

**BOARD OF PSYCHOLOGICAL EXAMINERS
OPEN MINUTES
NOVEMBER 4, 2002**

The general meeting of the New Jersey State Board of Psychological Examiners was held at the Board office, 124 Halsey Street, Newark, New Jersey. The meeting was called to order at 9:45 A.M. by Victoria Jeffers, Ph.D., Chair

PRESENT:

Victoria W. Jeffers, Ph.D., Chair
Kenneth A. Leight, Ph.D., Vice Chair
Margery B. Manheim, Ph.D.
T. Stephen Patterson, Ph.D., Government Member
Keith D. Cicerone, Ph.D.
Carole M. Harper, MA, RN, Public Member
Mark Glat, Psy.D.

ABSENT:

Kenneth G. Roy, Ed.D.
Jeffrey H. Tindall, Ph.D.

ALSO ATTENDING:

Marilyn Bair, DAG, Counsel to Board
Paul C. Brush, Executive Director
Wanda Y. Ginn, Secretarial Assistant
Carmella Volz, Assistant to the Executive Director

MINUTES:

Upon motion made by Ms. Harper and seconded by Dr. Patterson, the Board voted to approve the open session minutes of July 8, 2002 and August 5, 2002, with corrections. Voting in favor of the motion: all.

CLOSED SESSION AND RETURN TO OPEN SESSION

Upon motion made and seconded, the Board voted to go into closed session for discussion of the oral examinations. Voting in favor of the motion: all.

The Board returned to open session.

CREDENTIAL COMMITTEE REPORT:

LICENSED BY EXAMINATION

Upon motion made by Dr. Jeffers and seconded by Dr. Patterson, the Board determined that the following candidates qualified for licensure. Voting in favor of the motion: all.

Luisa Contreras, Ed.D.
Kathleen MacFarlane, Ph.D.
Richard J. Heid, Ph.D.
Mitchell Rosenthal, Ph.D., ABPP
Lauren Picciano, Ph.D.
Evan Drake, Ph.D.

TEMPORARY PERMIT-NOT TO EXCEED THREE YEARS

The following candidates were issued a three-year temporary permit for the supervised practice of psychology:

Danielle LaVelle, Ph.D.
Larissa Labay, Psy.d.
Jen-Mai Wong, Psy.D.
Heidi Dalzell, Ph.D.
Victoria Pezzullo-Tata, Ph.D.
Alyson Nelson, Ph.D.
Diane Ardito, Ph.D.

TEMPORARY PERMIT-NOT TO EXCEED ONE YEAR

The following candidates was issued a one-year temporary permit for the unsupervised practice of psychology:

Carole Lester, Psy.D.
Stacy Quint, Psy.D.

CORRESPONDENCE

Ken A. Verni, Psy.D.

Dr. Verni wrote requesting an extension of the 90-day limit to submit his work sample for the oral examination.

Dr. Verni stated that since receiving notification of passing the E.P.P.P. written examination, he had received a job promotion which entailed him becoming the lead clinician on a newly formed unit at UMDNJ. Dr. Verni stated that he has not been able to devoted sufficient time to the preparation and submission of his work sample.

Upon motion made and seconded, the Board voted to grant Dr. Verni an extension until December 31, 2002 to submit his work sample to the Board office. Voting in favor of the motion: all.

Theresa Wright, Ph.D.

Dr. Wright wrote requesting an extension of the 90-day limit to submit her work sample for the oral examination.

Based upon Dr. Wright's explanation of certain events in her life, she was not able to finalize the work on her work sample.

Upon motion made and seconded, the Board voted to grant Dr. Wright a two-month extension to submit her work sample to the Board office. Voting in favor of the motion: all.

April Weitz, Ph.D.

Dr. Weitz wrote petitioning the Board to accept the work sample she submitted for the oral examination which was more than one-year old.

Dr. Weitz stated that she had planned to take the E.P.P.P. written examination in October 2001; however, due to the demands of her job and family, it became difficult for her to prepare in the time frame allotted. Dr. Weitz further stated that she became aware that the last written version of the E.P.P.P. written examination would be October 2001 and that shortly thereafter a computer version would be readily available. Since there had been delays in getting the computerized examination up and running, Dr. Weitz felt that she would have had the opportunity to take the examination earlier, allowing for the submission of her work sample to fall within the time requirements of N.J.A.C. 13:42-5.1 (b).

