

BEFORE THE INDIANA STATE
PSYCHOLOGY BOARD
CAUSE NUMBER: 2003 PB 0003

STATE OF INDIANA,

Petitioner,

v.

JEROME AUGUST CERNY, Ph.D.,
License No.: 20010310A,

Respondent.

FILED

MAY 28 2003

HEALTH PROFESSIONS
BUREAU

SUMMARY SUSPENSION ORDER

The Indiana State Psychology Board ("Board"), pursuant to the authority of Indiana Code § 4-21.5-4-1 *et seq.* and Indiana Code § 25-1-9-10, by a vote of 3-1, **SUMMARILY SUSPENDS** the license held by Jerome August Cerny, Ph.D., ("Respondent") for 90 days, as the Board finds that an emergency exists and that the Respondent represents a clear and immediate danger to the public health and safety if allowed to practice psychology in the State of Indiana.

An administrative hearing was held on this matter was held on May 16, 2003 at 3:15 P.M. in the Indiana Government Center South, Conference Center, Room 1, 302 W. Washington Street, Indianapolis, Indiana 46204. The State of Indiana was represented by Albert Barclay Wong, Deputy Attorney General and Sara Matticks, Deputy Attorney General. The Respondent was present and represented by John F. Ittenbach and Richard T. Trettin of SHEEKS ITTENBACH JOHNSON TRETTIN & KOELLER, and Jan E. Helbert, of HELBERT & DYER.

This NON-FINAL emergency order is based on the evidence heard by the Board and in the Board's file. At the hearing the Board heard sworn testimony from Susan

Moss, J.D., Ph.D., Director of Diversity and Affirmative Action at Indiana State University; Michael Murphy, Ph.D., ABPP, the Director of Clinical Training and a Professor of Psychology at Indiana State University; and the Respondent. Dr. Moss testified to her report, its contents, procedures, and results. Dr. Murphy testified to the Relevant Sections of Sexology Research Protocols, 2001. The Respondent gave limited testimony.

The Board admitted into evidence State's Exhibit 1, which is the Investigative Report with its attachments, authored by Dr. Moss and State's Exhibit 2, which is the 1997 Memorandum of Understanding between the Respondent and Indiana State University. The Board also admitted in Evidence Respondent's Exhibit 1, the Notice of Hearing for Summary Suspension and the envelope in which that notice came; Respondent's Exhibit 2, a complaint from Dr. Tryban; and Respondent's Exhibit 3, an email from Cory Jones to Dr. Tryban.

Based on the above sworn testimony and the evidence admitted the Board found that the Respondent presented a clear and immediate danger to the public if allowed to practice psychology in the State of Indiana due to the nature and extent of the sexual harassment allegations made against the Respondent as testified to by Dr. Moss, the Director of Diversity and Affirmative Action at Indiana State University.

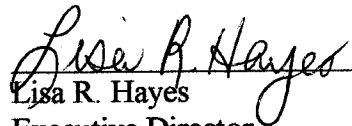
WHEREFORE, RESPONDENT IS ORDERED to immediately cease and desist all acts constituting the practice of psychology for a period of 90 days from the date of this Order.

IT IS FURTHER ORDERED, that Respondent shall immediately surrender all indicia of licensure, including his pocket license and wall license, to the Board in care of the Health Professions Bureau, 402 West Washington Street, Room W066, Indianapolis, Indiana 46204.

SO ORDERED, this 28th day of May, 2003; this Order is effective as of May 16th, 2003.

**INDIANA STATE PSYCHOLOGY
BOARD**

By:



Lisa R. Hayes
Executive Director
Health Professions Bureau

copies to:

Jerome August Cerny, Ph.D.
9776 Old Orchard Court
Terre Haute, Indiana 47805
CERTIFIED MAIL # 7002 0860 0007 8379 5002
Return Receipt Requested

John F. Ittenbach
Richard T. Trettin
SHEEKS ITTENBACH JOHNSON TRETTIN & KOELLER
6350 N. Shadeland, Suite 4
Indianapolis, IN 46220

Jan E. Helbert
HELBERT & DYER
9429 Aronson Drive
Indianapolis, IN 46240

Albert Barclay Wong
Deputy Attorney General
Sara Matticks
Deputy Attorney General
Office of the Attorney General
402 West Washington Street, 5th Floor
Indianapolis, IN 46204-2770