

FILED DATE - JUN 02 2014

Department of Health

By *Angel Sadeu*
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF PSYCHOLOGY

DEPARTMENT OF HEALTH

Petitioner,

vs.

Case No: 2008-19261

License No.: PY 4728

JEFFREY MICHAEL WILLIAMSON, Ph.D.,

Respondent.

CORRECTED FINAL ORDER

THIS CAUSE came before the Board of Psychology (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on April 25, 2014, in Orlando, Florida, for the purpose of considering a Settlement Agreement and a Counter-Settlement Offer (attached hereto as Exhibit "A" and incorporated by reference) entered into between the parties in this cause. The Department of Health (hereinafter "Petitioner") was represented by Lealand McCharen, Assistant General Counsel. JEFFREY MICHAEL WILLIAMSON, Ph.D., (hereinafter "Respondent") was present and was not represented by counsel.

Respondent is licensed as a psychologist by the Board. The Petitioner filed an Administrative Complaint against the Respondent on September 27, 2011, (attached as Exhibit "B" and incorporated by reference into this Final Order).

Upon consideration of the Settlement Agreement and Counter-Settlement Offer which has been accepted by Respondent, the documents submitted in support thereof, the arguments of the parties and otherwise being advised in the premises, the Board voted to accept the Settlement Agreement with modifications made by the Counter Settlement Offer, with costs in the amount of \$11,655.67 due within 24 months of the filing of this Final Order. Payment for fines and costs shall be made by cashier's check or money order payable to the Board of Psychology and mailed to, DOH-Compliance Management Unit, Bin C-76, P.O. Box 6320, Tallahassee, Florida 32314-6320, Attention: Psychology Compliance Officer.

WHEREFORE, the Board hereby accepts the Settlement Agreement with modifications made by the Counter Settlement Offer, settling all matters in this case consistent with the terms of the agreement between the parties, and Respondent is hereby ORDERED to abide by the terms of the Settlement Agreement as modified. This Final Order shall be placed in and made part of the Respondent's official records.

DONE AND ORDERED this 30 day of May, 2014.

BOARD OF PSYCHOLOGY

Allen Hall

Allen Hall, Executive Director
for Luis E. Orta, Ph.D., Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to JEFFREY MICHAEL WILLIAMSON, Ph.D., 1851 Highland Ave., Melbourne, FL 32935 and/or 1209 Admiralty Blvd., Rockledge, FL 32955; and by interoffice mail to Rachel W. Clark, Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; and Lealand McCharen, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin # C-65, Tallahassee, Florida 32399-3265 this 2nd day of June, 2014.

Angel Sanders

Deputy Agency Clerk

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK

CLERK ANGEL SANDERS
DATE MAY 06 2014

STATE OF FLORIDA
BOARD OF PSYCHOLOGY

DEPARTMENT OF HEALTH

Petitioner,

Case No: 2008-19261

vs.

License No.: PY 4728

JEFFREY MICHAEL WILLIAMSON, Ph.D.,

Respondent.

ORDER REJECTING SETTLEMENT AGREEMENT

THIS CAUSE came before the Board of Psychology (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on April 25, 2014, in Orlando, Florida, for the purpose of considering a Settlement Agreement (attached hereto as Exhibit "A" and incorporated by reference) entered into between the parties in this cause. The Department of Health (hereinafter "Petitioner") was represented by Lealand McCharen, Assistant General Counsel. JEFFREY MICHAEL WILLIAMSON, Ph.D., (hereinafter "Respondent") was present and was not represented by counsel.

Respondent is licensed as a psychologist by the Board. The Petitioner filed an Administrative Complaint against the Respondent on September 27, 2011, (attached as Exhibit "B" and incorporated by reference into this Final Order).

Exhibit "A"

Upon consideration of the settlement agreement, the documents submitted in support thereof, the arguments of the parties, and being otherwise fully advised in the premises, the Board rejected the settlement agreement and offered a counter-agreement which the parties have 30 days to accept or reject. The investigative costs are \$11,655.67.

The counter-agreement incorporates the terms of the original settlement agreement with the following amendments/additions to the PROPOSED DISPOSITION section of the settlement agreement:

2. The Board shall reprimand Respondent.

3. The Board shall impose an administrative fine of four thousand dollars (\$4,000.00) against the license of Respondent. Respondent acknowledges that the timely payment of the fine is Respondent's legal obligation and responsibility. Respondent shall pay the fine either by check or money order made payable to The Florida Department of Health within 24 months of the filing of the Final Order issued in this matter.

8a. Respondent's practice shall be restricted so as to not include conducting custody evaluations.

