

**MISSOURI STATE COMMITTEE OF PSYCHOLOGISTS**

<b>MISSOURI STATE COMMITTEE</b>	)	
<b>OF PSYCHOLOGISTS,</b>	)	
	)	
<b>Petitioner,</b>	)	
v.	)	<b>Case No. PY-09-02</b>
	)	
<b>CAROLE BERNARD, PhD,</b>	)	
	)	
<b>Respondent.</b>	)	

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND DISCIPLINARY ORDER**

At its regularly schedule meeting on May 19, 2011 at approximately 2:00 p.m. at the St. Louis Airport Marriott, 10700 Pear Tree Lane, St. Louis, Missouri, and pursuant to notice described in the Findings of Fact, the Missouri State Committee for Psychologists (Committee) took up the probation violation complaint alleging that Carole Bernard, PhD, (Bernard) has failed to comply with the terms of her probation.

The Committee appeared through Assistant Attorney General Woodie Curtis. Neither Bernard nor any representative appeared. Division of Professional Registration Legal Counsel Sarah Ledgerwood served as the Committee's legal advisor at the hearing, during deliberations, and in the preparation of this order.

**Findings of Fact**

1. The State Committee of Psychologists ("Committee") is an agency of the State of Missouri created and established pursuant to § 332.021, RSMo

2000, for the purpose of executing and enforcing the provisions of Sections 337.010 through 337.345, RSMo.

2. The Committee licensed Bernard as a psychologist, license number 01161 on June 19, 1985. Bernard's license lapsed on January 31, 2010 when she failed to renew it.

3. On or about July 24, 2008, Bernard and the Committee filed a Joint Motion for Consent Order, Joint Stipulation of Facts and Conclusions of Law, Waiver of Hearings Before the Administrative Hearing Commission and State Committee of Psychologists and Disciplinary Order (Joint Stipulation), through which the parties agreed that Bernard's license was subject to discipline and agreed that her license would be suspended for one year and then would be placed on probation for three years (disciplinary period). The Administrative Hearing Commission issued a Consent Order in the case on July 25, 2008, which was the effective date of the disciplinary order.

4. The details of the disciplinary period contained in the Joint Agreed Disciplinary Order in the Joint Stipulation, state, in pertinent part:

Based upon the foregoing, the parties mutually agree and stipulate that the following shall constitute the disciplinary order entered by the Committee in this matter under the authority of § 621.110, RSMo (Cum. Supp. 2007).

I. DISCIPLINE IMPOSED

1. By agreement of the parties, Bernard's psychologist license, license number 01161, is hereby placed on SUSPENSION for a period of one year to be followed by a

period of PROBATION for three years (the “disciplinary period”).

2. Bernard shall submit all copies and originals of Bernard’s psychologist license, wall hanging, and wallet certificate to the State Committee of Psychologists within 30 days of the effective date of this Joint Stipulation to be held during the period of suspension.

...

4. During the disciplinary period, Bernard shall adhere to the following terms and conditions:

A) Bernard must complete a professional education course on the topic of Ethics approved by the State Committee of Psychologists. Such course must be taken in a department of psychology from a program accredited by the American Psychological Association (“APA”) for graduate credit of no less than three (3) semester hours. Bernard must obtain a grade of B or higher in the course. Reading courses, correspondence courses, independent study courses, or on-line courses are unacceptable. Such course must be completed during the one year period of suspension.

...

C) Bernard’s practice as a professional psychologist shall be supervised on a semi-annual basis by a psychologist approved by the State Committee of Psychologists. If Bernard has failed to secure a supervisor within twenty (20) days from the start of probation, Bernard shall cease practicing until a supervisor is secured.

...

F) Bernard’s supervisor must report at least once every six (6) months on Bernard’s compliance with this Joint Stipulation. Reports must be received before March 1 and September 1 of each year. It is Bernard’s responsibility to ensure that these reports are provided in a timely manner.

...

H) Bernard must keep the State Committee of Psychologists apprised at all times, in writing, of Bernard's current home and work addresses and telephone numbers.

I) Bernard is required to pay to the State Committee of Psychologists, in a timely fashion, all requisite fees required by law to renew and keep current Bernard's psychology license in Missouri.

...

