

**STATE OF FLORIDA
BOARD OF PSYCHOLOGY**

**IN RE: THE PETITION FOR DECLARATORY STATEMENT OF
AMY PHENIX, Ph.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 December 7, 2001, in Tallahassee, Florida, for the purpose of considering the Petition for Declaratory Statement filed by Amy Phenix, Ph.D. ("Petitioner"). Having considered the petition, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. Petitioner became licensed to practice psychology licensed in the state of California in 1992. She is not licensed to practice psychology in the state of Florida.
2. Petitioner seeks the privilege of practicing psychology in the state of Florida for no more than five days in any month and no more than 15 days in any calendar year.
3. Section 490.014(2)(e), Florida Statutes, provides that there is an exemption from the licensure requirement for a person who is not a Florida resident but offers psychological services in Florida, provided (1) such services are performed for no more than five days in any month and no more than 15 days in any calendar year, and (2) such nonresident is licensed or certified by a state or territory of the United States, the standards of which were, at the date of his or her licensure or certification, equivalent to or higher than the requirements of Chapter 490, Florida Statutes, in the opinion of the Board.

4. Section 1387, Title 16, California Business and Professions Code, provides that licensure as a psychologist in the state of California requires a year of supervised professional experience consisting of not less than 1,500 hours.

5. Section 490.005(1)(c), Florida Statutes, requires that an applicant for licensure as a psychologist in Florida have completed at least two years or 4,000 hours of supervised experience, and Rule 64B19-11.005, Florida Administrative Code, provides that the applicant's internship satisfies 2,000 of those hours, and that a period of post-doctoral supervised practice satisfies the remaining 2,000 hours.

6. Petitioner seeks a declaratory statement from the Board as to whether the standards under which she was licensed in California were equivalent to or higher than the requirements of Chapter 490, Florida Statutes.

CONCLUSIONS OF LAW

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

2. It is the opinion of the Board that the California law under which Petitioner was licensed in 1992 is not substantially equivalent to the requirements of Chapter 490, Florida Statutes.

5. 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 19 day of December, 2001.

BOARD OF PSYCHOLOGY


Kaye Howerton, Executive Director
for Herbert Goldstein, 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 Amy Phenix, Ph.D., P.O. Box 325, Cambria, California 93428, this 26 day of December, 2001.



Amy Phenix, Ph.D.
Clinical Psychology
P.O. Box 325
Cambria, CA 93428
(805) 927.1025

October 12, 2001

Florida Department of Health
Board of Psychology
4052 Bald Cypress Way, Bin C05
Tallahassee, Fl. 32399-3255

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To Whom It May Concern:

I would like to obtain the privilege of practicing Clinical Psychology in the State of Florida according to the law that allows for out of state licensed psychologists with equivalent standards at the time of licensure to practice five days in any month and no more than 15 days in any calendar year. I kindly request that the Florida Board of psychology review the Laws in effect at the time I obtained my license in the state of California (1992) and determine if they are equivalent or higher to those in Florida at the same time. I have requested the California Board of Psychology send the laws in effect when I obtained my license to you for your review.

Thank you very much for your consideration in this matter. Please feel free to contact me at (805) 927-1025 if you need further information or have any questions.

Sincerely,



Amy Phenix, Ph.D.

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