

1 30 days from the mailing of the Notice. Respondent did not request a hearing, and the requisite
2 30 days to request a hearing has lapsed and Respondent stands in default. The Board elects in
3 this case to designate the record of proceeding to date, which consists of Respondent's file with
4 the Board, to include all matters submitted by Respondent, as the record for purposes of proving
5 a prima facie case, pursuant to ORS 183.417(4).

6 NOW THEREFORE, after considering the Board's file relating to this matter, the Board
7 enters the following Order.

8 3.

9 FINDINGS OF FACT

10 Respondent's acts and conduct that constituted the unlicensed practice of psychology, to
11 include representing himself as a psychologist by offering or rendering services included in the
12 practice of psychology, and violated ORS 675.020(1)(a) and (b), ORS 675.070(1)(g) and ORS
13 675.070(3)(b)(E) are more particularly described below:

14 3.1 Respondent has served as an independent contractor for Child Adult Intervention
15 Services (CAIS). In that capacity, Respondent, together with Richard King, interviewed and
16 tested an adult male (the client) for Psychosexual Evaluation and Phallometric Assessment in
17 December of 2010. The testing instruments included an intake assessment, the Kaufman Brief
18 Intelligence Test, Second Edition (KBIT-2), the Millon Clinical Multiaxial Inventory III
19 (MCMI-III), the Psychopathic Personality Inventory-Revised (PPI-R), the Clarke Sex History
20 Questionnaire for Males (SHQ-R), and the Hare Psychopathy Checklist-Revised (PCL-R). In an
21 assessment report dated December 23, 2010, Respondent interpreted the various tests,
22 summarized the client's personality profile and listed clinical concerns. In the report,
23 Respondent stated that "on the basis of the test data, (assuming denial is not present), it may be
24 reasonable to assume that the offender is exhibiting psychological dysfunction of mild to
25 moderate severity." Respondent assigned DSM IV-TR diagnoses to the client, and also made
26 treatment recommendations.

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ORDER

IT IS HEREBY ORDERED THAT Bruce Janes, Respondent, pay a civil penalty of \$2,500 within 30 days from the date this order is signed by the Executive Director.

DATED this 4th day of February, 2013.

BOARD OF PSYCHOLOGIST EXAMINERS
State of Oregon

Redacted

Becky Eklund
Interim Executive Director

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BEFORE THE
BOARD OF PSYCHOLOGIST EXAMINERS
STATE OF OREGON

In the Matter of the Conduct of:) AGENCY NO: OBPE #2011-073
))
BRUCE JANES) NOTICE OF INTENT TO IMPOSE CIVIL
) PENALTY
) Respondent

1.

The Board of Psychologist Examiners (Board) is the state agency responsible for licensing and disciplining psychologists, and for regulating the practice of psychology in the State of Oregon. The Board is also responsible for enforcing the laws against the unlicensed practice of psychology in the State of Oregon. Bruce Janes (Respondent) is not licensed by the Board to practice psychology in the State of Oregon.

2.

The Board opened an investigation in 2011 in regard to allegations that Respondent has engaged in the unlicensed practice of psychology in Oregon. The Board sent a letter to Respondent, dated August 28, 2012, asking him to respond to specific allegations that he had engaged in the unlicensed practice of psychology. Respondent has not responded to the Board's letter. The Board now proposes to impose a civil penalty of \$5,000 against Respondent, pursuant to ORS 675.020(1)(a) and (b), ORS 675.070(1)(g) and ORS 675.070(3)(b)(E), for engaging in the unlicensed practice of psychology and by representing himself to be a psychologist.

3.

Respondent's acts and conduct that constituted the unlicensed practice of psychology, to include representing himself as a psychologist by offering or rendering services included in the

1 practice of psychology, and violated ORS 675.020(1)(a) and (b), are more particularly described
2 below:

3 3.1 Respondent has served as an independent contractor for Child Adult Intervention
4 Services (CAIS). In that capacity, Respondent, together with Richard King, interviewed and
5 tested an adult male (the client) for Psychosexual Evaluation and Phallometric Assessment in
6 December of 2010. The testing instruments included an intake assessment, the Kaufman Brief
7 Intelligence Test, Second Edition (KBIT-2), the Millon Clinical Multiaxial Inventory III
8 (MCMI-III), the Psychopathic Personality Inventory-Revised (PPI-R), the Clarke Sex History
9 Questionnaire for Males (SHQ-R), and the Hare Psychopathy Checklist-Revised (PCL-R). In an
10 assessment report dated December 23, 2010, Respondent interpreted the various tests,
11 summarized the client's personality profile and listed clinical concerns. In the report,
12 Respondent stated that "on the basis of the test data, (assuming denial is not present), it may be
13 reasonable to assume that the offender is exhibiting psychological dysfunction of mild to
14 moderate severity." Respondent assigned DSM IV-TR diagnoses to the client, and also made
15 treatment recommendations.

16 3.2 From March 2011 to April 2011, Respondent and King interviewed and tested a
17 12 year old male child as part of a psychosexual evaluation. Respondent evaluated this child for
18 his propensity as a sex offender, the risk for him to engage in a sexual assault, his intellectual
19 functioning, mental status, possible pathologies, maturity and cultural influences. The testing
20 instruments included an intake assessment, the Mini-Mental State Examination (MMSE), the
21 Kaufman Brief Intelligence Test, Second Edition (KBIT-2), the Jesness Inventory, the Millon
22 Adolescent Pathology Scale (APS), and the Juvenile Sex Offender Assessment Protocol (J-
23 SOAP). In an assessment report dated May 2, 2011, Respondent interpreted the various test
24 results, summarized the child's personality profile and listed clinical concerns. Respondent
25 assigned a DSM-IV-TR diagnosis to this child, and also made treatment recommendations.

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1 part of the evidentiary record of this disciplinary action upon default for the purpose of proving a
2 *prima facie* case. ORS 183.417(4).

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DATED this 5th day of December, 2012.

BOARD OF PSYCHOLOGIST EXAMINERS
State of Oregon

Redacted

Becky Eklund
Interim Executive Director