

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF EXAMINERS IN PSYCHOLOGY**

vs.

A.H. FILE NO. (HSR) 2009-4736

JESSICA FORTUNATO, PSY.D.

CONSENT ORDER

Pursuant to Section 5-44-19 of the General Laws of the State of Rhode Island (2004 Reenactment) and the Rules and Regulations promulgated thereunder, the Department of Health (hereinafter "Department"), Board of Examiners in Psychology (hereinafter "Board") acting upon a request submitted by Jessica Fortunato, Psy.D. (hereinafter "Respondent") that her license as a psychologist, having been voluntarily surrendered in April 2009, be reinstated, hereby agrees to this Consent Order.

After consideration by the Department, it is agreed by and between the parties:

1. Respondent is a psychologist licensed to practice psychology in the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to the final approval by the Department. This Consent Order and the contents thereof are not binding on Respondent until final approval by the Department.

4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Department;
 - b) The right to produce witnesses and present evidence in her behalf at hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the Department;
 - e) The right to further procedural steps except for those specifically contained herein;
 - f) Any and all rights of appeal of this Consent Order.
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
6. Acceptance by Respondent and approval by the Department of this Consent Order constitutes an admission of the facts contained herein.
7. Failure to comply with the Consent Order, once signed and accepted, shall subject Respondent to further disciplinary action.
8. That Respondent's license to practice as a psychologist is reinstated, effective the date this Consent Order is executed by both parties, subject to the conditions set forth herein, including supervision, until further order of the Board. Respondent shall be permitted to provide therapy, psychological assessments, evaluations, intakes and psychological testing with any patients who are 18 and older and to engage in programmatic, consultative, research and administrative functions.

9. Respondent agrees to a period of probation of her license to practice as a psychologist with the conditions set forth herein until further order of the Board.
10. Upon employment as a psychologist, Respondent shall notify the Department as to the name and address of her employer and the date she commenced employment. Respondent shall not work in a self-employed capacity unless this Order is modified to permit self-employment.
11. During the period of probation, Respondent shall notify the Department forthwith of any changes in her employment, including the name and address of the new employer(s) and reason for said change.
12. Respondent shall continue treatment and/or counseling with her current therapist or such other therapist as she may select and shall continue such treatment and/or counseling as the therapist rendering care deems appropriate. Respondent waives confidentiality of her treatment as provided herein and will direct the therapist rendering treatment to report to the Board, when requested during the probationary period, whether Respondent remains in treatment, her progress, whether she has complied with the therapist's treatment plan, and to provide dates of treatment sessions and reasonably related information.
13. This Consent Order will be transmitted forthwith to the therapist referred to above who is hereby directed by Respondent to notify the Department of any breach or termination by the Respondent of her treatment.
14. Respondent will not see any clients outside of settings pre-approved by her clinical supervisor. Respondent and the clinical supervisor referred to herein

will discuss how she should handle any incidental contacts with clients if they occur. If Respondent has an incidental contact with a client, she is required to report this event to her clinical supervisor and the clinical supervisor is required to report this event to the Board.

15. Respondent's professional activities with patients, clients or research subjects (hereinafter referred to as patients) must be under clinical supervision according to the requirements of the *Rules and Regulations For Licensing Psychologists, R-5-44-PSY, Sections 5.1.5 and 5.2* for each patient.

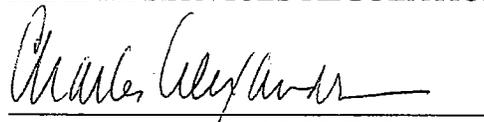
Respondent is required to preview and review her contact with each client with her designated clinical supervisor. Respondent should not have any direct contact with a patient that has not been approved by the clinical supervisor.

The clinical supervisor will be required to review Respondent's clinical records for all contacts. Respondent's employer also must designate an onsite administrative supervisor to ensure that Respondent's activities with patients occur only at approved locations and times. The administrative supervisor must be a licensed mental health or medical professional in the state in which the work is conducted.

16. Respondent shall complete at least one continuing education course relating to professional ethics or risk management per year during the period of probation.
17. Respondent may request the Board to modify or remove any restriction on her license at any time in the future. The Board will require written reports from her clinical and administrative supervisors at that time and may require a reevaluation of her psychological functioning at that time.

DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION


Jessica Fortunato, Psy.D.


Charles Alexandre, MSN, RN
Chief, Health Professions Regulation

Dated: March 12, 2010

CERTIFICATION

I hereby certify that this Consent Order was ^{hand delivered} ~~mailed~~ to Attorney Robert P. Landau, Roberts, Carroll, Feldstein & Peirce, Inc., 10 Weybosset Street, Providence, RI 02903 on this 12th day of March, 2010.



472871
3/12/10