K) Bernard must provide a periodic report of her compliance with this Joint Stipulation every six months[.]

5. On or about September 17, 2008, the Committee sent a letter to Bernard at her address registered with the Committee of 1307 Subella Drive, Columbia, Missouri. The letter also contained a copy of the Consent Order from the AHC and asked her to return her license issued in January 2008. The letter also reiterated the provisions of the Joint Stipulation, Disciplinary Order. The letter was sent by regular U.S. mail. The Committee's records do not reflect the letter was returned undeliverable.

6. Bernard did not respond to the Committee's September 17, 2008 letter or her return her license.

7. On or about December 29, 2008, the Committee sent a letter to Bernard at her address registered with the Committee of 1307 Subella Drive, Columbia, Missouri. The letter notified Bernard that the Committee had reviewed her file for compliance with the Joint Stipulation, Disciplinary Order. The letter also notified her that the required reports had not been received by the Committee

and that the Committee must receive them prior to February 28, 2009. The letter was sent by regular U.S. mail. The Committee's records reflect the letter was not returned as undeliverable.

8. Bernard did not respond to the Committee's December 29, 2008 letter.

9. On or about December 3, 2009, the Committee sent a letter to Bernard at her address registered with the Committee of 1307 Subella Drive, Columbia, Missouri. The letter notified her that the Committee had again reviewed her file for compliance with the Joint Stipulation, Disciplinary Order. The Committee also notified her that her file was being referred to the Attorney General's Office to "prepare the appropriate papers related to the violation of your disciplinary order." The letter was sent by regular U.S. mail. The Committee's records reflect the letter was not returned as undeliverable.

10. Bernard did not respond to the Committee's December 3, 2009 letter.

11. Bernard failed to submit all copies and originals of her psychologist license, wall hanging and wallet certificate to the Committee within 30 days of the effective date of the July 25, 2008 Joint Stipulation in violation of the Joint Stipulation, Disciplinary Order, Section I.2.

12. Bernard failed to complete a professional education course on the topic of Ethics within the one-year suspension period of her disciplinary period in violation of the Joint Stipulation, Disciplinary Order, Section I.4(A).

13. Bernard failed to secure a supervisor within twenty days of the start of the probationary period of her disciplinary period which started July 25, 2009 in violation of the Joint Stipulation, Disciplinary Order, Section I.4(C).

14. Bernard's supervisor required by the Joint Stipulation failed to file any reports with the Committee every six months regarding Bernard's compliance with the Joint Stipulation. According to the Joint Stipulation, Bernard was responsible for ensuring the supervisor filed the reports. Bernard's failure to do so is in violation of the Joint Stipulation, Disciplinary Order, Section I.4(F).

15. Bernard failed to keep the Committee apprised, at all times, in writing, of her current home and work addresses in violation of the Joint Stipulation, Disciplinary Order, Section I.4(H).

16. Bernard failed to pay to the Committee all requisite fees required by law to renew and keep current her psychology license in Missouri. Her license lapsed on January 31, 2010. Bernard's failure to pay fees to keep her license current is in violation of the Joint Stipulation, Disciplinary Order, Section I.4(I).

17. Bernard failed to provide the Committee with periodic reports of her compliance with the Joint Stipulation every six months in violation of the Joint Stipulation, Disciplinary Order, Section I.4(K).

18. On or about April 5, 2011, the Committee sent Bernard a letter at the address of 150 East Schiller Street, Apt. 707, Elmhurst, Illinois. The Attorney General's Office obtained the address in the process of filing the probation violation complaint. The letter contained the notice of hearing, including time,

date and location of the hearing for the probation violation hearing, as well as a copy of the probation violation complaint. The letter and documents were sent by both certified mail and regular U.S. mail. The Committee received the certified mail letter back as “unclaimed.” The Committee did not receive the regular mail letter back as undeliverable.

19. On May 10, 2011, the Committee received a letter from Bernard from the address of 150 East Schiller Street, Apt. 707, Elmhurst, Illinois. The letter stated that she had received the information regarding the probation violation, as well as other letters detailed above. She stated she did not intend to be present for the May 19, 2011 hearing.

20. At the May 19, 2011 hearing, the Committee heard testimony from Executive Director Pam Groose on behalf of the Committee and accepted exhibits on behalf of the Committee.

