

**COPY**

BEFORE THE  
BOARD OF PSYCHOLOGIST EXAMINERS  
STATE OF OREGON

In the Matter of:

CASE NO. 99-02

JOSEPH L. CORREA, SR., Ph.D.

FINAL ORDER BY DEFAULT

THIS MATTER came before the Board of Psychologist Examiners (Board), the state agency responsible for licensing, disciplining and regulating psychologist in the State of Oregon, to consider whether or not Joseph L. Correa, Sr., Ph.D. (Dr. Correa) should be sanctioned for representing himself to be a psychologist in Oregon. Dr. Correa is not licensed by the Board to practice psychology in Oregon.

1.

On October 26, 1999, the Board served Dr. Correa with a Notice of Proposed Disciplinary Action proposing to assess a \$1,000 civil penalty against him. The notice granted Dr. Correa an opportunity to have a formal contested case hearing before the Board and to be represented by an attorney.

2.

Based upon the evidence produced by the records and files of the Board relating to this matter, the Board finds as a preliminary matter that Dr. Correa did have adequate prior notice to request a hearing and file a written answer to the charges contained in the notice, and that Dr. Correa failed to do so. Therefore, the Board does hereby make the following Findings of Fact, Opinion, Conclusions of Law and Final Order:

**FINDINGS OF FACT**

1. On January 12, 1999, the Board received a copy of a business card that Dr. Correa was distributing at a conference or seminar he attended. A copy of the business card is attached hereto and marked Exhibit A and made a part hereof.

2. The Board began its investigation and discovered that Dr. Correa is not licensed in Oregon. The Board then drafted a cease and desist letter which was mailed to Dr. Correa on January 13, 1999. The cease and desist letter was returned unclaimed and the Board sent it again both certified and regular mail. Dr. Correa did not respond.

3. Over the next several months, the Board made several attempts to make contact with Dr. Correa by telephone and leaving messages on his answering service. Dr. Correa did not respond.

4. In May, 1999, the Board visited his office in Portland, Oregon and Dr. Correa was not in. Further messages were left on his answering service. Dr. Correa did not respond.

5. On August 5, 1999, the Board wrote another letter to Dr. Correa summarizing its efforts to contact him and advised him that absent a response, the Board would propose to assess a \$1000 civil penalty against him, petition for an injunction and possibly refer the matter for criminal prosecution for alleged unlicensed practice of psychology.

6. On August 18, 1999, the Board received a response from Dr. Correa explaining that he moved to Portland, Oregon to care for his dying mother, and that after she died, he has been taking care of personal business. He also leased an office space to provide guidance to families, not as a licensed psychologist, but as an advisor, utilizing his vast experience in mental health and working with the Hispanic community in Oregon, before he relocates to Florida.

7. On August 18, 1999, the Board replied to Dr. Correa's letter and advised him that the Board was concerned that he had represented himself to be a psychologist, making reference to his advertisement of "psychological health and consultation". The Board advised Dr. Correa that, were he to offer the Board assurances he would discontinue the misrepresentation, the Board would not be inclined to press the issue any further. To-date, Dr. Correa has not responded.

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**OPINION**

2 The Board gave Dr. Correa several opportunities to respond to the allegations that he  
3 misrepresented himself to be a psychologist in Oregon. The only response the Board has  
4 received from Dr. Correa is a letter dated August 17, 1999, where Dr. Correa thanks the Board  
5 for its interest in his personal private life, stating it would not be practical for him so seek  
6 licensure by the Board's elite organization based on his age and relocation plans to Florida.  
7 Although Dr. Correa agrees with the Board that this matter could be resolved amicably and in  
8 short order, Dr. Correa did not respond to the Notice of Proposed Disciplinary Action; he does  
9 not admit he has misrepresented himself to be a psychologist in Oregon; and he has not offered  
10 the Board assurances that he would discontinue the misrepresentation. For these reasons, the  
11 Board has elected to sanction Dr. Correa and assess a civil penalty of \$1,000.

**CONCLUSIONS OF LAW**

13 By using the phrase "psychological" on his business card, Dr. Correa has misrepresented  
14 himself to be a psychologist in Oregon, without first being licensed, and is in violation of  
15 ORS 675.020(1)(b).

**FINAL ORDER**

17 IT IS HEREBY ORDERED that Joseph L. Correa, Sr., Ph.D., is ordered to pay a civil  
18 penalty of \$1,000. The \$1,000 civil penalty is to be paid on or before March 31, 2000.

