

PAULA T. DOW  
ATTORNEY GENERAL OF NEW JERSEY  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07102  
Attorney for State Board of Psychological Examiners

By: Carmen A. Rodriguez  
Deputy Attorney General  
(973) 648-3696

FILED WITH THE BOARD OF  
PSYCHOLOGICAL EXAMINERS  
ON *J. Michael Stacker*  
*Exec Director*  
*July 11, 2011*

STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF PSYCHOLOGICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

NANCY B. GALLINA, PH.D.  
License No. 35S100283100

TO PRACTICE PSYCHOLOGY IN  
THE STATE OF NEW JERSEY

Administrative Action

MODIFIED  
CONSENT ORDER

This matter was opened to the New Jersey State Board of Psychological Examiners (hereinafter "the Board") upon receipt of information alleging that Dr. Gallina (the Respondent) engaged in incompetence and professional misconduct with respect to her examination of R.B. Skylands Medical Review requested that Dr. Gallina complete an independent psychological evaluation for the purpose of determining workers compensation benefits. Dr. Gallina was asked to determine whether R.B.'s current medical condition was related to his employment and if he was capable of gainful employment. Dr. Gallina concluded that R.B.'s adjustment disorder, with mixed emotions of anxiety and depression, was not casually related to work place stress. She

further concluded that he was not fit to work as a Special Officer because he was a potential danger to himself and others. As a result, worker compensation benefits were denied to R.B.

R. B. was a Special Police Officer for the City of Long Beach Police Department and member of the New Jersey National Guard. He was anxious about possibly being deployed to Iraq and was referred to a psychiatrist. The psychiatrist prescribed Lamictal and sent a letter to the New Jersey National Guard stating that R. B. was not fit to carry a weapon due to work related stress. The letter further suggested that R.B.'s deployment to Iraq be deferred. The National Guard forwarded the psychiatrist's letter to the Long Beach Police Department. R.B. was then relieved of his gun privileges and placed on modified duty. His captain allegedly spoke to R.B. about his medical condition and inability to carry a weapon in earshot of other employees. This caused R.B. to become upset and leave work feeling sick. He was placed on medical leave effective August 21, 2008.

Skylands Medical Review asked Dr. Gallina to conduct a psychological examination to determine whether there was a direct, casual connection between R.B.'s current medical condition and the work related incident in question. Dr. Gallina's report, however, indicates that she was conducting a neuropsychological examination. The report further indicates that based on this evaluation, "it was her opinion with reasonable psychological certainty that R.B. presents a risk of danger to himself and others in the execution of his duties and is, therefore, deemed to be unfit for duty as a Special Officer..." Instead of determining if his current medical condition was work related, Dr. Gallina went beyond the scope of the request and concluded he was unfit for duty as a Special Officer because he was a danger to himself and others.

Dr. Gallina appeared before the Board at an investigative inquiry on March 29, 2010 represented by Robert Galantucci, Esquire. She testified that she conducted a psychological

exam, but simply used the term neuropsychological in her report as a synonym. However, these terms are not interchangeable and cannot be regarded as synonyms. She also referred to the report as conducting a fitness for duty examination. Regardless of the language Dr. Gallina chose, the report does not appear to be a standard neuropsychological evaluation or a fitness for duty exam. The report indicates that R. B. presented a risk of danger to himself and others and was unfit for duty as a Special Officer. This conclusion is not sufficiently supported by the report, as it does not contain any of the standard risk assessment methods currently in use. Although Dr. Gallina diagnosed R.B. with an adjustment disorder, with the exception of stress, she was unable to indicate why he posed a danger to himself and others. The focus of the report is unclear and fails to properly assess the nature of R. B.'s work injury in relation to his medical condition. As a result of these findings, R. B.'s benefits were terminated.

Dr. Gallina testified that she practices psychotherapy and does not regularly conduct neuropsychological evaluations. A review of the curriculum vitae that she presented to the Board also failed to support qualifications to conduct a neuropsychological evaluation. Dr. Gallina testified that she has not provided neuropsychological services in over ten (10) years. Her previous experience included work in school psychology and conducting child study team evaluations. However, she testified that her experience with the child study team evaluations ended ten years ago. Although her resume reflects membership at the National Academy of Neuropsychology, she testified that she is no longer active in this association nor had she updated her resume in the past ten (10) years to reflect that she is no longer practicing neuropsychology.

