in violation of ORS 675.020(1)(a) and ORS 675.090(2)(a).

3.2 After receiving her doctoral degree, Applicant signed her name using the title "Clinical Psychologist" on documents and emails while working at Cascadia Behavioral Healthcare. Applicant was not licensed to practice psychology in Oregon at the time, and therefore, should not have held herself out to the public as a clinical psychologist. Her conduct violated ORS 675.020(1)(b).

4.

CONCLUSIONS OF LAW

The acts and conduct of Applicant described above constitute the unlicensed practice of psychology, and violated ORS 675.020(1)(a), practicing psychology in this state without first

being licensed; ORS 675.020(1)(b), representing herself to be a psychologist without first being licensed; and ORS 675.090(2)(a) practicing psychology in this state at a local, state or federal government agency or a community mental health program without a license for more than 24 months.

5.

ORDER

IT IS HEREBY ORDERED THAT Applicant Judy Hart, Psy.D. is reprimanded, and must pay a civil penalty of $500 within 60 days from the signing of this Order.

DATED this 30th day of November, 2015.

BOARD OF PSYCHOLOGIST EXAMINERS
State of Oregon

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Fran Ferder, Ph.D.
Board Chair

Right to Judicial Review

NOTICE: You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within 60 days after the final order is served upon you. See ORS 183.482. If this Order was personally delivered to you, the date of service is the day it was mailed, not the day you received it. If you do not file a petition for judicial review within the 60 days' time period, you will lose your right to appeal.

BEFORE THE

BOARD OF PSYCHOLOGIST EXAMINERS

STATE OF OREGON

In the Matter of the Conduct of:	) AGENCY NO: OBPE #2015-021
JUDY HART, Psy.D.	) NOTICE OF INTENT TO IMPOSE A REPRIMAND AND A CIVIL PENALTY
Applicant	)

1.

The Board of Psychologist Examiners (Board) is the state agency responsible for licensing and disciplining psychologists, and for regulating the practice of psychology in the State of Oregon. The Board is also responsible for enforcing the laws against the unlicensed practice of psychology in the State of Oregon. Judy Hart, Psy.D. (Applicant) is not licensed by the Board to practice psychology in the State of Oregon, but has applied for licensure in this state.

2.

The Board proposes to impose a civil penalty of $500 and a reprimand against Applicant, pursuant to ORS 675.010(4); ORS 675.020(1) and (2), ORS 675.070(1)(g) and ORS 675.070(3)(b)(E), for engaging in the unlicensed practice of psychology and by representing herself to be a psychologist by offering or rendering services to individuals and groups included in the practice of psychology.

3.

Applicant's acts and conduct that constituted the unlicensed practice of psychology are more particularly described below:

3.1 Applicant received a doctorate in clinical psychology (Psy.D.) in December 2013. From January 2012 to February 2015, Applicant worked as a Clinician III at Cascadia

Behavioral Healthcare, which is a community mental health care program. During this time, Applicant engaged in the practice of psychology by conducting behavioral assessments and intake assessments, offering consultations, performing evaluations, and providing psychological testing and therapy for clients in various institutional settings. As a result, Applicant practiced psychology for more than 24 months after she began practicing psychology at Cascadia Behavioral Healthcare, in violation of ORS 675.020(1)(a) and ORS 675.090(2)(a).

3.2 After receiving her doctoral degree, Applicant signed her name using the title "Clinical Psychologist" on documents and emails while working at Cascadia Behavioral Healthcare. Applicant was not licensed to practice psychology in Oregon at the time, and therefore, should not have held herself out to the public as a clinical psychologist. Her conduct violated ORS 675.020(1)(b).

4.

The Board has authority to impose sanctions, to include a reprimand and a civil penalty of up to $10,000 against Applicant for practicing psychology without a license or representing that she is a psychologist or offered services included in the practice of psychology without having a license to practice psychology, pursuant to ORS 675.020(1) and (2), ORS 675.070(1)(g), and ORS 675.070(3)(b)(E).

5.

Applicant has the right, if Applicant requests, to have a formal contested case hearing before an Administrative Law Judge to contest the matter set out above, as provided by Oregon Revised Statutes 183.310 to 183.497. At the hearing, Applicant may be represented by an attorney and subpoena and cross-examine witnesses.

6.

If Applicant requests a hearing, the request must be made in writing to the Board, must be received by the Board within thirty (30) days from the mailing of this notice, and must be accompanied by a written answer to the charges contained in this notice. Before

commencement of the hearing, Applicant will be given information on the procedures, right of representation and other rights of parties relating to the conduct of the hearing as required under ORS 183.413-415.

7.

NOTICE TO ACTIVE DUTY SERVICEMEMBERS: Active duty servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 800-452-7500 or the nearest United States Armed Forces Legal Assistance Office through http://legalassistance.law.af.mil.

8.

If Applicant fails to request a hearing within 30 days, or fails to appear at the hearing as scheduled, the Board may issue a final order by default and impose the above sanctions against Applicant. Applicant's submissions to the Board to-date regarding the subject of this disciplinary case and all information in the Board's files relevant to the subject of this case automatically become part of the evidentiary record of this disciplinary action upon default for the purpose of proving a *prima facie* case. ORS 183.417(4).

DATED this 30th day of SEPTEMBER, 2015.

BOARD OF PSYCHOLOGIST EXAMINERS
State of Oregon
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Charles Hill
Executive Director