Upon motion made and seconded, the Board voted to deny Dr. Weitz's request to accept her work sample for the oral examination. Voting in favor of the motion: all.

Jill A. Cermele, Ph.D.

Dr. Cermele wrote requesting an extension of her three-year temporary permit, supervised, that expired on October 21, 2002.

Dr. Cermele stated that she has yet to finish the supervision requirement and expects to take the E.P.P.P. written examination in April 2003. Dr. Cermele stated that she had fewer clinical hours this past year than he had in the previous two years, which also included her being on maternity leave in the Fall of 2002.

Upon motion made and seconded, the Board voted to grant Dr. Cermele a seven month extension of her temporary permit, expiring on May 31, 2003. Voting in favor of the motion: all.

Eric M. Umile, Psy.D.

Dr. Umile wrote petitioning the Board to accept his work sample he submitted for the oral examination which was more than one-year old.

Dr. Umile stated that the Board's limitation of a recent work sample creates a hardship for him in that his work sample pertains to testing and therapy which he designated as his case from the time he began seeing the patient over two years ago. Furthermore, Dr. Umile stated that it is the only suitable case he has and submitting a new case would present a problem.

Upon motion made and seconded, the Board voted to deny Dr. Umile's request to accept his work sample for the oral examination. The Board further advised Dr. Umile that the work sample he submits for the oral examination should represent the type of work he's going to do in the State of New Jersey. Voting in favor of the motion: all.

Eric Parker, Ph.D.

Dr. Parker, supervisor for, Jessica Pesantez, Ph.D., wrote requesting that the Board accept the post-doctoral supervision hours that Dr. Pesantez has accrued before the issuance of her three-year temporary permit.

Dr. Parker stated that Dr. Pesantez start accruing her post-doctoral hours in September 2000 in an exempt setting, UMDNJ; therefore a temporary permit was not required. On December 4, 2000, the Board's regulations required that every candidate accruing supervision hours in the State of New Jersey in an exempt setting, must obtain a temporary permit if candidates want their supervision hours to count toward licensure.

Upon motion made and seconded, the Board voted to accept the post-doctoral supervision hours that Dr. Pesantez has accrued before the issuance of her temporary permit. Voting in favor of the motion: all.

Leslie Bronstein, Psy.D., #3141

Dr. Bronstein wrote expressing concern pertaining to a request she received from the Audit Review Service of Oxford Health Plans.

The Audit Review Service is requesting that Dr. Bronstein submit medical records for specific dates of service on thirty specifically targeted patients as part of an audit of provider services.

Dr. Bronstein stated that this request concerns her greatly, since she believes that the request is in conflict with the Peer Review Law regarding release of information.

Upon motion made and seconded, the Board after reviewing the request for an audit of patient records, voted to inform Dr. Bronstein that the following should apply:

1- this is not an issue involving the peer review law, but rather an issue of patient confidentiality pursuant to N.J.A.C. 13:42-8.5,

2- it is inappropriate for the insurance company to make their request by patient name or patient ID number. Dr. Bronstein was advised that she can respond to a request for certain number of files, files within a certain time period, or files reflecting diagnosis as long as it would not reveal the identity of the patient;

3- when she sends a patient file, she must redact all identifying information.

Voting in favor of the motion: all.

Craig S. Fabrikant, Ph.D., #1965

Dr. Fabrikant wrote expressing concern pertaining to a request he received from the Audit Review Service of Oxford Health Plans.

The Audit Review Service is requesting that Dr. Fabrikant submit medical records for specific dates of service on 26 specifically targeted patients as part of an audit of provider services.

Dr. Fabrikant stated that this request concerns him greatly, since he believes that the request is in conflict with the Peer Review Law regarding release of information.