### **Conclusions of Law**

A. The Committee has jurisdiction in this proceeding, pursuant to the Joint Stipulation and § 324.042 RSMo, to determine whether Bernard has violated the terms and conditions of the Joint Stipulation.

B. Section 324.042 RSMo states, in relevant part:

Any Committee . . . within the division of professional registration may impose additional discipline when it finds after hearing that a licensee . . . has violated any disciplinary terms previously imposed or agreed to pursuant to settlement. The Committee . . . may impose as additional discipline, any discipline it would be authorized to impose in an initial disciplinary hearing.

C. The Joint Stipulation, Disciplinary Order, sections I.5, I.6, and I. 7,

state:

5. Upon expiration of the disciplinary period, Bernard's license as a psychologist in Missouri shall be fully restored, provided all provisions of this Joint Stipulation and all other requirements of law have been satisfied.

6. If the State Committee of Psychologists determines that Bernard has violated a term or condition o[f] her discipline, or has otherwise failed to comply with the provisions of Chapter 337, RSMo, which violation would be actionable in a proceeding before the State Committee of Psychologists or the AHC or a Circuit Court, the State Committee of Psychologists may elect to pursue any lawful remedies or procedures afforded to it, and is not bound by this Joint Stipulation and its selections of remedies concerning such violation, except as set forth in paragraph 7 below.

7. If, at any time during the probationary period, Bernard determines that she cannot adhere to the disciplinary terms contained herein, the Committee hereby agrees to accept a voluntary surrender of Bernard's [l]icense in lieu of probation violation proceedings. Bernard understands that if she exercise[s] the option to surrender her license without completing the disciplinary terms contained herein and later reappplies for licensure, the Committee may issue a probated license pursuant to Chapter 3[3]7, RSMo, requiring completion of the disciplinary terms contained herein and imposing additional terms as the Committee deems appropriate, as a condition of granting a new license.

D. Bernard violated the terms of discipline set forth in the Joint Stipulation, as described in paragraphs 3 through 20 above for which the Committee has cause to further discipline her license pursuant to Sections I.5, I.6, and I.7 of the Joint Stipulation and § 324.042, RSMo.

E. Reasonable attempts were made to notify Bernard of the probation violation complaint and the date of the hearing as described in the Findings of Fact.

**Decision and Order**

It is the decision of the Missouri State Committee of Psychologists that Bernard has violated the terms of the Joint Stipulation, and that her license is, therefore, subject to further disciplinary action.

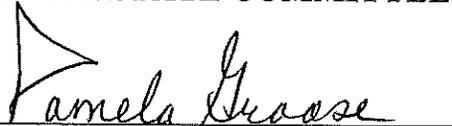
The Missouri State Committee of Psychologists orders that the psychology license of Carole Bernard, number 01161, be and is hereby **REVOKED**.

Bernard shall immediately return all indicia of licensure to the Committee.

The Committee will maintain this Order as an open and public record of the Committee as provided in Chapters 337, 610, and 324, RSMo.

Entered this 23rd day of June, 2011.

**MISSOURI STATE COMMITTEE OF PSYCHOLOGISTS**



Pamela Groose  
Executive Director

Before the  
Administrative Hearing Commission  
State of Missouri



STATE COMMITTEE OF PSYCHOLOGISTS,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. 08-0051 PS
	)	
CAROLE BERNARD,	)	
	)	
Respondent.	)	

**CONSENT ORDER**

The licensing authority filed a complaint. Section 621.045, RSMo Supp. 2007, gives us jurisdiction.

On July 24, 2008, the parties filed a "Joint Motion for Consent Order, Joint Stipulation of Facts and Conclusions of Law, Waiver of Hearings Before the Administrative Hearing Commission and State Committee of Psychologists and Disciplinary Order." Our review of the document shows that the parties have stipulated to certain facts and waived their right to a hearing before us. Because the parties have agreed to these facts, we incorporate them into this order and adopt them as stipulated. *Buckner v. Buckner*, 912 S.W. 2d 65, 70 (Mo. App., W.D. 1995). We conclude that the licensee is subject to discipline under § 337.035.2(5), (13) and (15), RSMo 2000. We incorporate the parties' proposed findings of fact and conclusions of law into this Consent Order. We certify the record to the licensing agency under § 621.110, RSMo Supp. 2007.