4. The time to pay costs of \$11,655.67 shall be increased from 6 months to 24 months of the filing of the Final Order issued in this matter.

5. The Respondent shall enroll in and successfully complete nine (9) hours in the following areas of Continuing Education:

- Scoring, Recording, and Interpretation of Test Data (3 hours)
- Laws and Rules of Florida (6 hours)

Self study courses are permitted provided they contain an examination component for course credit. This shall be in addition to other normally required continuing education hours. Verification of course content and course completion must be submitted to the Psychology Compliance Officer within one (1) year from the date of this Order. The Board will retain jurisdiction for the purpose of enforcing continuing education requirements.

All other terms of the settlement agreement remain unchanged.

Within 30 days of receipt of this counteroffer, the Respondent shall notify the board office in writing at Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, of acceptance of this counteroffer, or the counteroffer will be deemed rejected.

DONE AND ORDERED this 5 day of May, 2014.

BOARD OF PSYCHOLOGY

Allen Hall

Allen Hall, Executive Director
for Luis E. Orta, Ph.D., Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to JEFFREY MICHAEL WILLIAMSON, Ph.D., 1851 Highland Ave., Melbourne, FL 32935 and/or 1209 Admiralty Blvd., Rockledge, FL 32955; and by interoffice mail to Rachel W. Clark, Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; and Lealand McCharen, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin # C-65, Tallahassee, Florida 32399-3265 this 6th day of May, 2014.

Angela Saunders

Deputy Agency Clerk

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

Petitioner,

v.

JMW
REY
JEFFERY MICHAEL WILLIAMSON, Ph.D.,

CASE NO. 2008-19261

Respondent.

2013 NOV - 6 AM 9:22
PRACTITIONER REGULATION
LEGAL

SETTLEMENT AGREEMENT

Pursuant to Section 120.57(4), Florida Statutes, the above named parties hereby offer this Settlement Agreement to the Board of Psychology (hereinafter "Board")¹ as disposition of the Administrative Complaint, attached hereto as Exhibit "A" and incorporated herein by reference, in lieu of any other administrative proceedings. The terms herein become effective only if and when a Final Order accepting this Settlement Agreement is issued by the Board and filed. In considering this Settlement Agreement, the Board may review all investigative materials regarding this case. If this Settlement Agreement is not accepted by the Board, the

¹ For purposes of this Settlement Agreement, where terms of the Agreement require the Board to undertake action or grant approval, the Board can appoint a representative or designee to act in its stead. In light of this, references to the "Board" can also refer to the Board's designee.

Settlement Agreement, and its presentation to the Board, shall not be used against either party.

STIPULATED FACTS

1. For all times pertinent herein, Respondent was a licensed psychologist in the State of Florida, having been issued license number PY 4728 on or about June 5, 1992.
2. Respondent's address of record is 1851 Highland Avenue, Melbourne, Florida 32935.
3. Respondent was charged by an Administrative Complaint with two counts of violating Section 490.009(1)(r), Florida Statutes (2006). The Administrative Complaint was filed by the Department of Health (hereinafter "Department") and properly served upon Respondent. A true and correct copy of the Administrative Complaint is attached hereto and incorporated by reference as Exhibit "A."
4. Respondent neither admits nor denies the factual allegations in the Administrative Complaint and is entering into this Settlement Agreement for the purpose of settlement in these administrative proceedings only.

STIPULATED LAW

1. Respondent admits that Respondent is subject to the provisions of Chapters 456 and 490, Florida Statutes, and the jurisdiction of the Department of Health and the Board.
2. Respondent admits that the stipulated facts, if proven true, constitute violations of Florida laws as alleged in the Administrative Complaint.
3. Respondent admits that the Settlement Agreement is a fair, appropriate, and reasonable resolution to this pending matter.

PROPOSED DISPOSITION

1. **APPEARANCE:** Respondent shall be present when this Settlement Agreement is presented by the Department to the Board, and under oath, Respondent shall answer questions posed by the Board concerning this case and the disposition thereof.
2. **LETTER OF CONCERN:** The Board shall issue a letter of concern to Respondent.
3. **FINE:** The Board shall impose an administrative fine of two thousand dollars (\$2,000.00) against the license of Respondent. Respondent acknowledges that the timely payment of the fine is Respondent's legal obligation and responsibility. Respondent shall pay the

fine by either check or money order made payable to The Florida Department of Health six (6) months of the filing of the Final Order issued in this matter. Respondent shall send payment(s) to:

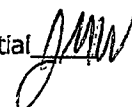
**The Florida Department of Health,
HMQAMS/Client Services,
Board of Psychology Compliance
Officer,
P.O. Box 6320,
Tallahassee, FL 32314-6320**

4. **COSTS**: Pursuant to Section 456.072(4), Florida Statutes (2006), Respondent shall pay all actual costs associated with the investigation and prosecution of this matter. Actual costs will be determined at the time this Settlement Agreement is presented to the Board. Respondent shall pay all costs by either check or money order made payable to The Florida Department of Health within six (6) months of the filing of the Final Order issued in this matter. Respondent shall send payment(s) to the address provided in paragraph three (3) pertaining to the payment of fines.

