

**STATE OF FLORIDA
BOARD OF PSYCHOLOGY**

**IN RE: THE PETITION FOR DECLARATORY STATEMENT OF
NICOLE ROBICHAUX-KEENE, M.S.**

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 November 14, 2003, in Ft. Lauderdale, Florida, for the purpose of considering the Petition for Declaratory Statement filed September 11, 2003, by Nicole Robichaux-Keene, M.S. ("Petitioner"). Notice of the Petition was published on September 26, 2003, in the Florida Administrative Weekly, Volume 29, No. 39. No comments by interested persons were received. Having considered the petition, the Board makes the following findings and conclusions:

FINDINGS OF FACT

1. Petitioner is a candidate for a Psy.D. in psychology and is trying to arrange supervised experiences that will meet board requirements as well as requirements for future ABPP certification in clinical health psychology.
2. Rule 64B19-11.005(2)(c)2, Florida Administrative Code, provides that one of the requirements of post-doctoral training is that it include at least 900 hours in activities related to direct client contact.

3. Petitioner asks two questions regarding Rule 64B19-11.005(2)(c)2, Florida Administrative Code, and what activities may be defined as “related to direct client contact.”

a. If (2) two hours are spent testing a patient fact-to-face and (4) four hours are spent analyzing and writing a manuscript, does any of this time count as an activity “related to direct client contact?”

b. If (2) two hours spent conducting face-to-face data collection and
and
(4) four hours are spent analyzing and writing a manuscript, does any of this time count as an activity “related to direct client contact?”

CONCLUSIONS OF LAW

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

2. With regard to Petitioner's first question, the Board states that, yes, after spending (2) two hours of testing a patient face-to-face, (4) four hours spent report writing would be considered an activity related to “direct client contact” and would count for purposes of meeting the requirements of Rule 64B19-11.005(2)(c)2, Florida Administrative Code.

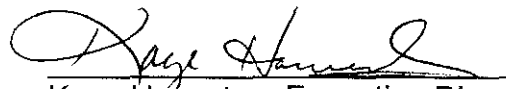
3. With regard to Petitioner's second question, no, no amount of time spent conducting face-to-face data collection or analyzing or writing a manuscript would count for purposes of meeting the requirements of Rule 64B19-11.005(2)(c)2, Florida

Administrative Code. Time spent in research, and not acting as a clinician in the care and management of a patient, is not considered "direct client contact."

4. 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 15 day of December, 2003.

BOARD OF PSYCHOLOGY



Kaye Howerton, Executive Director
for Katurah Jenkins-Hall, 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 Nicole Robichaux-Keene, M.S., 1020 Charles Street, Clearwater, Florida 33755; and by interoffice mail to Mary Ellen Clark, Assistant Attorney General, Administrative Law Section, PL-01 The Capitol, Tallahassee, Florida 32399-1050, this 16 day of December, 2003.



STATE OF
FLORIDA
DEPARTMENT OF
HEALTH
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9/5/2003

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK Heather Coleman
DATE 9/11/03

RE: Petition for Declaratory Statement Before Florida Board of Psychology

I am writing to clarify post doc supervision hours required for Florida licensure. Because I am location bound, I will not be able to attend a formal post doc, but am trying to arrange supervised experiences that will meet board requirements as well as requirements for future ABPP certification in clinical health psychology. I also hope to spend some time during my post doc year doing health psych research.

I would like clarification of Section 64B19-11.005 entitled **Supervised Experience Requirements**, section (2)(c) 2 which states:

"It requires at least 900 hours in activities related to direct client contact".

What does *activities related to direct client contact* entail? In other words, if I spend 2 hours testing a patient face-to-face and 4 hours interpreting and writing a report, does the 4 hour report writing count, since it is *an activity related to* the direct client contact of testing? The same type of question would apply regarding research and face to face data collection vs. analysis and manuscript writing.

My potential supervising psychologist and I want to assure that the training experience we develop will fully meet these specified 900 hours. Thank you.

Respectfully,



Nicole Robichaux-Keene, M.S.
PsyD candidate

Naples, Florida

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RECEIVED