The only issue before this Commission is whether the stipulated conduct constitutes cause to discipline the license. The appropriate disciplinary action is not within our power to decide; that is subject to the licensing authority's decision or the parties' agreement. Section 621.110, RSMo Supp. 2007.

No statute authorizes us to determine whether the agency has complied with the provisions of § 621.045.4. RSMo Supp. 2007. We have no power to superintend agency compliance with statutory procedures. *Missouri Health Facilities Review Comm. v. Administrative Hearing Comm'n*, 700 S.W. 2d 445, 450 (Mo. banc 1985). Therefore, we do not determine whether the agency complied with such procedures.

SO ORDERED on July 25, 2008.

  
\_\_\_\_\_  
DOUGLAS M. OMMEN  
Commissioner



Respondent's psychologist license for violations of statutes and lawful rules and regulations set forth below.

Respondent acknowledges that she has received and reviewed a copy of the Complaint filed by the Committee in this case, and the parties submit to the jurisdiction of the Commission.

Respondent acknowledges that she understands the various rights and privileges afforded her by law, including the right to a hearing of the charges against her; the right to appear and be represented by legal counsel; the right to have all charges against her proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against her; the right to a decision upon the record by a fair and impartial administrative hearing commissioner concerning the charges pending against her and, subsequently, the right to a disciplinary hearing before the Committee at which time she may present evidence in mitigation of discipline; and the right to recover attorney's fees incurred in defending this action against her license. Being aware of these rights provided her by operation of law, Bernard knowingly and voluntarily waives each and every one of these rights and freely enters into this Joint Motion for Consent Order, Joint Stipulation of Facts and Conclusions of Law, Waiver of Hearings Before the Administrative Hearing Commission and State Committee of Psychologists, and Disciplinary Order ("Joint Stipulation") and agrees to abide by the terms of this document, as they pertain to her.

## JOINT STIPULATIONS OF FACT

Based upon the foregoing and for the purpose of settling this matter, the Committee and Bernard jointly stipulate to the following and request that the Commission adopt as its own the Joint Stipulations of Fact and the Joint Conclusions of Law as the Commission's Findings of Fact and Conclusions of Law:

1. The Committee is an agency of the state of Missouri created and established by § 337.050, RSMo, for the purpose of administering and enforcing those provisions of Chapter 337, RSMo, relating to psychologists.

2. Bernard is a licensed psychologist who was first licensed by the Committee as a psychologist, license number 01161, on June 19, 1985. Bernard's license is, and was at all times relevant herein, current and active.

3. At all times relevant herein, Bernard was employed as a practicing psychologist at the Harry S. Truman Memorial Veterans' Hospital ("Truman"), 800 Hospital Drive, Columbia, MO 65201.

4. At all times relevant herein, Bernard also maintained a private psychology practice in her home at 1307 Subella Drive, Columbia, MO 65203.

5. Beginning in or around February 1992, Bernard provided individual therapy for patient J.K. at Truman. She continued treatment of J.K. until his arrest in or around July 2002.

6. Bernard also treated J.K. at her home during the same time period.

7. On one occasion during this time period, Bernard allowed J.K. to stay overnight at her residence.

8. In or around February 1993, Bernard paid J.K.'s son, R.K., for yard work R.K. performed at Bernard's home.

9. In or around 1996 and 1997, Bernard provided marriage counseling to J.K. and his wife, E.K.

10. On or about November 29, 2004, Bernard testified at J.K.'s sentencing hearing in support of J.K.'s motion for a sentence reduction based on diminished capacity.

11. During her testimony, Bernard stated that even though she knew J.K. had been a pedophile in the past and despite the fact that J.K. told her he had molested his granddaughter in 2002, Bernard did not diagnose him as a pedophile in her letter to the Court on or about December 3, 2003.

12. During her testimony, Bernard stated that she believed J.K. to be correctly diagnosed as a pedophile.

13. Bernard has a professional duty to conduct her practice of psychology in accordance with the standard of care and the statutes and regulations pertaining to the practice of psychology.

14. Bernard had a relationship of professional trust and confidence with the court in that the court relied on Bernard as a licensed psychologist to conduct her practice of

psychology in accordance with the standard of care and the statutes and regulations pertaining to the practice of psychology.

