

Draft
**VIRGINIA BOARD OF PSYCHOLOGY
FORMAL HEARING
MINUTES**

CALL TO ORDER: A panel of the Board of Psychology (“Board”) convened on May 10, 2011, at 11:00 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Richmond, VA., Board Room 1.

MEMBERS PRESENT: Desideria S. Hacker, Ph.D., Chair
Herbert Lee Stewart, Ph.D.
Sonia Price, Esquire
Jeff Clark, Ph.D.
Michael Stutts, Ph.D.
Robert Falk, Ph.D.
Ann Benson, Ed. S.
Krishna Leyva

BOARD COUNSEL: Howard Casway, Sr. Assistant Attorney General

STAFF PRESENT: Evelyn B. Brown, Executive Director
Patricia L. Larimer, Deputy Executive Director-Discipline
Deborah Harris, Administrative Assistant

COURT REPORTER: Sherelle Weaver, Crane-Snead & Associates, Inc.

PARTIES ON BEHALF OF THE COMMONWEALTH: James Schleismann, Assistant Attorney General
Peter Opper, APD, Dept. of Health Professions

COMMONWEALTH WITNESSES: Pamela Kincheloe, Sr. Investigator, DHP
Detective J.A. Austin, Fairfax County Police Dept.
Client A

RESPONDENT: Jorge M. Rodriguez, Ph.D.
License No.: 0810-001925
Case No.: 136401

RESPONDENT’S WITNESSES: Phillip L. Pearl, MD
Dr. David W. Ruxer, Clinical Psychologist
Dr. Jorge Rodriguez

DISCUSSION: Dr. Rodriguez appeared before the Board in person in accordance with a Notice and Statement of Particulars dated March 30, 2011. Dr. Rodriguez was represented by Mr.

Bernard DiMuro, Esquire.

The Board received evidence and sworn testimony regarding the allegations in the Notice from witnesses called to testify.

CLOSED SESSION:

Upon a motion by Dr. Stewart and duly seconded by Krishna Leyva, the Board voted to convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Jorge M. Rodriguez. Additionally, he moved that, Evelyn Brown, Mr. Casway, and Debbie Harris attend the closed meeting, because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of § 2.2-3712 of the Code, the Board reconvened in open session and announced its decision.

DECISION:

Upon a motion by Dr. Stutts, and duly seconded by Ann Benson, the Board made certain Findings of Fact and Conclusions of Law. Further, upon a motion by Dr. Stutts, and duly seconded by Krishna Leyva the Board voted to indefinitely suspend the license of Jorge Rodriguez for a period of not less than 18 months from the date of summary suspension. Their vote was unanimous.

ADJOURNMENT:

The Board adjourned at 6:17 p.m.

Desideria Hacker, Ph.D., Chair

Evelyn B. Brown, Executive Director

Date

Date