5. **CONTINUING EDUCATION**: Within one (1) year of the filing of the Final Order adopting and incorporating this Settlement Agreement, Respondent shall successfully complete a minimum of twelve (12) hours of continuing education; three (3) in the area of psychological

evaluations of minors for the purposes of addressing custody, residence, or visitation disputes, three (3) in the area of scoring, recording, and interpretation of test data, and six (6) in the Laws and Rules of Florida unless another subject area is designated by the Board. These continuing education hours shall be in addition to the continuing education hours normally required for renewal of Respondent's license. Home study courses will not be accepted unless specifically approved by the Board or its designee to satisfy this condition. Upon completion of the course, Respondent shall provide documentation to the Board verifying of successful completion and documentation of course content shall be submitted to the Compliance Officer at the address referenced in paragraph three (3).

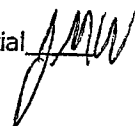
6. **PROBATION:** Respondent's license shall be placed on probation for a period of one (1) year. The purpose of probation is not to prevent Respondent from practicing as a licensed psychologist. Rather, probation is a supervised educational experience designed by the Board to make Respondent aware of certain obligations to Respondent's patients or clients, as well as to the profession, and to ensure Respondent's continued compliance with the high standards of the profession through interaction with another licensed psychotherapist in the appropriate field of expertise. Any deviation from the requirements of probation without prior written



consent of the Board shall constitute a violation of this probation and is grounds for discipline by the Board. Respondent's probation shall be subject to the following terms and conditions:

6(a) **Appearance:** Respondent shall appear before the Board at the first meeting after said probation commences, at the last meeting of the Board preceding termination of probation, and at such other times as requested by the Board.

6(b) **Supervision:** The supervision of Respondent's practice shall extend to all areas of Respondent's psychology practice. Respondent shall sign an agreement to practice only under the indirect supervision of a psychologist who is fully licensed under Chapter 490, Florida Statutes, and is approved by the Board. Before the Board approves a supervising psychologist (hereinafter also referred to as "supervisor,") Respondent shall provide the proposed supervisor with a copy of the administrative complaint filed in this case, and shall submit to the Board, the proposed supervisor's curriculum vitae as well as a description of the proposed supervisor's current practice. Said materials shall be received by the Board office no later than thirty (30) days after entry of a Final Order adopting and incorporating the terms of this Settlement Agreement. The supervisor



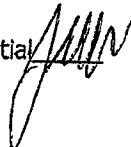
must be actively engaged in the same or similar specialty area as Respondent unless otherwise provided by the Board, and must be practicing within a reasonable distance of Respondent's practice; a distance of no more than twenty (20) miles, unless otherwise specifically approved by the Board. The supervisor's license to practice under Chapter 490 shall be in good standing and without restriction or limitation. The Board may reject any proposed supervisor on the basis that: the supervisor has previously been subject to disciplinary action against his or her license to practice under Chapter 490 in the State of Florida, or any other jurisdiction; is currently under investigation; is the subject of pending disciplinary action; does not practice in sufficient geographic proximity to Respondent; does not practice in the same or similar specialty area; in the Board's opinion, lacks sufficient experience or expertise to supervise Respondent; or has or had a relationship with Respondent such that the position of probation supervisor may pose an actual or potential conflict of interest or may compromise the supervisor's objectivity. The Board may also reject any proposed supervisor for good cause shown.

6(c) **Commencement of Probation:** The probationary term begins only after: the Board has approved Respondent's probation

supervisor; Respondent has signed an agreement to practice only under the indirect supervision of supervisor; and the supervisor has begun his or her first review of Respondent's practice records.

