

BEFORE THE ARKANSAS PSYCHOLOGY BOARD

IN THE MATTER OF:

**ANNE STEVENS, Ph.D.
RESPONDENT**

CASE # C-12-03

**CONSENT ORDER &
RESOLUTION AGREEMENT**

Comes the Arkansas Psychology Board ("APB"), in agreement with Anne Stevens, Ph.D. ("Respondent"), and states as grounds for this Consent Order the following:

HISTORY OF CASE

1. Respondent is a Psychologist licensed by APB (# 97-17P) and therefore is subject to APB's licensing law and regulations (including the American Psychological Association's *Ethical Principles of Psychologists and Code of Conduct*) and APB's disciplinary jurisdiction.

2. This case was initiated by APB upon review of a professional reference Respondent supplied for an applicant for provisional licensure as a psychological examiner who was working for his clinic. It appeared from the reference's content that the applicant was engaging in unlicensed provision of psychological services (APB Complaint Case # C-12-02 as to that applicant). After receiving an explanation from Respondent's attorney about the basis for Respondent to be expressing opinions about the applicant's competencies in various psychological categories, APB concluded there was insufficient evidence to pursue that potential ethical violation (Standard 5.01 Avoidance of False or Deceptive Statements). During the course of the investigation of that dropped violation allegation, however, additional established violations surfaced as described as follows:

3. Respondent practices neuropsychology and is a principal in the MindWorks clinic along with fellow neuropsychologist Dr. _____ (license # _____). They both qualify to be supervising psychologists for the use of neuropsychological technicians. From 2010 through 2012, Respondent has used the technician services of _____, an employee of the MindWorks clinic, on multiple occasions. Until October 2012, Respondent, as a supervising psychologist, had not herself registered Ms. _____ with APB as a neurological technician. Furthermore, Ms. _____ was not registered as a technician at any time with APB prior to March 20, 2012, when Dr. _____ arguably completed that registration process himself regarding Ms. _____.

4. On April 27, 2011, APB issued a "cease-and-desist" letter to Ms. _____ prohibiting neuropsychological technician practice until her credentials met the requirements for registration. Respondent used Ms. _____ as a technician to administer and score psychological tests minimally during the months of February and March 2012 (clinic case # 111265) during this period of Ms. _____'s prohibited technician services.

5. In the numerous neuropsychological evaluations utilizing Ms. _____'s technician services, Respondent failed, excepting most recently, to mention the use of Ms. _____ technician in the reports of those evaluations.

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FINDINGS OF FACT and CONCLUSIONS OF LAW

1. There is probable cause to believe that the following violations have been committed by Respondent in this matter:

A. A supervising neuropsychologist is required to register with APB any technician being used by that psychologist before using that technician to provide test administration and scoring services. The numerous instances of Respondent's use of Ms. [redacted] for [redacted] for the past two (2) years without having registered her constitute violation of *Arkansas Code Annotated* § 17-97-403 and the implementing APB Rules 7.7.A.(5), 7.7.C.(1), 7.7.G.(1), and 7.7.G.(3).

B. A supervising neuropsychologist may not use an unregistered technician in neuropsychological evaluations. Respondent's use of Ms. [redacted] as a technician before October 2012, particularly during the period when that technician was prohibited from providing any services under APB's cease-and-desist order prior to March 20, 2012, constitutes violation of APB Rule 7.7.G.(1)(a and b).

C. A neuropsychological technician must meet minimum educational and training requirements found in *Arkansas Code Annotated* § 17-97-401 and implementing APB Rule 7.7.B. Respondent's use of Ms. [redacted] as a technician prior to the latter's attainment of deficient required academic coursework concluding in March 2012 constitutes a violation of APA ethical Standard § 9.07 (Assessment by Unqualified Persons) and APB Rule 7.7.B.(6).

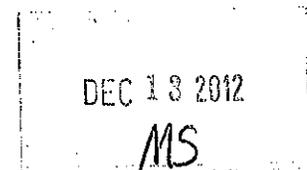
D. Supervising neuropsychologists who use a technician to administer and score psychological tests as part of a neuropsychological battery are required to include the name and credentials of that technician on written reports prepared by the psychologist. Respondent's failure on multiple occasions to name Ms. [redacted] in the former's written reports as the technician that was used in the evaluations constitutes violation of *Arkansas Code Annotated* § 17-97-406(d)(3)(B).

2. The foregoing violations expose Respondent to discipline under *Arkansas Code Annotated* §§ 17-97-310(a)(8) and 17-97-311(a)(1)(A)(ii) and implementing APB Rules 11.6.H. - I.

3. Respondent would be entitled to an adjudicatory hearing in this matter. Nevertheless, the parties herein have deemed it appropriate to resolve this case without a hearing while still serving APB's goals of ensuring ethical practice by its licensees and protection of the public. As part of this resolution, Respondent hereby admits having committed the violations enumerated in the Findings of Fact and Conclusions of Law.

ORDER

For the established violations, the following are the agreed sanctions to be applied:



1. Respondent shall be on probation for a minimal period of one (1) year from the date this Order becomes effective (as subsequently defined herein). During this period of probation and thereafter, Respondent is admonished to cease using unregistered neuropsychological technicians in her practice and to henceforth comply with all of APB's statutes and rules pertaining to the use of such technicians.

2. Respondent shall pay a fine of \$5,000.00 to APB within sixty (60) days following the effective date of this Order (as subsequently defined).

3. Respondent's evaluation files shall be subject to a random audit by APB within one (1) year of the effective date of this Order to ensure compliance with APB's statutes and rules. Should that audit fail to find any additional violations, the probationary period will cease one (1) year from the effective date of this Order (as subsequently defined herein).

4. A copy of this Consent Order & Resolution Agreement shall be placed in Respondent's general licensure file, as well as the maintained specific complaint file. Failure to comply with the Consent Order's terms and conditions may result in further disciplinary proceedings, including, but not limited to, extension of the probationary period.

5. The effective date of this Order shall be the latter date by which both signatories have executed it.

6. Except as provided herein regarding discovery of additional established violations during the period of probation, this Consent Order disposes of all disciplinary matters involved in Complaint Case C-12-03 (as well as C-12-02 regarding the provision of the professional reference in the psychological examiner's application).

RESPONDENT:

ARKANSAS PSYCHOLOGY BOARD:


Anne Stevens, Ph.D.

BY:  _____
_____, Executive Director

12/6/2012
DATED

12/14/2012
DATED

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