**JOINT CONCLUSIONS OF LAW**

1. Cause exists to discipline Bernard's license under § 337.035.2, RSMo and 20 CSR 2235-5.030(6)(B).

2. Section 337.035.2, RSMo defines cause for discipline of a psychologist's license and states in pertinent part:

The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

...

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

...

(13) Violation of any professional trust or confidence;

...

(15) Being guilty of unethical conduct as defined in the "Ethical Rules of Conduct" as adopted by the committee and filed with the secretary of state.

3. Title 20 CSR 2235-5.030 constitutes the "Ethical Rules of Conduct" as adopted by the Committee and filed with the Secretary of State and states in pertinent part:

(6)(B) The psychologist shall not undertake or continue a professional relationship with a client when the objectivity or competency of the psychologist is, or could reasonably be expected to be impaired because of the psychologist's present or previous familial, social, sexual, emotional, financial, supervisory, political, administrative or legal relationship with the client or a relevant person associated with or related to the client. If a dual relationship develops or is discovered after the professional relationship has been initiated, the psychologist shall terminate the professional relationship in an appropriate manner, shall notify the client in writing of this termination and shall assist the client in obtaining services from another professional.

#### **JOINT AGREED DISCIPLINARY ORDER**

Based on the foregoing, the parties mutually agree and stipulate that the following shall constitute the disciplinary order entered by the Committee in this matter under the authority of § 621.110, RSMo (Cum.Supp. 2007).

#### **I. DISCIPLINE IMPOSED**

1. By agreement of the parties, Bernard's psychologist license, number 01161, is hereby placed on SUSPENSION for a period of one year to be followed by a period of PROBATION for three years (the "disciplinary period").

2. Bernard shall submit all copies and originals of Bernard's psychologist license, wallhanging, and wallet certificate to the State Committee of Psychologists

within 30 days of the effective date of this Joint Stipulation to be held during the period of suspension.

3. During the period of suspension, Bernard shall not engage in any counseling, guidance, psychotherapy, or acts which fall under the definition of the term psychology as set forth in §§ 337.015.3 and 337.015.4 RSMo, whether a license is required for such acts or not.

4. During the disciplinary period, Bernard shall adhere to the following terms and conditions:

- A) Bernard must complete a professional education course on the topic of Ethics approved by the State Committee of Psychologists. Such course must be taken in a department of psychology from a program accredited by the American Psychological Association (“APA”) for graduate credit of no less than three (3) semester hours. Bernard must obtain a grade of B or higher in the course. Readings courses, correspondence courses, independent study courses, or on-line courses are unacceptable. Such course must be completed during the one year period of suspension.
- B) Bernard must inform her employers, and all hospitals, institutions, and managed health care organizations with which she is affiliated, that her work as a professional psychologist is under probation by the State Committee of Psychologists. (Bernard must obtain written

verification that each patient/client that Bernard treats, evaluates, or consults has been so informed.)

- C) Bernard's practice as a professional psychologist shall be supervised on a semi-annual basis by a psychologist approved by the State Committee of Psychologists. If Bernard has failed to secure a supervisor within twenty (20) business days from the start of probation, Bernard shall cease practicing psychology until a supervisor is secured. Bernard shall be responsible for any payment associated with the supervision. Supervision includes, but is not limited to on site face-to-face review of cases, and review, approval, and co-signing of written reports such as case notes, intake assessments, test reports, treatment plans, and progress reports.
- D) In the event the supervising psychologist becomes unable or decides not to continue serving in his/her capacity as a supervising psychologist or otherwise ceases to serve as a supervising psychologist during the period of probation, then, Bernard shall:
- 1) within three (3) business days of being notified of the supervising psychologist's inability or decision not to continue serving as the supervising psychologist, or otherwise learning of the need to secure a supervising psychologist, advise the State Committee of Psychologists in writing that she is

needing to secure a supervising psychologist and the reasons for such change; and

- 2) within twenty (20) business days of being notified of the supervising psychologist's inability or decision not to continue serving as the supervising psychologist, or otherwise learning of the need to secure a supervising psychologist, secure a supervising psychologist pursuant to and in accordance with the terms and conditions set forth in this Joint Stipulation. After twenty (20) business days, Bernard shall not practice if she has not secured a supervisor.
- E) The supervising psychologist shall be vested with administrative authority over all matters affecting the provision of psychological health services provided by Bernard so that the ultimate responsibility for the welfare of every client is maintained by the supervising psychologist.
- F) Bernard's supervisor must report at least once every six (6) months on Bernard's compliance with this Joint Stipulation. Reports must be received before March 1 and September 1 of each year. It is Bernard's responsibility to ensure that these reports are provided in a timely manner.

