

NORTH CAROLINA PSYCHOLOGY BOARD
Board Action
July 1, 2007 through June 30, 2008

During the fiscal year July 1, 2007 through June 30, 2008, the following action was taken or confirmed by the North Carolina Psychology Board pursuant to G.S. § 90-270.15 and G.S. § 90-270.16:

Donald W. Adams, Ph.D. - CONSENT ORDER was approved on February 20, 2008. Dr. Adams admits that the described conduct constitutes violation of N.C. Gen. Stat. §§ 90-270.5(e), 90-270.15(a)(7), and 90-270.15(a)(10) of the North Carolina Psychology Practice Act; and 21 NCAC 54 .2001(c)(5) and 21 NCAC 54 .2008(h), of the North Carolina Psychology Board rules. The action taken by the Board is REMEDIAL. Dr. Adams must successfully complete tutorials and remit \$300.00 in costs.

Paul P. Alston, Ph.D. - CONSENT ORDER was approved on July 27, 2007. Dr. Alston admits that the described conduct constitutes violations of G.S. §§ 90-270.5 (d)(3), 90-270.5(e), and 90-270.15(a)(7), of the North Carolina Psychology Practice Act, and 21 NCAC 54 .2001(c)(5), 21 NCAC 54 .2008(h), and 21 NCAC 54 .2009(c), of the North Carolina Psychology Board rules. Dr. Alston's license is REPRIMANDED, and he shall not supervise individuals for the practice of psychology for a period of at least six months or until he has fully complied with all of the conditions set forth in the CONSENT ORDER and has received written approval by the Board to resume supervision, whichever time period is longer. Further, he must successfully complete tutorials and remit \$300.00 in costs.

Brian J. Bauduin, M.S. - FINAL DECISION was approved on December 13, 2007. Mr. Bauduin's conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(10), 90-270.15(a)(11), 90-270.15(a)(20), 90-270.15(a)(21) of the North Carolina Psychology Practice Act; and Standards 3.04, 3.08, and 10.05 of the *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2002). Mr. Bauduin's Psychological Associate license is REVOKED, and he must remit \$1800.00 in costs. (A petition for judicial review of the Board's Final Decision was filed by Mr. Bauduin in Mecklenburg County Civil Superior Court on January 17, 2008.)

G. Robert Braswell, M.A. - FINAL DECISION was approved on March 31, 2008. The Board found that Mr. Braswell's conduct violated N.C. Gen. Stat. §§ 90-270.15(a)(10) and (a)(19) of the North Carolina Psychology Practice Act, and Standard 3.09 of the *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2002). The FINAL DECISION constitutes a limitation on Mr. Braswell's license, and his supervision at Level 3 is rescinded. For each working setting, Mr. Braswell shall receive supervision by a Board approved supervisor, who holds a permanent license to practice psychology in North Carolina, at a rate of one hour per week during any week in which he engages in any activity which constitutes the practice of psychology, for a period of at least one year or 1500 hours in the practice of

psychology, whichever time period is longer. During this time period, Mr. Braswell's supervisor must submit quarterly supervision reports, and Mr. Braswell must receive four consecutive supervision reports with average or above average ratings in all areas to be released from the specified supervision requirements. Further, he must remit \$900.00 in costs.

Michelle L. Burbank, Psy.D. - FINAL DECISION was approved on July 27, 2007. Dr. Burbank's application for licensure at the psychologist level is DENIED.

Judith Collins, M.A. - CONSENT ORDER was approved on July 27, 2007. Ms. Collins admits that the described conduct constitutes violations of G.S. §§ 90-270.15(a)(7), (a)(10), and (a)(22) of the North Carolina Psychology Practice Act, and 21 NCAC 54 .2104(d), (f), (g), and (k) through (m) of the North Carolina Psychology Board rules. Ms. Collins' license is REPRIMANDED. Further, she must successfully complete tutorials and remit \$300.00 in costs.