6(d) **Responsibilities of Supervisor:** The responsibilities of Respondent's supervisor shall include:

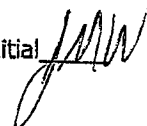
- i. Review a minimum of twenty-five percent (25%) of Respondent's active patient or client records at least once every two weeks for a period of two months, and thereafter, at the supervisor's discretion, a minimum of once monthly.
- ii. Discuss with Respondent, Supervisor's observations and impressions of Respondent's practice, methods, philosophy and techniques as well as Respondent's strengths, weaknesses and areas of concern. As appropriate or necessary, offer suggestions, advice, and guidance to Respondent.
- iii. Submit a quarterly report to the Board, in affidavit form, at the conclusion of every quarter. Each report shall include:
 - a. Brief statement of why Respondent is on probation; and
 - b. Description of Respondent's practice (type and composition); and

Page 8 Respondent Initial 

- c. Brief statement of Respondent's compliance with terms of probation; and
- d. Brief description of Respondent's relationship with the supervising psychotherapist; and
- e. Summary of dates supervisor went to Respondent's office or met with Respondent and the location of the meeting; what transpired during the meeting; number of records reviewed if any; and overall quality of records reviewed; and
- f. Description of issues addressed and topics discussed with Respondent, Respondent's participation in discussion, and Respondent's progress or growth and improvement if any; and
- g. Detail any problems or concerns that may have arisen with Respondent.

iv. Provide a report to the Board of any violations by Respondent of Chapter 456 or 490, Florida Statutes, or the rules promulgated pursuant thereto, particularly Rule Chapter 64B19, F.A.C.

v. Appear with Respondent before the Board: at the first meeting following commencement of the probation; at the last meeting before probation concludes; and at such other times as directed by the Board.



vi. Notify the Board within ten (10) days of any changes to supervisor's address or contact information.

6(e) Responsibilities of Respondent: The responsibilities of Respondent shall include:

- i. Submit a quarterly report to the Board, in affidavit form, at the conclusion of every quarter. Each report shall include:
 - a. Brief statement of why Respondent is on probation; and
 - b. Description of current practice (type and composition) and location; and
 - c. Brief statement of compliance with probationary terms; and
 - d. Description of relationship with supervisor; and
 - e. Description of specific issues addressed and discussed with supervisor as well as description of concepts learned, progress and growth or improvement if any; and
 - f. Description of any problems or concerns.
- ii. Appear before the Board with probation supervisor: at the first meeting following the commencement of probation;

at the last meeting before probation concludes; and at such other times as directed by the Board.

iii. Discuss with supervisor, supervisor's observations and impressions regarding practice, method, philosophy, techniques, strengths, weaknesses and areas of concern, suggestions, and guidance.

iv. Ensure the attendance and appearance of Respondent's supervisor at all Board meetings required by the terms of this Settlement Agreement or as directed by the Board. Failure of Respondent or Respondent's supervisor to appear at the scheduled Board meeting, unless excused by the Board, shall constitute a violation of the Board's Final Order.

v. Ensure supervisor submits all required reports to the Board. Failure of Respondent's supervisor to submit a required report, unless excused by the Board, shall constitute a violation of the Board's Final Order.

vi. Cooperate fully with supervisor to satisfy all terms of probation, specifically including but not limited to: meet with supervisor, participate in discussions with supervisor and make records available to supervisor.

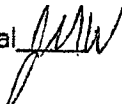
vii. Notify the Board within (10) ten days of any changes in either Respondent's current residence and/or business address and contact information.

6(f) **Costs:** Respondent shall pay all costs related to the term of probation and supervision thereof, as well as all costs incident and necessary to demonstrate to the Board that Respondent can practice with the required skill and competence.

6(g) **Compliance:** Respondent shall comply with all state statutes and rules pertaining to the practice of psychology, specifically including Chapters 456, and 490, Florida Statutes, and Rule Chapter 64B19, Florida Administrative Code; Rules of the Board of Psychology.

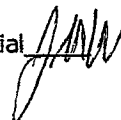
6(h) **Tolling:** In the event Respondent does not actively engage in professional practice for a period of thirty (30) days or more, or ceases the professional practice in the State of Florida, Respondent's probation shall be tolled until such time as Respondent returns to an active, professional practice in the State of Florida, unless prior approval has been obtained from the Board.

6(i) **Termination:** The probationary period shall be terminated only by order of the Board upon proper petition by

Page 12 Respondent Initial 

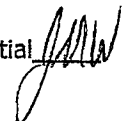
Respondent, where said petition is supported by evidence of compliance with the Final Order incorporating this Settlement Agreement. More specifically, at the conclusion of Respondent's term of probation, Respondent shall formally petition the Board to terminate Respondent's probation and therein, request that the matter be placed on the next agenda of the Board's quarterly meeting for consideration. Respondent's license shall remain on probation until after such time as Respondent makes Respondent's final appearance before the Board as outlined in paragraph 6(a). During that appearance, the Board will have the opportunity to question Respondent about Respondent's experience and practice during the probationary period, make a determination regarding Respondent's compliance with the terms of the final order incorporating this Settlement Agreement, and decide whether Respondent's probation should be terminated. The Board is hereby authorized to extend Respondent's probation if the Board finds that Respondent is unable or unwilling to ethically practice at an acceptable level of skill and safety and with professionalism.

