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STATE OF WISCONSIN BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF THE

PETITION FOR FULL LICENSURE:

Milwaukee, WI 53202

: ORDER MODIFYING

:

LIMITATIONS AND DENYING THE PETITION FOR

MILTON N. SILVA, PHD., : FULL LICENSURE

PETITIONER.

LS 09103051 PSY

Robert J. Dvorak, Attorney Department Monitor

320 E Buffalo St., Ste 700 Department of Regulation and Licensing

1400 E Washington Ave. Madison, WI 53708

On March 5, 1991, the Psychology Examining Board (board) issued a decision and order that indefinitely suspended Dr. Silva's (respondent) license. By order dated December 17, 1996, the board reinstated Dr. Silva's license with limitations.

On approximately April 22, 2009, the board received a letter from respondent's attorney, Robert Dvorak, petitioning the board to remove the limitations placed on the respondent's license in the December 17, 1996, order.

On May 13, 2009, the board heard a petition from Dr. Silva to remove the limitations on his psychology license. Dr. Silva and his attorney, Robert Dvorak spoke to the board in support of the petition. They also submitted reports from respondent's treatment providers, both of which reflected positively on the respondent. The respondent has not practiced psychotherapy in almost 20 years and was employed in an academic position at Western Illinois University.

After review and consideration of the entire record in this case, the board finds that the respondent needs limitations on his license to help him transition back into practice after his 20 years absence from providing psychotherapy.

THEREFORE THE BOARD ORDERS that the following limitations are imposed on the respondent's license:

- 1. Dr. Silva's practice of psychology shall be restricted to a group or organizational setting while another health care professional is on the premises. Dr. Silva's practice in that setting shall be under the supervision of another health care professional approved by the board, who shall be responsible for reviewing Dr. Silva's practice for the purpose of confirming that professional boundaries are being maintained. Dr. Silva shall be responsible for submission to the board written quarterly reports prepared by his practice supervisor describing Dr. Silva's professional activities, and confirming that, in the opinion of the practice supervisor, Dr. Silva continues to practice in a safe and competent manner.
 - 2. Dr. Silva shall not practice psychotherapy more than a total of 20 hours in any week.
- 3. Dr. Silva shall not touch patients or clients in the course of his professional practice with the exception that he may shake hands with a patient or client.
- 4. Dr. Silva shall continue in psychotherapy with Dr. Charles M Lodl during his period of supervised practice. Therapy shall be conducted on a schedule determined by Dr. Lodl, but shall occur at least once quarterly. Dr. Silva shall be responsible for submission to the board of written quarterly reports prepared by Dr. Lodl describing Dr. Silva's progress in treatment and establishing that Dr. Silva continues to safely and competently practice psychotherapy.
 - 5. Dr. Silva may not apply for full licensure until he has completed 2 years of supervised practice.

Date: May 18, 2009.