

**STATE OF FLORIDA
BOARD OF PSYCHOLOGY**

DEPARTMENT OF HEALTH

Petitioner,

vs.

Case No: 2010-16029

License No.: PY 4605

A. NORMAN GOLDWASSER, Ph.D.,

Respondent.

FINAL ORDER

THIS CAUSE came before the Board of Psychology (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on January 20, 2012, in Orlando, Florida, for the purpose of considering an Administrative Complaint (attached hereto as Exhibit "A" and incorporated by reference) in the above-styled case. The Department of Health (hereinafter "Petitioner") was represented by Adrienne C. Rodgers, Assistant General Counsel. A. Norman Goldwasser, Ph.D., (hereinafter "Respondent") was not present nor represented by counsel.

On June 8, 2011, Petitioner filed an Administrative Complaint against the Respondent alleging violations of Section 490.009(1)(t), Florida Statutes (2010). Service of the Administrative Complaint was made upon the Respondent by hand service, pursuant to Section 120.60(5), Florida Statutes. Respondent has not filed an Election of Rights. Petitioner filed a Motion for Determination of Waiver and Entry of Final Order Following Hearing. Petitioner also filed a Motion to Assess Costs. Respondent has not filed a response to either motion.

Respondent has not replied to the Administrative Complaint nor contested the factual allegations. The prosecuting attorney offered the investigative file into evidence to prove the facts as alleged in the Administrative Complaint and for the purposes of determining penalty.

The investigative file was received into evidence and the Board finds that the uncontested facts adequately support the allegations. After a complete review of the record in this matter, including consideration of the Administrative Complaint, any written or oral evidence and testimony, and any mitigating or aggravating circumstances, the Board makes the following findings and conclusions:

FINDINGS OF FACT

The Board finds that the Respondent failed to timely respond to the Administrative Complaint and waived his right to elect a method of resolution in this matter. Further, the allegations of fact set forth in the Administrative Complaint are approved, adopted, and incorporated herein by reference as the findings of fact by the Board. The Board also finds there is competent substantial evidence to support its findings and conclusions.

CONCLUSIONS OF LAW

Petitioner's Motion for Determination of Waiver and Entry of Final Order Following Hearing is granted. The conclusions of law alleged and set forth in the Administrative Complaint are approved, adopted, and incorporated herein by reference as the conclusions of law by the Board. Based upon the Findings of Fact, the Board concludes that the licensee violated: Section 490.009(1)(t), Florida Statutes (2010), by violating an order of the board previously entered in a disciplinary hearing.

The violations set forth warrant disciplinary action by the Board.

THEREFORE IT IS ORDERED AND ADJUDGED:

1. **Fine.** The Respondent shall pay a fine of **\$1,000.00** within thirty (30) days of the filing of this Final Order;

2. **Suspension.** The Respondent's license to practice psychology in the state of Florida is hereby **SUSPENDED** until the Respondent provides to the Board satisfactory proof of completion of the 12 live hours of continuing education units required by Final Order No. DOH-09-0888-S-MQA, issued in Case No. 2004-27669 (May 13, 2009), at which time the Respondent may petition the Board for reinstatement of his license.
3. **Additional Continuing Education.** The Respondent shall submit verification of successful completion of three (3) additional live hours of continuing education units in the area of laws and rules within 4 months of the filing of this Final Order.
4. The continuing education hours set forth in Paragraphs 2 and 3 above shall be in addition to the continuing education hours normally required for renewal of Respondent's license. Home study courses will not be accepted to satisfy this condition unless specifically authorized by the Board.

RULING ON MOTION TO ASSESS COSTS

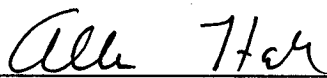
The Board hereby bifurcates the Motion to Assess Costs and reserves jurisdiction to address the cost issue at a later date.

Payment of all of the fines and costs shall be made to the Board of Psychology and mailed to: Department of Health, Compliance Management Unit, P.O. Box 6320, Tallahassee, FL 32314-6320, Attn: Psychology Compliance Officer.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 14 day of February, 2012.

BOARD OF PSYCHOLOGY



Allen Hall, Executive Director
for Rafael Rivas-Vazquez, Psy.D., Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A party who is adversely affected by this Final Order is entitled to judicial review pursuant to Section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a Notice of Appeal with the Agency Clerk of the Department of Health, and a second copy, accompanied by filing fees prescribed by law, with the District Court of Appeal, First District, or with the District Court of Appeal in the Florida appellate district where the party resides. The Notice of Appeal must be filed within thirty (30) days of rendition of the Order to be reviewed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by **Certified U.S. Mail** to **A. Norman Goldwasser, Ph.D.**, 975 Arthur Godfrey Road, Suite 308, Miami Beach, FL 33140; and by interoffice mail to **Donna C. McNulty**, Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; and **Adrienne C. Rodgers**, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin # C-65, Tallahassee, Florida 32399-3265 this 16th day of February 2012.