7. **AFFIDAVIT:** Respondent shall thoroughly review, study and possess a clear understanding of the laws and rules governing the practice



of psychology in the State of Florida, specifically including but not limited to: chapters 456 and 490, Florida Statutes, and Rule Chapter 64B19, Florida Administrative Code; the Rules of the Board of Psychology. Within thirty (30) days of the filing of the Final Order adopting and incorporating this Settlement Agreement, Respondent shall execute and provide to the Board, an affidavit attesting that Respondent has completed the above. The affidavit shall state that Respondent has read and understands the laws and rules governing the practice of licensed psychology in the State of Florida, including Chapters 456 and 490, Florida Statutes, and Rule Chapter 64B19, Florida Administrative Code; the Rules of the Board of Psychology, and that Respondent understands the importance of adhering to same. Respondent shall submit the affidavit to the address set forth in paragraph three (3) above.

8. **SERVICE AS A QUALIFIED SUPERVISOR:** Respondent understands that Respondent shall not serve as a "qualified supervisor" until Respondent has complied with all of the obligations imposed by the Final Order adopting and incorporating this Settlement Agreement. Furthermore, if Respondent is serving as a "qualified supervisor," at the time the Final Order in this case is filed, Respondent shall provide written



notice of the Final Order and terminate all supervisory relationships within one (1) day of the filing of the Final Order.

9. **VIOLATION OF TERMS:** It is expressly understood that violating any of the terms of this Settlement Agreement shall be considered a violation of a Final Order of the Board, for which disciplinary action may be initiated pursuant to Chapters 456 and 490, Florida Statutes.

10. **SETTLEMENT AGREEMENT SUBJECT TO BOARD APPROVAL:** It is expressly understood that this Settlement Agreement is subject to approval by the Board and has no force or effect until the Board adopts, incorporates or bases an Order, properly filed, upon it.

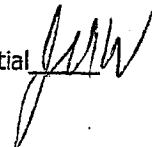
11. **BOARD REVIEW NONPREJUDICIAL TO FURTHER PROCEEDINGS:** Respondent executes this Settlement Agreement for the purpose of avoiding further administrative action with respect to this particular case. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of this Settlement Agreement. Respondent agrees to support this Settlement Agreement at the time it is presented to the Board and shall offer no evidence, testimony, or argument that disputes or contravenes any stipulated fact or conclusion of law. Furthermore, should the Board not accept this Settlement

Agreement; the parties agree that the presentation and consideration of this Settlement Agreement and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

12. **ADDITIONAL PROCEEDINGS:** Respondent and the Department of Health fully understand that this Settlement Agreement and subsequent Final Order incorporating same, will in no way preclude additional proceedings by the Board and/or Department of Health against the Respondent for acts or omissions not specifically set forth in the Administrative Complaint, attached hereto as Exhibit "A," filed in this cause.

13. **WAIVER OF ATTORNEY FEES;** Respondent waives the right to seek attorney fees and/or costs from the Department of Health in connection with this disciplinary proceeding.

14. **WAIVER OF JUDICIAL REVIEW AND CHALLENGE:** Upon the Board's adoption of this Settlement Agreement, Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this Settlement Agreement and the Final Order of the Board incorporating said Settlement Agreement.



WHEREFORE, the parties hereby request the Board to enter a Final Order accepting and implementing the terms contained herein.

SIGNED this 15 day of October, 2013.

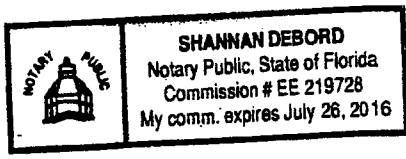
Jeffrey Michael Williamson
Jeffrey Michael Williamson, Ph.D.
Case No. 2008-19261
JMW

STATE OF FLORIDA
COUNTY OF Brevard

Before me personally appeared Jeffrey Williamson, whose identity is known to me by personal knowledge or by presentation of FDL as identification (type of identification), and who acknowledges that their signature appears above. Sworn to or affirmed before me this 15 day of October, 2013.