Upon motion made and seconded, the Board, after reviewing the request for an audit of patient records, voted to inform Dr. Fabrikant that the following should apply:

1- this is not an issue involving the peer review law, but rather an issue of patient confidentiality pursuant to N.J.S.A.C. 13:42-8.5;

2- it is inappropriate for the insurance company to make their request by patient name or patient ID number. Dr. Fabrikant was advised that he can respond to a request for certain number of files, files within a certain time period, or files reflecting diagnosis as long as it would not reveal the identity of the patient;

3- when he sends a patient file, he must redact all identifying information.

Voting in favor of the motion: all.

Joseph Zielinski, Ph.D., #1300

Dr. Zielinski wrote expressing concern pertaining to a request he received from the Audit Review Service of Magellan Behavioral Health.

The Audit Review Service is requesting that Dr. Zielinski submit medical records for specific dates of service on three specifically targeted patients as part of the audit of provider services.

Upon motion made and seconded, the Board, after reviewing the request for an audit of patient records, voted to inform Zielinski that the following should apply:

1- this is not an issue involving the peer review law, but rather an issue of patient confidentiality pursuant to N.J.A. 13:42-8.5;

2- it is inappropriate for the insurance company to make their request by patient name or patient ID number. Dr. Zielinski was advised that he can respond to a request for certain number of files, files within a certain time period, or files reflecting diagnosis as long as it would not reveal the identity of the patient;

3- when he sends a patient file, he must redact all identifying information.

Voting in favor of the motion: all.

Antonio Gonzalez, Psy.D.

Dr. Gonzalez wrote requesting a three-year temporary permit, supervised, for a position he has been offered at The Center for Family Guidance.

Dr. Gonzalez was issued a three-year temporary permit, supervised, on January 27, 1997 and expired on January 27, 2000. Dr. Gonzalez took and failed the E.P.P.P. written examination on October 8, 1997 and has not taken the examination since.

Dr. Gonzalez stated that he was laid off from his previous job and is currently not generating any income for him family.

Upon motion made and seconded, the Board voted to issued Dr. Gonzalez a three-year temporary permit, supervised, for a one-year duration. Voting in favor of the motion: all.

REPORT ON TEMPORARY PERMIT CONFERENCE HELD ON NOVEMBER 14, 2002

Gregory Lomuti, Ph.D./Moti Peleg, DSW, supervisor (present)

Dr. Lomuti failed his oral examination administered on July 12, 2002 and is currently working under supervision on a three-year temporary permit issued on July 22, 1996.

Upon motion made by Dr. Patterson and seconded by Dr. Glat, the Board voted to continue Dr. Lomuti's three-year temporary permit, with no changes, expiring on March 31, 2003, with in increase of supervision from 1 - hours per week to 2 hours per week. Voting in favor of the motion: all.

REVIEW OF LEGISLATIVE BILLS

-Assembly, No. 2658-An Act concerning self-critical analyses by health care facilities

Upon motion made by Dr. Manheim and seconded by Ms. Harper, the Board made no comments regarding this bill since it is not relevant to the Board.

-Assembly, No. 2653-An Act limiting certain actions for professional negligence

Upon motion made by Dr. Manheim and seconded by Ms. Harper, the Board voted to support this bill since there are cases in which patients are not aware that action has occurred.

REVIEW OF DISCIPLINARY MATTERS

I/M/O Neil J. Lavender, Ph.D., #2976

Administrative Action Consent Order was filed with the Board of Psychological Examiners on October 18, 2002.

I/M/O Andrew Cangelosi, Ph.D., #3118

Thomas Johnson, Ed.D. submitted his fourth quarterly report on the supervision of Dr. Cangelosi as required pursuant to the Consent Order filed on May 3, 1996.

I/M/O John Rathauer, Ph.D., #1394

Thomas Johnson, Ed.D. submitted his sixth quarterly report on the supervisor of Dr. Rathauer as required pursuant to the Consent Order filed on July 23, 2001.

I/M/O Michele Rabinowitz, Psy.D., #1386

David Brodzinsky, Ph.D. submitted his supervision report on Dr. Rabinowitz's child custody work pursuant to the voluntary agreement signed by Dr. Rabinowitz.

Respectfully Submitted,

Mark Glat, Psy.D., Secretary

APPROVED BY:

Date: Victoria W. Jeffers, Ph.D.
Chairperson