

**BEFORE THE BOARD OF PSYCHOLOGIST EXAMINERS
FOR THE STATE OF ARIZONA**


In the Matter of)	
)	
Jay Heisler, Ph.D.)	No. 06-03
)	
Holder of License No. 3602)	CONSENT AGREEMENT,
for the practice of Psychology)	FINDINGS OF FACT,
in the State of Arizona)	CONCLUSIONS OF LAW,
)	AND ORDER

On April 7, 2006, the Arizona Board of Psychologist Examiners ("Board") discussed Case No. 06-03 involving Jay Heisler, Ph.D. ("Licensee"), who was not present at the Board meeting. After discussion of the case, the Board voted to offer Licensee the opportunity to enter into the following Consent Agreement.

CONSENT AGREEMENT

1. The Board and Licensee enter into this Consent Agreement in order to promptly and judiciously resolve this matter, consistent with the public interest and the statutory requirements of the Board.
2. The Board will adopt the Findings of Fact, Conclusions of Law, and Order.
3. Licensee has the right to consult with an attorney prior to entering into this Consent Agreement. He has read and understands the Consent Agreement, Findings of Fact, Conclusions of Law, and Order, and makes this agreement freely and voluntarily. He irrevocably waives his right to an informal interview, hearing, re-hearing, and/or judicial review.
4. The Consent Agreement and Order will be effective when signed by the Board's Executive Director. The Consent Agreement, Findings of Fact, Conclusions of Law, and Order are public record.

**ARIZONA BOARD OF
PSYCHOLOGIST EXAMINERS**



Jay Heisler, Ph.D.

4/26/06

Date

By 

Maxine McCarthy
Executive Director

April 14, 2006

Date

FINDINGS OF FACT

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2 1. The Arizona Board of Psychologist Examiners is authorized to regulate the practice of
3 psychology in Arizona pursuant to A.R.S. § 32-2061, et. seq.

4 2. On November 3, 2003, Licensee was issued Arizona license No. 3602 for the practice of
5 psychology in the State of Arizona.

6 3. On August 18, 2004, in Case No. 04-05, Licensee entered into a Consent Agreement with
7 the Arizona Board which issued a Decree of Censure to Licensee for providing false and misleading
8 information on his application for licensure.

9 4. In January, 2006, the Arizona Board opened an investigation regarding Licensee (Case No.
10 06-03) based on information it received in January, 2006, from the Alabama Board of Examiners in
11 Psychology (hereinafter the "Alabama Board") that Licensee had entered into a Consent Agreement with
12 the Alabama Board dated November 11, 2005, in which Licensee conceded the following:

13 a. That there were inconsistencies and imprecise responses included in the description
14 of the job duties Licensee outlined in his applications for licensure in Alabama, Arizona and
15 Kentucky.

16 b. That Licensee provided information to the Alabama Board that was inconsistent with
17 his responses to the other two Boards.

18 c. That Licensee provided false information to the Alabama Board while appearing
19 before that Board for the information reconsideration of Licensee's application for licensure.

20 5. The Alabama Consent Order contained the following provisions:

21 a. Placed Licensee's license to practice psychology on suspension for twenty-four (24)
22 months with the suspension immediately reverting to probation for twenty-four (24) months.

23 b. Required that during the first twelve (12) months of the probation period the Licensee
24 was to successfully complete ten (10) hours of an American Psychological Association
25 approved continuing education course in ethics.
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CONCLUSIONS OF LAW

1. The Board of Psychologist Examiners of the State of Arizona possesses jurisdiction over the subject matter hereof and Jay Heisler, Ph.D.

2. The conduct and circumstances described above constitute a violation of A.R.S. § 32-2061(A)(13)(n) "Unprofessional conduct in another jurisdiction that resulted in censure, probation or a civil penalty or in the denial, suspension, restriction or revocation of a certificate or license to practice as a psychologist."

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ORDER

Based upon the foregoing Consent Agreement, Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED as follows:

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1. Jay Heisler, Ph.D., shall not practice psychology in Arizona as defined in A.R.S. § 32-2061(A)(8) under his existing license No. 3602, nor hold himself out as permitted to practice psychology in Arizona.

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2. Jay Heisler, Ph.D., shall not renew his current license to practice psychology in Arizona.

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3. Jay Heisler, Ph.D., shall not reapply for a license to practice psychology in Arizona for a period of at least ten (10) years from the date of this Order.

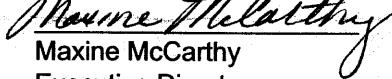
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Dated this 15th day of ^{May} ~~April~~, 2006.

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STATE OF ARIZONA BOARD OF
PSYCHOLOGIST EXAMINERS

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BY: 
Maxine McCarthy
Executive Director
1400 W. Washington, Rm. 235
Phoenix, AZ 85007
Phone: 602-542-8162

1 ORIGINAL of the foregoing on file with the
2 Arizona Board of Psychologist Examiners

3 COPY of the foregoing mailed
4 by Certified Mail No.
5 7000 1670 0009 3607 8035
6 this 1st day of May, 2006, to:

7 Jay Heisler, Ph.D.
8 Address of Record

9 COPY of the foregoing mailed this
10 1st day of May, 2006, to:

11 R. Marcus Givhan, Esq.
12 Johnston, Barton, Proctor & Powell, LLP
13 2900 AmSouth/Harbert Plaza
14 1901 Sixth Avenue North
15 Birmingham, Alabama 35203
16 Attorney for Licensee

17 COPY of the foregoing mailed
18 via Interagency Mail to:

19 Elizabeth Campbell
20 Assistant Attorney General
21 Civil/LES
22 1275 W. Washington
23 Phoenix, AZ 85007

24 By Shari S. Courtney

25 Consent Agreement Heisler 06-03