Shannan DeBord
Notary Public

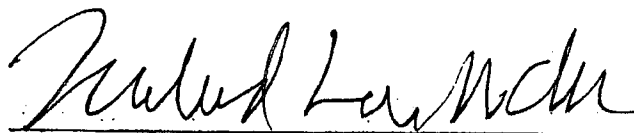
July 26, 2016
My Commission Expires



Page 17 Respondent Initial *JMW*

APPROVED this 6th day of November, 2013.

John H. Armstrong, MD, FACS
Surgeon General and Secretary



LEALAND LANE MCCHAREN
Florida Bar Number 400343
Assistant General Counsel
Department of Health
Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, FL 32399-3265
(850) 245-4444, Ext. 8219 voice
(850) 245-4681 FAX

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

Petitioner,

v.

CASE NO. 2008-19261

JEFFERY MICHAEL WILLIAMSON, Ph.D.,

Respondent.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Psychology against the Respondent, Jeffery Michael Williamson, Ph.D., and in support thereof alleges:

1. Petitioner is the state department charged with regulating the practice of psychology pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 490, Florida Statutes.
2. At all times material to this Complaint, Respondent was a licensed psychologist within the state of Florida and was issued license number PY 4728 on or about June 5, 1992.
3. Respondent's address of record is 1209 Admiralty Blvd., Rockledge, FL 32955.

4. Respondent was appointed by the court in August 2005 to perform a Child Custody Evaluation for litigation between NSG and JSG as to custody of their child, JSG, Jr. Respondent did not begin work on the evaluation until February 2006.

5. Despite allegations of significant domestic violence, and law enforcement and court intervention, Respondent did not independently confirm the presence or absence of domestic violence in the relationship between NSG and JSG through interviews of collateral sources, law enforcement reports, or court documents; did not administer a risk assessment evaluation of JSG; did not administer a battered woman evaluation of NSG; and therefore, ascribed little weight to what he deemed "alleged" violence in his analysis and conclusion.

6. Despite conflicting information provided by NSG and JSG, Respondent did not interview, or seek reports from, collateral sources who may have had information that could provide resolution to the various conflicting statements of NSG and JSG.

7. Respondent administered only the Minnesota Multiphasic Personality Inventory – Second Edition to NSG.

8. Respondent diagnosed NSG with severe pathology without adequate supporting data, including but not limited to appropriate standardized testing.

9. Respondent administered only the Minnesota Multiphasic Personality Inventory – Second Edition to JSG.

10. Respondent formed a conclusion as to the parental capabilities of JSG without adequate supportive evidence and in the face of contradictory test results.

11. More than one year after being court appointed to complete a custody evaluation, and after subsequently being court ordered to do so, Respondent submitted his report on November 13, 2006, and his conclusions on November 14, 2006, which was after the close of discovery and less than 30 days prior to trial.

12. At no time prior to offering an opinion regarding residency or visitation that was or would be in the best interest of the child did Respondent ever contact or elicit information from teachers, therapists, marriage counselors, law enforcement, former spouses, current paramours, or medical doctors for NSG or JSG, other children in either home, adult children of either NSG or JSG; nor did he observe interactions in either home between the child and NSG or the child and JSG. Respondent did not obtain collateral information from an unbiased or impartial source, or evince much, if any, attempt to corroborate information provided by NSG or JSG.

13. In November 2006, Respondent billed for individual psychotherapy sessions for NSG and JSG in addition to the child custody evaluation.

14. Respondent as a mandatory reporter was aware of suspected child abuse and there is no indication in his records that he made a report to the Department of Children and Families.

COUNT ONE

15. Petitioner realleges and incorporates paragraphs 1-13 as if fully set forth herein.

16. Section 490.009(1)(r), Florida Statutes (2006), provides that failing to meet minimum standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience is grounds for discipline by the Board.

17. Rule 64B19-18.007(2), Florida Administrative Code, provides the requirements for forensic psychological evaluations of minors for the purpose of addressing custody, residence, or visitation disputes. The minimum standard of performance in court-ordered child-custody evaluations and family law proceedings includes but is not limited to the "APA Guidelines for Child Custody Evaluations in Divorce Proceedings effective July 1994." The guidelines specifically state that:

The role of the psychologist is as a professional expert. The psychologist does not act as a judge, who makes the ultimate decision applying the law to all relevant evidence. Neither does the psychologist act as an

advocating attorney, who strives to present his or her client's best possible case. The psychologist, in a balanced, impartial manner, informs and advises the court and the prospective custodians of the child of the relevant psychological factors pertaining to the custody issue. The psychologist should be impartial regardless of whether he or she is retained by the court or by a party to the proceedings.

