

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

STATE OF INDIANA)
)
Petitioner,)
)
v.)
)
JEROME AUGUST CERNY, PhD.,)
License No: 20010310A,)
)
Respondent.)

FILED
JUL 30 2003
HEALTH PROFESSIONS
BUREAU

ANSWER TO COMPLAINT

Comes now Respondent, Jerome August Cerny, PhD., by counsel, and for his Answer to Complaint filed by the State of Indiana, says as follows:

1. The Respondent, Jerome A. Cerny, PhD. admits the allegations of Rhetorical Paragraph 1 of the State of Indiana's Complaint.
2. The Respondent, Jerome A. Cerny, PhD. admits the allegations of Rhetorical Paragraph 2 of the State of Indiana's Complaint.
3. The Respondent, Jerome A. Cerny, PhD. admits that he was supervised Scott Hamilton but only until 1996.
4. The Respondent has no recollection of massaging the shoulders of Scott Hamilton but would state such an allegation is not relevant to any allegation of misconduct by Respondent.
5. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 5 of the State of Indiana's Complaint.
6. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 6 of the State of Indiana's Complaint.

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JUL 30 2003
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7. The Respondent has no recollection of tickling the stomach or placing his arm around Scott Hamilton but would state such an allegation is not relevant to any allegation of misconduct by Respondent

8. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 8 of the State of Indiana's Complaint..

9. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 9 of the State of Indiana's Complaint.

10. The Respondent has no recollection of asking such a question of Scott Hamilton but would state such an allegation is not relevant to any allegation of misconduct by Respondent.

11. The Respondent has no recollection of making such a remark to Scott Hamilton but would state such an allegation is not relevant to any allegation of misconduct by Respondent.

12. The Respondent has no recollection of making such a remark to Scott Hamilton but would state such an allegation is not relevant to any allegation of misconduct by Respondent.

13. The Respondent, Jerome A. Cerny, PhD. admits the allegations of Rhetorical Paragraph 13 of the State of Indiana's Complaint..

14. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 14 of the State of Indiana's Complaint.

15. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 15 of the State of Indiana's Complaint.

16. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 16 of the State of Indiana's Complaint.

17. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 17 of the State of Indiana's Complaint.

18. The Respondent, Jerome A. Cerny, PhD, repeats and incorporates his Answers by reference, to Rhetorical Paragraphs 1-17 herein.

19. The Respondent, Jerome A. Cerny, PhD admits that Michael Morse volunteered to participate in the ejaculatory latency research project being conducted by Indiana State University during the year 1996.

20. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 20 of the State of Indiana's Complaint.

21. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 21 of the State of Indiana's Complaint.

22. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 22 of the State of Indiana's Complaint.

23. The Respondent has no recollection of tickling the sides of Michael Morse but would state such an allegation is not relevant to any allegation of misconduct by Respondent.

24. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 24 of the State of Indiana's Complaint.

25. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 25 of the State of Indiana's Complaint.

26. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 26 of the State of Indiana's Complaint.

27. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 27 of the State of Indiana's Complaint.

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28. The Respondent, Jerome A. Cerny, PhD, repeats and incorporates his Answers by reference, to Rhetorical Paragraphs 1-27 herein.

29. The Respondent, Jerome A. Cerny, PhD is without sufficient information to admit or deny the allegations of Rhetorical Paragraph 29.

30. The Respondent, Jerome A. Cerny, PhD denies that his personal interactions with Jeff McKee was done in any manner other than a professional modality.

31. The Respondent has no recollection of such a discussion with Jeff McKee but would state such an allegation is not relevant to any allegation of misconduct by Respondent. However, promoting self-disclosure with a client is highly relevant to treatment.

32. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 32 of the State of Indiana's Complaint.

33. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 33 of the State of Indiana's Complaint.

34. The Respondent admits he had a general discussion with Jeff McKee involving in-house treatment as indicated by relevant literature.

35. The Respondent, Jerome A. Cerny, PhD. admits that he suggested Jeff McKee should go through an assessment procedure.

36. The "assessment procedure" was performed as called for in the protocols in effect at that time.

37. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 33 of the State of Indiana's Complaint.

38. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 38 of the State of Indiana's Complaint.

39. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 39 of the State of Indiana's Complaint.

40. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 40 of the State of Indiana's Complaint.

41. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 41 of the State of Indiana's Complaint.

42. The Respondent, Jerome A. Cerny, PhD, repeats and incorporates his Answers by reference, to Rhetorical Paragraphs 1-41 herein.

43. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 43 of the State of Indiana's Complaint.