- G) Bernard may not serve as a supervisor for any psychological trainee, psychological intern, psychological resident, psychological assistant or any person undergoing supervision during the course of obtaining licensure as a psychologist, professional counselor, or social worker.
- H) Bernard must keep the State Committee of Psychologists apprised at all times, in writing, of Bernard's current home and work addresses and telephone numbers.
- I) Bernard is required to pay to the State Committee of Psychologists, in a timely fashion, all requisite fees required by law to renew and keep current Bernard's psychology license in Missouri.
- J) Bernard is required to comply with all provisions of Chapter 337, RSMo, the rules and regulations duly promulgated by the State Committee of Psychologists and state and federal criminal laws.
- K) Bernard must provide a periodic report of her compliance with this Joint Stipulation every six months.
- L) At Bernard's expense, Bernard must agree to meet with the State Committee of Psychologists at reasonable intervals designated by the Committee.

5. Upon expiration of the disciplinary period, Bernard's license as a psychologist in Missouri shall be fully restored, provided all provisions of this Joint Stipulation and all other requirements of law have been satisfied.

6. If the State Committee of Psychologists determines that Bernard has violated a term or condition or her discipline, or has otherwise failed to comply with the provisions of Chapter 337, RSMo, which violation would be actionable in a proceeding before the State Committee of Psychologists or the AHC or a Circuit Court, the State Committee of Psychologists may elect to pursue any lawful remedies or procedures afforded to it, and is not bound by this Joint Stipulation and its selections of remedies concerning such violation, except as set forth in Paragraph 7 below.

7. If, at any time during the probationary period, Bernard determines that she cannot adhere to the disciplinary terms contained herein, the Committee hereby agrees to accept a voluntary surrender of Bernard's License in lieu of probation violation proceedings. Bernard understands that if she exercises the option to surrender her license without completing the disciplinary terms contained herein and later reappplies for licensure, the Committee may issue a probated license pursuant to Chapter 377, RSMo, requiring completion of the disciplinary terms contained herein and imposing additional terms as the Committee deems appropriate, as a condition of granting a new license.

8. The parties to this Joint Stipulation understand that the Committee will maintain this Joint Stipulation as an open record of the Committee as provided in Chapters 337, 610, and 620, RSMo.

9. Bernard hereby waives and releases the State Committee of Psychologists, its members and any of its employees, agents, or attorneys, including any former Committee members, employees, agents, and attorneys, of, or from, any liability, claim,

actions, causes of action, fees costs and expenses, and compensation, including, but not limited to, any claims for attorneys fees and expenses, including any claims pursuant to § 536.087, RSMo, or any claim arising under 42 USC 1983, which may be based upon, arise out of, or relate to any of the matters raised in this litigation, or from the negotiation or execution of this Joint Stipulation. The parties acknowledge that this paragraph is severable from the remaining portions of this Joint Stipulation in that it survives in perpetuity even in the event that any court of law deems this Joint Stipulation or any portion thereof void or unenforceable.

10. The terms of this Joint Stipulation are contractual, legally enforceable, and binding, not merely recital. Except as otherwise contained herein, neither this Joint Stipulation nor any of its provisions may be changed, waived, discharged, or terminated, except by a written instrument signed by the party against whom enforcement of the change, waiver, discharge, or termination is sought.

11. This Disciplinary Order will be effective immediately upon the issuance of the Consent Order of the Commission without further action by either party.

In consideration of the foregoing, the parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by Petitioner in the above-styled action.

Respectfully Submitted,

Carole B Bernard

Carole Bernard

July 8, 08

Date

Pamela Groose

Pamela Groose  
Executive Director  
State Committee of Psychologists

July 14, 2008

Date

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Attorneys for State Committee  
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July 8, 2008

Date