18. The applicable APA Guidelines further provide in pertinent part that the "psychologist uses multiple methods of data gathering, including, but not limited to, clinical interviews, observation, and/or psychological assessments. Important facts and opinions are documented from at least two sources whenever their reliability is questionable. The psychologist, for example, may review potentially relevant reports (e.g. from schools, health care providers, child care providers, agencies, and institutions)."

19. A parent who desires to file a legal action against a court-appointed psychologist *who has acted in good faith in developing a parenting plan recommendation* must petition the judge who presided over the dissolution of marriage action. Section 61.122(3), Florida Statutes, emphasis added.

20. A psychologist who has been appointed by the court to develop a parenting plan recommendation in a dissolution of marriage matter is presumed to be acting in good faith if the psychologist's recommendation has been reached under standards that a reasonable psychologist would use to develop a parenting plan recommendation. Section 61.122(1), Florida Statutes.

21. Respondent failed to meet the minimum standard that a reasonable psychologist would use to develop a parenting plan recommendation, when measured against generally prevailing peer performance, by one or more of the following:

- a. By providing an opinion regarding residence/custody or visitation of JSG, Jr. without acting in a fair and balanced manner; or
- b. By providing an opinion regarding residence/custody or visitation based primarily on evidence presented by an interested party or those associated with the interested party; or
- c. By relying primarily on information provided by JSG, a party to the litigation; or
- d. By relying primarily on hearsay and inadmissible evidence in formulating an opinion on what is in the best interest of the child; or
- e. By failing to be forthcoming about his records or record keeping; or
- f. By failing to genuinely attempt to corroborate statements of JSG; or
- g. By failing to keep complete and accurate records; or
- h. By providing an opinion regarding residence/custody or visitation without having significant observation of the child interacting with NSG or JSG; or

i. By failing to make a report to the Department of Children and Families of the alleged child abuse.

22. Respondent did not act in good faith in developing a parenting plan recommendation.

23. Based on the foregoing, Respondent violated section 490.009(1)(r), Florida Statutes (2006), by failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience.

COUNT TWO

24. Petitioner realleges and incorporates paragraphs 1-13 as if fully set forth herein.

25. Section 490.009(1)(r), Florida Statutes (2006), provides that failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance constitutes grounds for denial of a license or disciplinary action.

26. Rule 64B19-18.007(3), Florida Administrative Code, provides that it is a conflict of interest for a psychologist who has treated a minor or any of the adults involved in a custody or visitation action to perform a forensic evaluation for the purpose of recommending with which adult the minor should reside, which

adult should have custody, or what visitation should be allowed. Consequently, a psychologist who treats a minor or any of the adults involved in a custody or visitation action may not also perform a forensic evaluation for custody, residence or visitation of the minor.

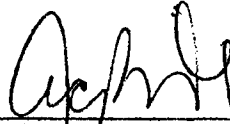
27. Respondent's records reflect that he provided individual therapy for NSG and JSG in addition to the child custody evaluation.

28. Based on the foregoing, Respondent violated section 490.009(1)(r), Florida Statutes (2006), by failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience.

WHEREFORE, the Petitioner respectfully requests that the Board of Psychology enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action and/or any other relief that the Board deems appropriate.

SIGNED this 27th day of September 2011.

H: Frank Farmer, Jr., M.D., Ph.D., F.A.C.P.
State Surgeon General



Adrienne C. Rodgers
Assistant General Counsel
Florida Bar # 0630071
Department of Health
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FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK **Angel Sanders**
DATE **SEP 28 2011**

PCP Date: 9-27-11

PCP Members: Swan, Orta, Martin-Lavielle

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

Petitioner,

v.

CASE NO. 2008-19261

JEFFERY MICHAEL WILLIAMSON, Ph.D.,

Respondent.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Psychology against the Respondent, Jeffery Michael Williamson, Ph.D., and in support thereof alleges:

1. Petitioner is the state department charged with regulating the practice of psychology pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 490, Florida Statutes.
2. At all times material to this Complaint, Respondent was a licensed psychologist within the state of Florida and was issued license number PY 4728 on or about June 5, 1992.
3. Respondent's address of record is 1209 Admiralty Blvd., Rockledge, FL 32955.

Exhibit "B"

4. Respondent was appointed by the court in August 2005 to perform a Child Custody Evaluation for litigation between NSG and JSG as to custody of their child, JSG, Jr. Respondent did not begin work on the evaluation until February 2006.

