

BEFORE THE ARKANSAS PSYCHOLOGY BOARD

IN THE MATTER OF

Wendy Newsam, M.S.

Former Provisional License #10-45 AE-PL

Provisional License # 12-19AE- PL

RESPONDENT

Case Number C-12-06

FINDING OF FACTS, CONCLUSIONS OF LAW AND FINAL ORDER

Comes now the Arkansas Psychology Board ("Board") this 14th day of December, 2012 for hearing to determine whether Wendy Newsam, M.S. license number 12-19AE-PL formerly license number 10-45AE-PL violated Ark. Code Ann. §17-97-301(a)(1) and the Rules of the Arkansas Psychology Board. From the evidence and testimony, the Board finds:

FINDING OF FACTS

F1. Respondent is an Applicant Examiner-Provisional Licensee in the State of Arkansas currently holding license number 12-19AE-PL as of May 18, 2012. The Board finds this allegation to be true.

F2. Respondent previously held license number 10-45AE-PL granted on December 17, 2010. On December 16, 2011, the Board granted an extension to the license to end on May 1, 2012. Prior to delivery of services pursuant to provisional license number 10-45AE-PL, Respondent did not submit a Supervision Agreement and Plan. The Board finds this allegation to be true.

F3. A Supervision Agreement and Plan pursuant to license number 10-45AE-PL was submitted by Respondent on January 7, 2011 naming Dr. _____, License number 87-11P, as supervisor. Due to insufficient supervision hours in the plan, it was

not approved until April 16, 2011. The approved plan required one hour individual, face-to-face, weekly supervision. The Board finds this allegation to be true.

F4. Respondent failed to timely submit quarterly supervision reports pertaining to license number 10-45AE-PL. Respondent submitted five (5) quarterly supervision reports under license number 10-45AE-PL on April 25, 2012. These included reports for 1/1/11 to 3/31/11; 4/1/11 to 7/1/11; 7/1/11 to 10/1/2011; 10/1/11 to 12/31/11; and 1/1/12 to 3/31/12. The Board finds this allegation to be true.

F5. Respondent failed to submit a completed supervision report for the period of time from April 1, 2012 to May 1, 2012 when her provisional license number 10-45AE-PL expired. The Board finds this allegation to be true.

F6. Quarterly supervision reports submitted by the Respondent pertaining to license number 10-45AE-PL were all deficient in the number of hours of individual, face-to-face supervision. The Board finds this allegation to be true.

F7. Respondent failed to submit a modification of her Supervisory Agreement and Plan within 30 days. The Board finds this allegation to be true.

F8. On July 2, 2012 Dr. _____ notified the Board that she had terminated her supervisor relationship with Wendy Newsam licensee number 10-45AE-PL, on May 14, 2012. Dr. _____ indicated that a planned transition had been made and that Ms. Newsam had established a new supervisory relationship. No new supervisor name was provided. The Board finds this allegation to be true.

F9. Respondent held no licensure to provide psychological services from May 2, 2012 through May 17, 2012. The Board finds this allegation to be true.

F10. Respondent provided psychological services to patients without licensure

from May 2, 2012 through May 17, 2012. The Board finds this allegation to be false.

F11. Prior to the delivery of services for Applicant Examiner Provisional License number 12-19AE-PL granted May 18, 2012, Respondent failed to submit a Supervision Agreement and Plan. The Board finds this allegation to be true.

F12. Respondent submitted a Supervision Agreement and Plan with Dr. on July 6, 2012.

F13. Respondent provided psychological services without supervision from May 14, 2012 until July 6, 2012. The Board finds this allegation to be true.

CONCLUSIONS OF LAW

C1. Having found Allegation of Fact F4 to be true, the Board finds that Respondent violated A.C.A. §17-97-301(a)(1) and Arkansas Psychology Board Rule 6.3.C.(9) by failing to conform to licensing requirement of the law and by failing to submit quarterly supervision reports.

C2. Having found Allegation of Fact F5 to be true, the Board finds Respondent violated A.C.A. §17-97-301(a)(1) and Arkansas Psychology Board Rule 6.3.C.(9) by failing to conform to licensing requirement of the law and by failing to submit the final quarterly supervision report.

C3. Having found Allegation of Fact F6 to be true, the Board finds Respondent violated A.C.A. §17-97-301(a)(1) and Arkansas Psychology Board Rule 6.2.C.(1) by failing to conform to licensing requirement of the law and by failing to obtain sufficient supervision hours as outline in her supervision agreement and plan.

C4. Having found Allegation of Fact F7 to be true, the Board finds Respondent violated A.C.A. § 17-97-301(a)(1) and Arkansas Psychology Board Rule 6.2.B.(2) by

failing to conform to licensing requirement of the law and failing to submit the exceptions and modification to the supervision plan within 30 days.

C5. Having failed to find Allegation of Fact F10 to be true, Respondent is cleared of any violation with regard to the practice of psychology without a license.

C6. Having found Allegation of Facts F8, F11, F12 and F13 to be true, the Board find Respondent violated A.C.A. §17-97-301(a)(1) and Arkansas Psychology Board Rules 6.1.A(1), 6.2.B.(2), 6.3.C.(1), 5.5.F.(3) and 13.6 by failing to conform to licensing requirement of the law and for failure to have in place a supervision plan and agreement; and, by practicing independently without supervision.

ORDER

Based upon the foregoing Finding of Facts and Conclusions of Law, the Arkansas Board of Psychology imposes the following disciplinary action upon the Respondent, Wendy Newsam, M.S., Provisional License Number 12-19-AE-PL:

1. A Letter of Reprimand regarding the facts and conclusion of this hearing shall be place in the permanent licensure file and the complaint file of the Respondent.
2. The Respondent will continue current supervision agreement and plan with Dr. _____ which requires one hour individual face-to-face weekly supervision. Supervision reports shall be submitted monthly and shall include supervision logs of the Supervisor, Dr. _____.
3. Respondent is fined \$500.00 per proven charge for a total of \$2,500.00 to be paid before permanent licensure is granted or no later than December 31, 2013.

4. Respondent shall undertake an American Psychological Association (APA) approved ethics course. Said course shall be by university course credit or an APA approved continuing education credit of not less than six (6) hours to be completed before permanent licensure is granted.
5. Respondent may be granted full (permanent) licensure upon the successful completion of the Examination for Professional Practice in Psychology (EPPP) and an oral examination by the Board. Respondent is advised that no Psychological Examiners license will be issue after December 31, 2013 pursuant to Arkansas law.
6. A copy of this Order will be provided to Dr. _____ current supervisor of the Respondent and all future supervisors during provisional licensure status.

IT IS SO ORDERED.

_____, EXECUTIVE DIRECTOR
ARKANSAS PSYCHOLOGY BOARD