

BOARD:

Clinical Social Work, Marriage  
and Family Therapy, and Mental  
Health Counseling

CASE NUMBER:

0097094

COMPLAINT MADE BY:

S.J.B.

DATE COMPLAINT RECEIVED:

March 29, 1990

COMPLAINT MADE AGAINST:

Brian Lee Joly  
119 Stewart Street  
St. Simons Island, GA 31522

REVIEWED BY:

Cynthia Gelmine/SSW

STAFF RECOMMENDATION:

DISMISSED (DL-01)

CLOSING ORDER

THE COMPLAINT: Alleges a violation of Section 491.009(2)(k), Florida Statutes, by committing sexual misconduct upon a patient or client.

THE FACTS: The Complainant went to the Subject for marriage difficulties and subsequent divorce adjustments. Approximately a year after these sessions ended, the Subject asked Complainant to join him and his wife in a sexual liaison. The Complainant consented. However, at the time the Subject was treating complainant, he was unlicensed; therefore, the department has no jurisdiction.

THE LAW: There is probable cause to believe that the Subject has violated Chapter 491, Florida Statutes. However, the department has no jurisdiction over unlicensed individuals. Therefore, this case will be dismissed.

It is, therefore, ORDERED that the complaint be and the same is hereby closed.

DONE and ORDERED this 3rd day of March, 1990.

Larry Gonzalez  
Secretary

  
BY: Charles F. Tunnicliffe  
Chief Attorney

CG/baw  
3/02/90