Steven T. DeBerry, Ph.D. - CONSENT ORDER was approved on May 8, 2008. Dr. DeBerry admits that the described conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(10), (a)(14) & (a)(15), of the North Carolina Psychology Practice Act, and Standards 9.01(a) & (b) and 9.02(a) of the *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2002). Dr. DeBerry's license is REPRIMANDED, and he must remit \$300.00 in costs. Dr. DeBerry must discontinue administering and/or interpreting any assessment instruments in any psychological evaluations, except that he may conduct psychological evaluations which assess only cognitive functioning and/or behavior. Further, he may not perform any evaluations regarding child custody, visitation, or parental fitness, and he may not supervise any other individuals for psychological evaluations. These provisions constitute permanent restrictions on Dr. DeBerry's license to practice psychology.

Andrea F. Facci, Ph.D. - REVISED CONSENT ORDER was approved on November 2, 2007. This revised Consent Order replaces the Consent Order previously entered in this matter on October 4, 2007, in all respects. Dr. Facci admits that the described conduct constitutes violations of G.S. §§ 90-270.5(d)(3), 90-270.5(e), and 90-270.15(a)(7) of the North Carolina Psychology Practice Act; and 21 NCAC 54 .2002(b)(6), .2008(h), and .2009(c) & (f) of the North Carolina Psychology Board rules. Dr. Facci's Psychological Associate license is CENSURED. On her own initiative and not at the Board's request, Dr. Facci requested to voluntarily relinquish her license as a psychological associate, and the Board accepted her relinquishment. For Dr. Facci's license to be reinstated, she must successfully complete tutorials, pass the State Examination, and submit all required reinstatement application materials. If her license to practice psychology is reinstated, she must meet specified supervision requirements. She is assessed \$300.00 in costs.

Sally L. Flagler, Ph.D. - CONSENT ORDER was approved on May 8, 2008. Dr. Flagler admits that the described conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(5); 90-270.15(a)(7) & (a)(10), of the North Carolina Psychology Practice Act, and 21 N.C.A.C. 54 .2002(b)(6), & 21 N.C.A.C. 54 .2008 (e) of the North Carolina Psychology Board rules, and Standard 5.01(b) of the *Ethical Principles of Psychologists and Code of Conduct* (American

Psychological Association, 2002). The action taken by the Board in this CONSENT ORDER constitutes REMEDIAL action. Dr. Flagler shall immediately cease and desist from representing herself to the public in any medium as a Licensed Pediatric Psychologist, or in anyway use the term "Licensed" to modify the term "Psychologist" to describe or represent herself in anyway to the public. Further, she must successfully complete tutorials and remit \$300.00 in costs.

Louis C. Gadol, Ph.D. - CONSENT ORDER was approved on April 17, 2008. Dr. Gadol admits that the described conduct constitutes unprofessional conduct in violation of N.C. Gen. Stat. § 90-270.15(a)(10), as well as violations of N.C. Gen. Stat. §§ 90-270.15(a)(14) and (a)(15) of the North Carolina Psychology Practice Act; Standards 7.02(a) and (b) of the *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 1992); and Standards 9.01(a) and (b) of the *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2002). The action taken by the Board constitutes a limitation on Dr. Gadol's license, which shall be lifted upon written notification by the Board of Dr. Gadol's successful completion of the terms of the Consent Order. Dr. Gadol shall not perform any evaluations regarding child custody, visitation, or parental fitness until he has completed 24 hours of continuing education in these areas. His performance of any psychological evaluations must be supervised by a Board approved supervisor for a minimum of one year, and he may not supervise any other individuals for evaluations during the required time period of supervision. Further, he must remit \$300.00 in costs.

Thomas E. Gillman, M.A. - CONSENT ORDER was approved on August 7, 2007. Mr. Gillman admits that the described conduct constitutes violations of G.S. 90-270.15(a)(10), (a)(11), (a)(14), (a)(15), (a)(20), and (a)(22) of the North Carolina Psychology Practice Act, and Standards 4.01, 9.01(a) and 9.02(a) of the *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2002). Mr. Gillman shall voluntarily relinquish his license to practice psychology and shall not engage in the practice of psychology at any time in the future in this or any other State without proper licensure, and he must remit \$300.00 in costs. This CONSENT ORDER constitutes action by the Board against Mr. Gillman's license.

