



JOSEPH R. BIDEN, III
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
NEW CASTLE COUNTY
820 NORTH FRENCH STREET
WILMINGTON, DELAWARE 19801

CIVIL DIVISION (302) 577-8400
FAX: (302) 577-6630

December 5, 2011

Ms. Catherine Simon
Administrative Specialist
861 Silver Lake Boulevard
Dover, DE 19904-2467

RE: Janet Asay – 26-05-09

Dear Ms. Simon:

Enclosed is the executed Consent Agreement in the above-captioned case, as well as a Consent Order. Please submit the Consent Agreement to the Delaware Board of Examiners of Psychologists for consideration and approval at the next meeting. Please send a copy to me after the Delaware Board of Examiners of Psychologists has approved the Agreement.

Thank you.

Very truly yours,

/s/ Barbara J. Gadbois

Barbara J. Gadbois
Deputy Attorney General

Enclosures

BEFORE THE DELAWARE BOARD OF EXAMINERS OF PSYCHOLOGISTS

IN RE: JANET ASAY

LICENSE NO.: B1-0000368

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Case No.: 26-05-09

CONSENT AGREEMENT

A written Complaint has been filed with the board of Psychologists ("Board") alleging that Janet Asay, Ph.D. ("Respondent"), a licensed psychologist in the State of Delaware, has engaged in conduct constituting grounds for discipline by the Board pursuant to the provisions of 24 *Del. C.* Ch. 35.

To avoid a formal disciplinary hearing before the Board, Respondent and the State of Delaware, by the undersigned Deputy Attorney General, hereby enter into this Consent Agreement and respectfully submit it to the Board to resolve this matter pursuant to 24 *Del. C.* Ch. 35 and 29 *Del. C.* Ch. 101.

THE PARTIES SUBMIT THE FOLLOWING FOR THE BOARD'S CONSIDERATION:

1. Respondent is a licensed psychologist in the State of Delaware. Her license, number B1-0000368, was issued in 1994 and is active.
2. Respondent self-reported to the Board that she engaged in a romantic and sexual relationship with a former therapy adult client within two years of the termination of his therapy in violation of 24 *Del. C.* §3514(a)(5).
3. Respondent has been in ongoing therapy with Dr. Priscilla Putnam since the events which led to the Complaint currently before the Board.
4. Respondent admits that the facts contained in paragraphs 1 and 2 are true and correct.

5. Respondent and the State agree that the appropriate disciplinary sanction for this violation shall be the suspension of Respondent's license for two years.

6. Respondent is currently not practicing psychology, and will not practice psychology during the period of her two year suspension.

7. Respondent will not seek employment as a psychologist until she has an independent psychological evaluation completed by a licensed Delaware psychologist indicating she is psychologically capable of practicing without risk to her clients. The results of the psychological evaluation and a treatment summary from Dr. Putnam will be provided directly to the Board upon application for reinstatement of Respondent's license.

8. When Respondent returns to the practice of psychology, she agrees to be supervised in her practice for a period of two years, with quarterly reports to be sent to the Board by her supervisor.

9. Respondent acknowledges that she is waiving her rights under 24 *Del. C.* Ch. 35 and 29 *Del. C.* Ch. 101 to a hearing before the Board prior to the imposition of disciplinary sanctions.

10. Respondent acknowledges that she has carefully read and understands this Consent Agreement, that she is entering into this Consent Agreement freely, knowingly, voluntarily, and after having received or having been afforded the opportunity to receive advice of counsel.

11. The parties to this Consent Agreement are the State of Delaware and Respondent.

12. The parties agree and acknowledge that nothing contained in this Consent Agreement shall affect any rights or interests of any person not a party to this Agreement.

13. Respondent acknowledges that this Consent Agreement is a public record within the meaning of 29 Del. C. §10002 and will be available for public inspection and copying as provided for by 29 Del. C. §10003.

14. Respondent agrees that in the event the Board determines not to accept this Consent Agreement, neither she nor anyone on her behalf will in any way or in any forum challenge the ability of the Board or any of its members to conduct an evidentiary hearing relating to the allegations in the subject Complaint on the basis of the Board's prior consideration of this proposed Consent Agreement.

15. The parties agree that if the Board does not accept the Consent Agreement, the parties will not refer to the Agreement at any hearing or trial, administrative, civil or criminal, and will not introduce or seek to admit the Agreement into evidence at any proceeding.

16. The parties also agree that if the Board does not accept the Consent Agreement, no provision contained in the Agreement shall constitute or have the effect of an admission by the Respondent as to any fact alleged in the Complaint in this matter or in this Agreement.

17. This Consent Agreement shall be effective as an Order of the Board upon approval by the Board. If the Board does not accept the Consent Agreement, it shall be of no effect.



Janet Asay, Ph.D.
Respondent

Dated: 11/21/11



Barbara J. Gadbois (I.D. No. 2544)
Deputy Attorney General

Dated: 12-2-11

BEFORE THE BOARD OF EXAMINERS OF PSYCHOLOGISTS

IN RE: JANET ASAY

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Case No.: 26-05-09

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LICENSE NO.: B1-0000368

ORDER

WHEREAS, the Board of Examiners of Psychologists has reviewed this matter and hereby approves the Consent Agreement of the parties, and enters it now as an Order of the Board;

IT IS SO ORDERED this 9th day of January, 2012.

Marcia S Halperin, PhD

RUBA PhD

Arthur D Eichel, PhD, ABPP

J. Zinger

Eleanor Allione

Henry J. ...

Rosa M. Robinson