Angie Sanders

Deputy Agency Clerk

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

Petitioner,

v.

CASE NO. 2010-16029

A. NORMAN GOLDWASSER, Ph.D.

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

COMES NOW the Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Psychology (hereinafter Board) against A. Norman Goldwasser, Ph.D., and 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. Respondent is, and has been at all times material hereto, a licensed psychologist in the State of Florida, having been issued license number PY4605 on or about December 16, 1991.
3. Respondent's address of record is 975 Arthur Godfrey Road Suite 308, Miami Beach, Florida 33140.

4. Case number 2004-27669, Department of Health ("Department") v. A. Norman Goldwasser, Ph.D., was filed by the Department on or about November 27, 2007.

5. Thereafter, the parties entered into a Settlement Agreement to resolve the case.

6. Paragraph five of the Settlement Agreement required Respondent to complete and document to the Board, a minimum of 12 hours of continuing education units ("CEUs") in an area or areas chosen by the Board, within one year of the filing of the final order adopting and incorporating the terms of the Settlement Agreement. Further, it was specifically articulated that: "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 to satisfy this condition unless specifically authorized by the Board." (e.s.)

7. On or about May 13, 2009, Final Order number DOH-09-0888-S-MQA issued in case number 2004-27669, Department of Health vs. A. Norman Goldwasser, Ph.D.

8. The Final Order reflects that the Board accepted the Settlement Agreement reached between the Department and Respondent and ordered Respondent to abide by the terms of the Settlement Agreement. With regard to the CEU requirement, the Board ordered Respondent to complete the 12 hours of CEUs in the areas of supervision and record keeping.

9. Under the Final Order, Respondent was required to submit verification of successful completion of 12 hours of CEUs in the content areas of supervision and record keeping by May 12, 2010.

10. As of August 26, 2010, Respondent had not submitted verification that he had completed any of the 12 hours of CEUs as required by the Final Order.

11. Respondent did not respond to the allegations in writing until January 28, 2011. In addition to a letter, Respondent included a printout from CEU Broker and CE Unit that he indicated verified his compliance with the Board's order. Specifically, Respondent points to two courses taken over the internet on May 3, 2009: an eight hour supervision course, and a two hour prevention of medical errors course.

12. Respondent states in his January 28, 2011, response that "the requirement of Record Keeping is subsumed under the course Prevention of Medical Errors." Respondent states he later realized this may not be sufficient, so on January 28, 2011, Respondent took a three hour record keeping course online.

12. Respondent did not obtain specific authorization from the Board to take home study courses i.e. online courses to satisfy the Board's final order in this matter. Respondent has not taken any live continuing education courses to satisfy the final order as contemplated and required.

13. Moreover, Respondent was required to take 12 hours of CEUs in addition to that normally required for license renewal. Prevention of Medical Errors is required for license renewal and thus, does not count toward the CEUs needed to satisfy the final order.

14. Section 490.009(1)(t), Florida Statutes (2010), provides that violating a rule of the board or department or violating an order of the board or department previously entered in a disciplinary hearing constitutes grounds for disciplinary action by the Board of Psychology.

15. Based on the foregoing, Respondent violated Section 490.0009(1)(t), Florida Statutes (2010), by violating an order of the board previously entered in a disciplinary hearing when he failed to timely complete 12 hours of CEUs in the areas of supervision and record keeping and submit verification of completion and content to the Board within one year of the filing of the Final Order, where the CEUs were to be in addition to those CEUs normally required for renewal of Respondent's license and the CEUs were not to be home study or online courses.

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

SIGNED this 27th day of May, 2011.

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK

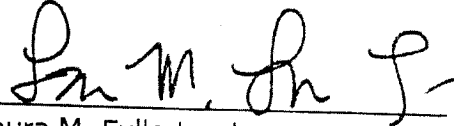
CLERK *Sandra Soto*
DATE *6.8.2011*

PCP: *05.24.11*

PCP Members:

Susan, Ortiz, Martin-Lavielle

H. Frank Farmer, Jr., M.D., Ph.D.
State Surgeon General



Laura M. Fullerton Lopez
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, FL 32399-3265
Florida Bar # 0093981
850.245.4640
850.245.4682 FAX