19 IT IS FURTHER ORDERED that if the \$1,000 civil penalty is not paid by March 31,  
20 2000, the Board will report Dr. Correa's non-compliance to the Department of Revenue.

21 DATED this 13<sup>th</sup> day of December, 1999.

22 BOARD OF PSYCHOLOGIST EXAMINERS  
23 State of Oregon

24 By:   
BethAnne Darby, Executive Director

25 **NOTICE:** You are entitled to judicial review of this order pursuant to the provisions of  
26 ORS 183.480. Judicial Review may be obtained by filing a petition in the Oregon Court of  
Appeals. The petition must be filed within 60 days from the date of service of this order.

COPY

BEFORE THE  
BOARD OF PSYCHOLOGIST EXAMINERS  
STATE OF OREGON

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In the Matter of: )  
JOSEPH L. CORREA, SR., Ph.D. )  
CASE NO. 99-02  
NOTICE OF PROPOSED  
DISCIPLINARY ACTION  
TO: JOSEPH L. CORREA, SR., Ph.D.

The Board of Psychologist Examiners (Board) is the state agency responsible for licensing, disciplining and regulating psychologists in the State of Oregon. Joseph L. Correa, Sr., Ph.D. (Dr. Correa), is a doctor of philosophy practicing in the field of mental health care, and is not licensed by the Board to practice as a psychologist in Oregon.

1.

The Board proposes to sanction Dr. Correa with a \$1,000 civil penalty for representing himself to be a psychologist in Oregon, without first being licensed, pursuant to ORS 675.020, and the Ethical Principles of Psychologists and Code of Conduct promulgated by the American Psychological Association, which has been adopted by the Board pursuant to ORS 675.020(2)(i) and ORS 675.110(12). The alleged violations are described as follows:

1.1 On January 12, 1999, the Board received a copy of a business card that Dr. Correa was distributing at a conference or seminar he attended. A copy of the business card is attached hereto and marked Exhibit A and made a part hereof.

1.2 The Board began its investigation and discovered that Dr. Correa is not licensed in Oregon. The Board then drafted a cease and desist letter which was mailed to Dr. Correa on January 13, 1999. The cease and desist letter was returned unclaimed and the Board sent it again both certified and regular mail. Dr. Correa did not respond.

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3.

2 Dr. Correa has the right, if Dr. Correa requests, to have a formal contested case hearing  
3 before the Board or its hearings officer to contest the matter set out above, as provided by the  
4 Administrative Procedures Act (chapter 183), Oregon Revised Statutes. At the hearing, Dr.  
5 Correa may be represented by an attorney and subpoena and cross-examine witnesses. That  
6 request for hearing must be made in writing to the Board, must be received by the Board, within  
7 thirty (30) days from the mailing of this notice (or if not mailed, the date of personal service),  
8 and must be accompanied by a written answer to the charges contained in this notice.

9 4.

10 The answer shall be made in writing to the Board and shall include an admission or  
11 denial of each factual matter alleged in this notice, and a short plain statement of each relevant  
12 affirmative defense Dr. Correa may have. Except for good cause, factual matters alleged in this  
13 notice and not denied in the answer shall be presumed admitted; failure to raise a particular  
14 defense in the answer will be considered a waiver of such defense; new matters alleged in the  
15 answer (affirmative defenses) shall be presumed to be denied by the agency and evidence shall  
16 not be taken on any issue not raised in the notice and answer.

17 5.

18 If Dr. Correa requests a hearing, before commencement of that hearing, Dr. Correa will  
19 be given information on the procedures, right of representation, and other rights of parties  
20 relating to the conduct of the hearing as required under ORS 183.413 to ORS 183.415, before  
21 commencement of the hearing.

22 6.

23 If Dr. Correa fails to request a hearing within 30 days, or fails to appear at the hearing as  
24 scheduled, the Board may issue a final order by default and impose the above sanctions against  
25 Dr. Correa. Dr. Correa's submissions to the Board to-date regarding the subject of this  
26 disciplinary case and all information in the Board's files relevant to the subject of this case

1 automatically become part of the evidentiary record of this disciplinary action upon default for  
2 the purpose of proving a *prima facie* case. ORS 183.415(6).

3 DATED this 26<sup>th</sup> day of October, 1999.

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5 BOARD OF PSYCHOLOGIST EXAMINERS  
State of Oregon

6 Redacted  
7 By: \_\_\_\_\_  
BethAnne Darby, Executive Director

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