

BEFORE THE ARKANSAS PSYCHOLOGY BOARD

RECEIVED

IN THE MATTER OF
CHERALYN H. POWERS, PH. D.

RESPONDENT

LICENSE # 87-11P

FIND OF FACTS, CONCLUSIONS OF LAW AND FINAL ORDER

Comes now the Arkansas Psychology Board ("Board") this 21st day of January 2005 for hearing pursuant to the authority of Ark. Code Ann. § 17-97-101 et seq. for the purpose of determining whether the license issued to Cheralyn H. Powers, Ph.D. ("Respondent") should be suspended or revoked. Respondent appears in person and without counsel. Assistant Attorney General, appears on behalf of the Board.

FINDING OF FACTS

Upon the testimony and evidence presented, the Board finds the following facts to be TRUE.

- F1. Respondent is licensed psychologist, license no. 87-11P.
- F2. Respondent failed to submit continuing education hours by January 15, 2004 as required by Section 9.1.B of the Rules and Regulations of the Arkansas Psychology Board.
- F3. Respondent submitted her Biennial Continuing Education Reporting Form on June 28, 2004.
- F4. Due to Respondent's failure to submit her continuing education hours by January 15, 2004, an audit is conducted by Board staff on submitted continuing

education hours. Respondent is responsible for submitting confirming documentation of the education hours submitted. The Biennial Continuing Education Report Form carries the following instructional warning:

CE REPORTING FORMS ARE DUE BY JANUARY 15, 2004. FAILURE TO SUBMIT THE REQUIRED FORTY HOURS OF CONTINUING EDUCATION HOURS BY DEADLINE DATE WILL RESULT IN AUTOMATIC AUDIT.

F5. Respondent submitted confirming documentation for 7 credit hours prior to July 16, 2004.

F6. On July 16, 2004, Respondent's Biennial Continuing Education Reporting Form was reviewed by Board Member _____, M.S. who determined that confirming documentation of the education hours must be submitted due to Respondent's failure to submit the form in a timely manner as required by Rule 9.1.B.

F7. On July 20, 2004, Respondent was notified by letter of her requirement to submit documentation of each continuing educational activity reported to the Board.

F8. Respondent submit confirming documentations for 14.25 hours and failed to submit confirming documentation for the remaining 24 continuing education hours required.

CONCLUSIONS OF LAW

Respondent, by failing to submit confirming documentation of required continuing education hours, has violated Section 9 of the Rules and Regulations of the Arkansas Psychology Board and Ark. Code Ann. §17-97-310(a)(8).

ORDER

Based upon the testimony and evidence presented today, the Finding of Facts and Conclusions of Law reached by vote of the Board this day, the Board doth direct

and Order the Respondent, Cheralyn H. Powers, Ph.D., to submit confirming documentation of 24 hours of continuing education hours for the years 2002 and 2003 no later than July 31, 2005. Failure to submit said documents will result in immediate suspension of her license to practice psychology in the State of Arkansas without further hearing.

Pursuant to Ark. Code Anno. § 25-15-212, the Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court in the county in which he resides or in the Circuit Court of Pulaski County within thirty days after service of this Order.

ARKANSAS PSYCHOLOGY BOARD


_____, EXECUTIVE DIRECTOR 1-27-05
DATE

Cheralyn H. Powers Ph.D.
Cheralyn H. Powers, Ph.D.

AR Psych. Bd.

MAY 05 2005

Received