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2 **BEFORE THE STATE BOARD OF PSYCHOLOGIST EXAMINERS**
3 **OF THE STATE OF OREGON**
4

5 **In the Matter of the**) **DEFAULT FINAL ORDER**
6 **Psychologist License of**) **IMPOSING DISCIPLINARY**
7 **James R. Adams, Ph.D.**) **SANCTIONS (\$250 Civil**
8) **Penalty for Failure to Report**
9) **Continuing Education)**

10 **1.**

11 The Oregon Board of Psychologist Examiners (Board) is the state agency responsible
12 for licensing, disciplining and regulating psychologists in the State of Oregon. James R.
13 Adams, Ph.D. (Licensee), is licensed to practice as a psychologist in the State of Oregon.

14 **2.**

15 On or about February 4, 1999 the Board served its Notice of Proposed Disciplinary
16 Action (Notice) dated February 3, 1999 upon Licensee by certified United States mail,
17 proposing a \$250 civil penalty and suspension of Licensee's until he provided proof that he
18 met the Board's continuing education requirement for the 1996-1997 reporting period.

19 **3.**

20 In its Notice, the Board notified Licensee that he was entitled to a hearing pursuant the
21 Administrative Procedures Act (chapter 183), Oregon Revised Statutes, provided that Licensee
22 filed a written request for a hearing with the Board within sixty (60) days of the date of the
23 mailing of the Notice. The Notice also informed Licensee that if Licensee failed to request a
24 hearing that the Board could issue a final order by default imposing the above sanctions
25 against Licensee, and that Licensees submissions to the Board to-date regarding the subject of
26 this disciplinary case and all information in the Board's files relevant to the subject of this case
automatically become part of the evidentiary record of this disciplinary action upon default for

1 the purpose of proving a prima facie case. ORS 183.415(6).

2 4.

3 The Board finds that:

4 3.1 Dr. Adamsr did not request a hearing in a timely maner;

5 3.2 Dr. Adams' license number is 511; an odd number.

6 3.2 As an odd numbered licensee, he is required to report his continuing education to
7 the Board on or before December 31 of odd-numbered years as a part of his
8 application for license renewal in years ending in odd numbers.

9 3.3 1998 was an odd-numbered year.

10 3.3 Dr. Adams failed to submit any proof of continuing education on or before
11 December 31, 1997 for renewal of his license.

12 3.4 On April 2, 1999, Licensee submitted his 1996-97 Continuing Education Report to
13 the Board's office and the Board approved it the same day.

14 3.5 On April 6, 1999, the Board also received from Licensee a personal check for
15 \$250 in payment of the civil penalty.

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17 4.

18 In accordance with ORS 675.110(2) and (14), the Board has established by rule
19 requirements and guidelines for continuing education of licensees as a condition of licensure
20 renewal in OAR 858-040-0010(7). Fulfillment of continuing education requirements is viewed by
21 the Board as a necessary vehicle for maintaining standards of professional practice and for assuring
22 the public of a high standard of psychological services. OAR 858-040-0010 (6) and (7) in
23 applicable part provides:

24 (6) Reporting Requirements. A licensee must earn at least 50 continuing education credits
25 during two consecutive calendar years. Continuing education credit shall be reported as
follows:

26 (a) Licensees with even-numbered licenses shall submit continuing education credit on
or before December 31 of each even-numbered calendar year;

- 1 (b) Licensees with odd-numbered licenses shall submit continuing education credit on
2 or before December 31 of each odd-numbered year;
- 3 (c) No continuing education is required for licensees licensed less than one full calendar
4 year on their first reporting date. Licensees licensed less than two full calendar years
5 on the reporting date shall submit 25 hours of continuing education with a minimum
6 of four hours in ethics. Continuing education activities accumulated in the first year
7 of licensure cannot be carried over to the first reporting period.
- 8 (d) All licensees must submit to the Board of Psychologist Examiners, using a standard
9 reporting form, a report summarizing their continuing education activities. The
10 information furnished on the form must be typed or printed clearly. The Board will
11 consider for approval only activities listed on the form. The form must be signed by
12 the licensee to attest to the accuracy and truth of the information provided. The
13 Board will review these reports prior to January 31.
- 14 (7) Disposition of License When Continuing Education Requirements Have Not Been Met.
- 15 (a) The Board shall review to determine if further clarification is needed. The licensee
16 shall have the opportunity to submit additional information within ten (10) working
17 days.
- 18 (b) If sufficient proof of continuing education is not received by the Board prior to
19 January 31, the Board shall begin disciplinary proceedings.
- 20 (c) Persons found to be in noncompliance with the rules will be notified by certified
21 mail of the Board's proposed disciplinary action for failure to meet the continuing
22 education requirements.
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6. Conclusions

The Board concludes that the acts and conduct of Dr. Couturier described above
constitute violations of ORS 675.070(2)(i) and ORS 675.110(14) in that he failed to submit
proper proof of continuing education to the Board for renewal of license.

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7. FINAL ORDER

It is so ordered that :

1. Licensee licensee is not suspended because he has submitted acceptable proof of continuing education for the 1996-97 continuing education reporting period.
2. However he is ordered to pay a civil penalty of \$250 for failing to file his proof of continuing education when required. His obligation to pay that civil penalty is also discharged.

DATED this 8th day of April, 1999.

BOARD OF PSYCHOLOGIST EXAMINERS
State of Oregon

By: BethAnne Darby
BethAnne Darby, Executive Director