44. The Respondent, Jerome A. Cerny, PhD. admits that he discussed Cory Jones' sexual activities and asked Mr. Jones if he would be interested in becoming a research assistant in the Sexual Latency Research Laboratory at Indiana State University.

45. The Respondent, Jerome A. Cerny, PhD. admits that he did make a second inquiry of Mr. Jones to determine if he wished to become Respondant's research assistant in the Sexual latency lab and that although Mr. Jones gave an enthusiastic and positive response Mr. Jones did not give him a firm commitment because of his work schedules and other commitments. The Respondent, Jerome A. Cerny, PhD. denies the remaining allegations of Rhetorical Paragraph 45 of the State of Indiana's Complaint.

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JUL 30 2003

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46. The Respondent, Jerome A. Cerny, PhD. admits that he accidentally encountered Mr. Jones at Manards and may have placed his hand on Mr. Jones' shoulder but denies the remaining allegations of Rhetorical Paragraph 46 of the State of Indiana's Complaint.

47. The Respondent, Jerome A. Cerny, PhD. admits that Cory Jones informed him that Mr. Jones had a disciplinary problem with another professor but denies the remaining allegations of Rhetorical Paragraph 47 of the State of Indiana's Complaint.

48. The Respondent, Jerome A. Cerny, PhD. admits that he agreed to assist Mr. Jones with his disciplinary problem but denies the remaining allegations of Rhetorical Paragraph 48 of the State of Indiana's Complaint.

49. The Respondent, Jerome A. Cerny, PhD. admits that he was told of the hearing before the Vice President of Student Affairs and accompanied Mr. Jones to the hearing but denies the remaining allegations of Rhetorical Paragraph 49 of the State of Indiana's Complaint.

50. The Respondent, Jerome A. Cerny, PhD. admits that Mr. Jones agreed to volunteer to help in the design of a more ergonomic chair but denies the remaining allegations of Rhetorical Paragraph 50 of the State of Indiana's Complaint.

51. The Respondent, Jerome A. Cerny, PhD. admits that a tracing was made but denies the remaining allegations of Rhetorical Paragraph 51 of the State of Indiana's Complaint.

52. The Respondent, Jerome A. Cerny, PhD. admits he accompanied Cory Jones to a hearing before the Vice President of Student Affairs but denies the remaining allegations of Rhetorical Paragraph 52 of the State of Indiana's Complaint.

53. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 53 of the State of Indiana's Complaint.

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JUL 30 2003

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54. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 54 of the State of Indiana's Complaint.

55. The Respondent, Jerome A. Cerny, PhD. admits the allegations of Rhetorical Paragraph 55 of the State of Indiana's Complaint.

56. The Respondent, Jerome A. Cerny, PhD. admits that he attempted to contact Mr. Jones on two occasions after the laboratory meeting solely to determine if, as Mr. Jones had repeatedly expressed, he was going to join the research staff as an assistant.

57. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 57 of the State of Indiana's Complaint.

58. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 58 of the State of Indiana's Complaint.

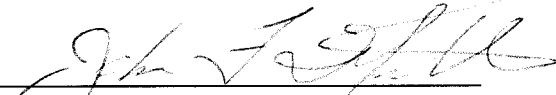
59. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 59 of the State of Indiana's Complaint.

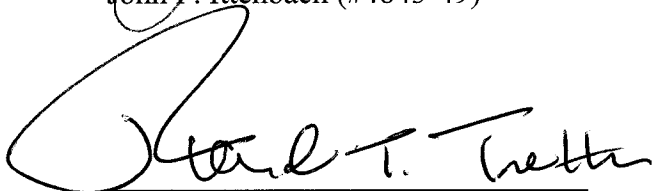
60. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 60 of the State of Indiana's Complaint.

61. The Respondent, Jerome A. Cerny, PhD. denies the allegations of Rhetorical Paragraph 61 of the State of Indiana's Complaint.

WHEREFORE, Respondent respectfully requests that the State of Indiana's Request that this Board impose disciplinary sanctions against the license of Dr. Jerome A. Cerny, Ph.D. be denied and for all other relief to which Respondent might be entitled in the premises.

Respectfully submitted,


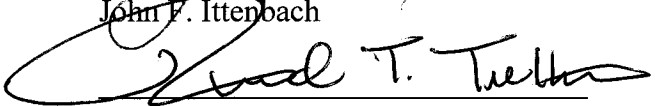

John F. Ittenbach (#4843-49)


Richard T. Trettin (#14459-49)
Attorneys for Jerome August Cerny, PhD.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following by
United States first class mail, postage prepaid, this 28th day of July, 2003:

Albert Barclay Wong, Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
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