Alexander G. Kirby, III, Psy.D. - CONSENT ORDER was approved on March 31, 2008. Dr. Kirby admits that the described conduct violates N.C. Gen. Stat. § 90-270.5(a), §§ 90-270.15(a) & (a)(10) & § 90-270.16(b), of the North Carolina Psychology Practice Act. Dr. Kirby's applications for provisional licensure at the Licensed Psychologist level and Health Services Provider Psychologist (Provisional) Certification are approved for examination. Once Dr. Kirby passes the examinations and receives a provision license, his license is subject to conditions involving supervision, including that he must be supervised by a permanently licensed North Carolina psychologist for one hour per week during any week in which he is engaged in the practice of psychology for at least two years consisting of at least 3000 hours in the practice of psychology and in health service activities. He must remit \$300.00 in costs.

Maria Lapetina - CONSENT ORDER was approved on December 13, 2007. Ms. Lapetina admits that the described conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(5) &

(a)(10) of the North Carolina Psychology Practice Act, and Standards 5.01(b) and (c) of the *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2002). Further, her conduct violates the terms of the Consent Order which she entered into with the Board on October 22, 2002. Ms. Lapetina's Psychological Associate license is REPRIMANDED; she must comply with specified conditions regarding representation of her educational training and licensure status; and she must remit \$300.00 in costs.

Gary K. Massey, M.A. - FINAL DECISION was approved on February 20, 2008. Mr. Massey's conduct violated the terms of the CORRECTED FINAL DECISION, dated June 23, 1998. Further, his conduct violated N.C. Gen. Stat. §§ 90-270.15(a)(4), 90-270.15(a)(7), 90-270.15(a)(10), and 90-270.15(a)(22) of the North Carolina Psychology Practice Act. Mr. Massey's Psychological Associate license is REVOKED, and he must remit \$300.00 in costs.

Kathryn N. Maxwell, Ed.S. - CONSENT ORDER was approved on February 20, 2008. Ms. Maxwell admits that the described conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.5(e), 90-270.15(a)(7), and 90-270.15(a)(10) of the North Carolina Psychology Practice Act; and 21 NCAC 54 .2002(b)(6) and 21 NCAC 54 .2008(e) and (h) of the North Carolina Psychology Board rules. The action taken by the Board is REMEDIAL. Ms. Maxwell must successfully complete tutorials and remit \$300.00 in costs.

Patrick S. Murphy, M.A. - FINAL DECISION was approved on October 4, 2007. Mr. Murphy's application for licensure at the psychological associate level is DENIED.

J. Gregory Olley, Ph.D. - CONSENT ORDER was approved on October 4, 2007. Dr. Olley admits that the described conduct constitutes violations of G.S. §§ 90-270.5(e) and 90-270.15(a)(7) and (a)(10) of the North Carolina Psychology Practice Act; and 21 NCAC 54 .2001(c)(8)(A)-(C) of the North Carolina Psychology Board rules. A temporary limitation is placed on Dr. Olley's license. He shall not supervise enumerated individuals for a period of at least six months after the CONSENT ORDER is signed or until he has fully complied with all of the conditions set forth in the CONSENT ORDER and received written approval by the Board to resume supervision, whichever time period is longer. Dr. Olley's supervisory records are subject to random review for a period of two years from the date of his filing a supervision contract with a supervisee. He must successfully complete tutorials and remit \$300.00 in costs.

Lori R. Stanley, M.A. - FINAL DECISION was approved on October 4, 2007. Ms. Stanley's application for licensure at the psychological associate level is DENIED.

Mabel L. Stellato, M.A. - FINAL DECISION was approved on February 20, 2008. Ms. Stellato's application for licensure at the Psychological Associate level is DENIED.

Christopher L. Trout, M.A. - FINAL DECISION was approved on October 4, 2007. Mr. Trout's application for licensure at the psychological associate level is DENIED.