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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF PSYCHOLOGY

PROTHONOTARY
2012 NOV -5 PM 1:53
Department of State

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

vs.

Richard Scott Lenhart, Ph.D.,
Respondent

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Docket No. 1848-63-12
File No. 11-63-00950

ORDER OF TEMPORARY SUSPENSION AND NOTICE OF HEARING

AND NOW, this 5th day of November 2012, upon review of the Petition for Temporary Suspension of the license to practice psychology of Richard Scott Lenhart, Ph.D., (*hereinafter* "Respondent") License No. PS006795L, filed by the Prosecuting Attorney for the Commonwealth of Pennsylvania, the State Board of Psychology (*hereinafter* "Board") makes the following findings and enters the following Order:

SUSPENSION ORDER

The Board finds the Prosecuting Attorney has alleged facts in the Petition, which, if taken as true, establish at each and every count that the continued practice of psychology by the Respondent presents an immediate danger to the public health and safety. Therefore in accordance with Section 8(d) of the Professional Psychologists Practice Act, Act of March 23, 1972, P.L. 136, No. 52, *as amended*, (*hereinafter* "Act"), 63 P.S. §1208(d), the Board **ORDERS** that the license issued to the Respondent to practice psychology in the Commonwealth is **TEMPORARILY SUSPENDED** upon the service of this order. Respondent shall surrender his wallet card, registration certificate and wall certificate to representatives of the Bureau of

Enforcement and Investigation, Bureau of Professional and Occupational Affairs, immediately upon service of this order in accordance with the Act at 63 P.S. §1217.

PRELIMINARY HEARING

A preliminary hearing shall be scheduled and conducted by the Board or Office of Hearing Examiners to be convened within thirty (30) days from the date of issuance of this Order. The preliminary hearing shall be limited to evidence on the issue of whether there is a prima facie case to support temporary suspension of the Respondent's license and certification. The preliminary hearing will be held at a location designated by the Board or a hearing examiner for the Board.

The Respondent is entitled to be present at the preliminary hearing and may be represented by an attorney, cross-examine witnesses, inspect physical evidence, call witnesses, offer evidence and testimony and make a record of the proceedings.

If the Board or hearing examiner finds a prima facie case is not established, Respondent's license will be immediately restored. If a prima facie case is established, the temporary suspension shall remain in effect until vacated by the Board, but in no event longer than 180 days, unless otherwise ordered or agreed to by the participants.

ADDITIONAL FORMAL ACTION

In addition to this temporary suspension proceeding, the prosecuting attorney will commence a separate action to suspend, revoke or otherwise restrict Respondent's license, through the filing of a charging document, an Order to Show Cause. The Order to Show Cause may include, but is not be limited to, the facts which were alleged in the Petition for Immediate Temporary Suspension. Any Order to Show Cause filed by the prosecuting attorney will be served upon the Respondent and the Order will direct Respondent to reply to the charges in a

written answer within 20 days of the issuance of the Order to Show Cause. A formal hearing on that Order to Show Cause will then be scheduled and conducted by the Board or the Hearing Examiner for the Board.

PROCEDURES

Continuances will be granted for good cause only. A request for a continuance must be filed with the Prothonotary in writing at least one week prior to the date of the hearing. The requirement of the one-week advance filing of a request for continuance will be waived only upon a showing of good cause. The failure to have an attorney present and a request for continuance to retain an attorney will not be considered a valid reason for the granting of a continuance on the day of the hearing. **A request by the Respondent for an extension of time for a continuance which will delay the preliminary hearing or the formal hearing must be accompanied by the agreement of the Respondent that the 180-day temporary suspension will continue during whatever additional time is necessary to conclude the proceedings.**

All proceedings are conducted in accordance with the Administrative Agency Law, 2 Pa.C.S. §§ 501-508, 701-704; 63 P.S. §§ 2201-2207; and the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1-35.251. A record of the hearing will be stenographically prepared by an official reporting service. A copy of the transcript may be secured by personally making arrangements with the reporting service at the time of the hearing.

Any document submitted in this matter must be filed with:

Prothonotary
Department of State
2601 North Third Street
Harrisburg, PA 17110
717-772-2686


Any document filed with the Prothonotary must also be served on the Prosecuting Attorney:

Bridget K. Guilfoyle
Prosecuting Attorney
P.O. Box 2649
Harrisburg, PA 17105
717-783-7200

This Order shall take effect immediately upon mailing.

BY ORDER:

**STATE BOARD OF PSYCHOLOGY
PROBABLE CAUSE SCREENING COMMITTEE**


Karen W. Edelstein, Psy.D.
Committee Member

Respondent's Address: Richard Scott Lenhart, Ph.D.
293 Homan Avenue
State College, PA 16801

Prosecuting Attorney: Bridget K. Guilfoyle, Esquire

Board Counsel: Judith Pachter Schulder, Esquire

Date of Issuance: November 5, 2012