5. Despite allegations of significant domestic violence, and law enforcement and court intervention, Respondent did not independently confirm the presence or absence of domestic violence in the relationship between NSG and JSG through interviews of collateral sources, law enforcement reports, or court documents; did not administer a risk assessment evaluation of JSG; did not administer a battered woman evaluation of NSG; and therefore, ascribed little weight to what he deemed "alleged" violence in his analysis and conclusion.

6. Despite conflicting information provided by NSG and JSG, Respondent did not interview, or seek reports from, collateral sources who may have had information that could provide resolution to the various conflicting statements of NSG and JSG.

7. Respondent administered only the Minnesota Multiphasic Personality Inventory – Second Edition to NSG.

8. Respondent diagnosed NSG with severe pathology without adequate supporting data, including but not limited to appropriate standardized testing.

9. Respondent administered only the Minnesota Multiphasic Personality Inventory – Second Edition to JSG.

10. Respondent formed a conclusion as to the parental capabilities of JSG without adequate supportive evidence and in the face of contradictory test results.

11. More than one year after being court appointed to complete a custody evaluation, and after subsequently being court ordered to do so, Respondent submitted his report on November 13, 2006, and his conclusions on November 14, 2006, which was after the close of discovery and less than 30 days prior to trial.

12. At no time prior to offering an opinion regarding residency or visitation that was or would be in the best interest of the child did Respondent ever contact or elicit information from teachers, therapists, marriage counselors, law enforcement, former spouses, current paramours, or medical doctors for NSG or JSG, other children in either home, adult children of either NSG or JSG; nor did he observe interactions in either home between the child and NSG or the child and JSG. Respondent did not obtain collateral information from an unbiased or impartial source, or evince much, if any, attempt to corroborate information provided by NSG or JSG.

13. In November 2006, Respondent billed for individual psychotherapy sessions for NSG and JSG in addition to the child custody evaluation.

14. Respondent as a mandatory reporter was aware of suspected child abuse and there is no indication in his records that he made a report to the Department of Children and Families.

COUNT ONE

15. Petitioner realleges and incorporates paragraphs 1-13 as if fully set forth herein.

16. Section 490.009(1)(r), Florida Statutes (2006), provides that failing to meet minimum standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience is grounds for discipline by the Board.

17. Rule 64B19-18.007(2), Florida Administrative Code, provides the requirements for forensic psychological evaluations of minors for the purpose of addressing custody, residence, or visitation disputes. The minimum standard of performance in court-ordered child-custody evaluations and family law proceedings includes but is not limited to the "APA Guidelines for Child Custody Evaluations in Divorce Proceedings effective July 1994." The guidelines specifically state that:

The role of the psychologist is as a professional expert. The psychologist does not act as a judge, who makes the ultimate decision applying the law to all relevant evidence. Neither does the psychologist act as an

advocating attorney, who strives to present his or her client's best possible case. The psychologist, in a balanced, impartial manner, informs and advises the court and the prospective custodians of the child of the relevant psychological factors pertaining to the custody issue. The psychologist should be impartial regardless of whether he or she is retained by the court or by a party to the proceedings.

18. The applicable APA Guidelines further provide in pertinent part that the "psychologist uses multiple methods of data gathering, including, but not limited to, clinical interviews, observation, and/or psychological assessments. Important facts and opinions are documented from at least two sources whenever their reliability is questionable. The psychologist, for example, may review potentially relevant reports (e.g. from schools, health care providers, child care providers, agencies, and institutions)."

19. A parent who desires to file a legal action against a court-appointed psychologist *who has acted in good faith in developing a parenting plan recommendation* must petition the judge who presided over the dissolution of marriage action. Section 61.122(3), Florida Statutes, emphasis added.

20. A psychologist who has been appointed by the court to develop a parenting plan recommendation in a dissolution of marriage matter is presumed to be acting in good faith if the psychologist's recommendation has been reached under standards that a reasonable psychologist would use to develop a parenting plan recommendation. Section 61.122(1), Florida Statutes.

21. Respondent failed to meet the minimum standard that a reasonable psychologist would use to develop a parenting plan recommendation, when measured against generally prevailing peer performance, by one or more of the following:

- a. By providing an opinion regarding residence/custody or visitation of JSG, Jr. without acting in a fair and balanced manner; or
- b. By providing an opinion regarding residence/custody or visitation based primarily on evidence presented by an interested party or those associated with the interested party; or
- c. By relying primarily on information provided by JSG, a party to the litigation; or
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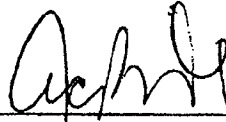
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