Upon questioning at the investigative inquiry, Dr. Gallina expressed her misunderstanding of the role of collaterals in conducting an evaluation. Dr. Gallina testified that she understood collaterals to mean other possible stressors affecting R.B. She appeared not to understand that

collaterals in the area of forensic examinations and reports are individuals in possession of information regarding a particular patient. Thus, in conducting her investigation, she testified that she failed to contact any other individuals familiar with R.B.'s condition or treatment. Dr. Gallina did not reach out to R.B.'s psychiatrist. She was therefore not privy to the psychiatrist's thought processes with respect to his evaluation of this client. Dr. Gallina reached a conclusion based solely on her review of the record and interview with R. B. She did not confirm directly with the psychiatrist the prescribed medication taken by R. B. and failed to discuss with this physician the basis for the letter he sent to the National Guard stating that R. B. was unfit to carry a weapon.

Having reviewed the entire record, it appears to the Board that Dr. Gallina's conduct in preparation of the report regarding R.B. demonstrated repeated acts of incompetence with respect to the evaluation performed and the written report produced in violation of N.J.S.A 45:1-21 (d) as evidenced by her lack of focus and scope in her report as well as her failure to communicate with collateral sources. The actual report refers to the focus of the report as a neuropsychological report incorporating the aspects of a fitness for duty evaluation. Based on her lack of experience and training in neuropsychology and in fitness for duty evaluations, and on the failure to have performed appropriate investigation and evaluation in determining R.B.'s neuropsychological status relative to his fitness for duty, Dr. Gallina's evaluation and report of R. B. repeatedly fails to meet the accepted standards of psychology.

The respondent being desirous of resolving this matter without resort to formal proceedings and without making any admissions, and the Board having determined that the following provisions are sufficiently protective of the public interest and welfare, and for good cause shown,

IT IS ON THIS 11<sup>th</sup> DAY OF July, 2011

HEREBY ORDERED AND AGREED THAT:

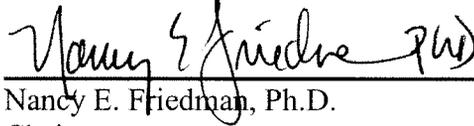
1. Respondent is cautioned to meet acceptable standards of practice when preparing forensic psychological reports.

2. Respondent shall be supervised in her preparation of forensic psychological reports for a minimum of one year. The supervisor shall be approved by the Board prior to being engaged by the Respondent. Respondent shall submit the names of three potential supervisors for approval by the Board within thirty days of the entry of this order. The approved supervisor shall have face-to-face meetings with respondent a minimum of once per month and review all of the cases, patient records and psychological reports prepared by the respondent in her practice. The approved supervisor shall report in writing to the Board on a monthly basis regarding the respondent's progress. The supervisor's report shall provide an informative evaluation of the respondent's professional practice including her preparation and writing of psychological reports. The supervisor shall pay particular attention to respondent's dealing with psychological issues and the evaluation and assessment of psychological conditions assuring that the reports contain documentation to support the conclusions made therein. The cost of supervision is the sole responsibility of the respondent. The supervisor shall agree to immediately notify the Board of any actions by Respondent which fail to meet the acceptable standards of professional practice.

4. At the end of one year of supervision, the Respondent may appear before the Board or a committee of the Board if she seeks to end supervision to assess whether the condition imposed by this order should be continued in whole or in part. She shall submit three sample evaluations that she has conducted and prepared with the assistance of her supervisor for the Board's review.

The supervisor shall submit a written recommendation to the Board assessing respondent's ability to resume practice without supervision.

STATE BOARD OF PSYCHOLOGICAL EXAMINERS



Nancy E. Friedman, Ph.D.  
Chair

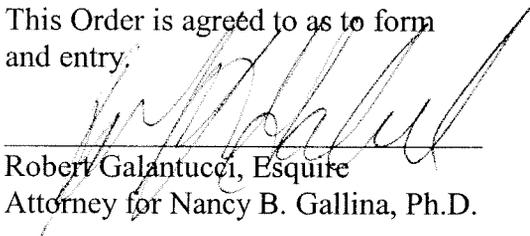
I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.



Nancy B. Gallina, Ph.D.

DATED: 5/3/11

This Order is agreed to as to form and entry.



Robert Galantucci, Esquire  
Attorney for Nancy B. Gallina, Ph.D.

DATED: 5/5/11