

**BEFORE THE MINNESOTA
BOARD OF MARRIAGE
AND FAMILY THERAPY**

In the Matter of
Steven Alan Carlson, L.M.F.T.
License No. 0324

**STIPULATION
AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Steven Alan Carlson, L.M.F.T. (Licensee), and the Minnesota Board of Marriage and Family Therapy (Board) as follows:

1. During all times herein, Licensee has been and now is subject to the jurisdiction of the Board, from which he holds a license to practice marriage and family therapy in the State of Minnesota.

FACTS

2. For the purpose of this stipulation, the Board may consider the following facts as true:

a. On August 4, 1989, Licensee became licensed as a marriage and family therapist in the State of Minnesota. During all times relevant herein, Licensee has continued to be licensed by the Board. In addition, Licensee held a license to practice psychology in Minnesota from December 1, 1989, until it was revoked on January 13, 2000.

b. On March 26, 1997, Licensee attended a disciplinary conference with the Board's Complaint Panel to discuss his alleged misconduct with five clients. The allegations included, but were not limited to, that Licensee engaged in unethical and unprofessional conduct, engaged in conduct likely to deceive or defraud the public or the board, exploited clients, failed to maintain accurate records for three of his clients, had dual relationships with clients, provided therapy when his objectivity or effectiveness was impaired, and engaged in a sexual relationship with a former client within two years after termination of services.

c. On February 24 to 26, March 2, 3, 8, and 16, 1999, Licensee participated in a hearing before an administrative law judge. The hearing was initiated by the Board of Psychology Complaint Resolution Committee (CRC), pursuant to a Notice of and Order for Hearing, dated May 5, 1998. The issues at the hearing included Licensee's conduct with the same five clients addressed in Licensee's disciplinary conference with the Board of Marriage and Family Therapy described above. The Board of Psychology's CRC also alleged that Licensee engaged in misconduct with an additional client, bringing the total to six clients. Licensee's defense at the hearing included his own testimony.

d. On September 17, 1999, the Administrative Law Judge issued Findings of Fact, Conclusions of Law and Recommendation (ALJ Report) that the Board of Psychology take disciplinary action against Licensee's psychology license. A true and accurate copy of the Findings of Fact and Conclusions of Law contained in the ALJ's Report is attached and incorporated herein as Attachment 1.

e. On December 10, 1999, the Board of Psychology met to consider the matter.

f. On January 13, 2000, the Board of Psychology adopted the Findings of Fact and Conclusions of Law contained in the ALJ's Report and revoked Licensee's license to practice psychology. A true and accurate copy of the Board of Psychology's final order is attached and incorporated herein as Attachment 2. The Board of Psychology found and concluded that Licensee engaged in multiple acts of misconduct, including the following:

- 1) Despite finding that Alleged Client #1 was not technically a client, the Board found that Licensee engaged in unprofessional conduct with respect to Alleged Client #1 by engaging in on-going and detailed discussions of her therapy, thereby interfering with her therapy with other professionals. In addition, Licensee failed to safeguard private information about other clients in that he revealed to Alleged Client #1 the names of at least five other clients as well as information about their therapeutic issues and gave Alleged Client #1 the

access code to his voice mail at work enabling her to hear confidential messages from other clients or therapists.

2) Licensee provided professional services to Client #2 (the husband of Alleged Client #1) when his objectivity or effectiveness was impaired by virtue of a dual relationship. Licensee engaged in unprofessional conduct with respect to Client #2 by engaging in a sexual relationship with the wife of Client #2 (Alleged Client #1) in close proximity to the end of the professional relationship with Client #2. In addition, Licensee failed to maintain accurate and complete therapy records with respect to Client #2, engaged in deceptive conduct with respect to those records, attempted to mislead the Board investigator by making false statements or representations with respect to the therapy records of Client #2 and failed to cooperate with an investigation by the Board.

3) Licensee failed to maintain an accurate chronological listing of all of Client #5's¹ therapy visits. Licensee engaged in a sexual relationship with Client #5 within two years of the last professional contact, provided therapy to her while his objectivity was impaired by a dual relationship, failed to notify Client #5 orally and in writing that he could no longer see her professionally or assist her in obtaining services from another professional, exploited the professional relationship for his own emotional, financial, sexual, or personal advantage, and engaged in unprofessional conduct by virtue of all of these violations and also because he failed to properly manage the transference of Client #5 and his loss of objectivity and failed to seek supervision before engaging in a sexual relationship.

4) Licensee provided therapy to Client #6² while his objectivity was impaired by a dual relationship, failed to notify Client #6 orally and in writing that he could no longer see him professionally or assist him in obtaining services from another professional, failed to maintain an accurate chronological listing of all Client visits, and engaged in unprofessional

¹ Client #5 was referred to as Client #4 in the Board of Marriage and Family Therapy's disciplinary conference with Licensee.

² Client #6 was referred to as Client #5 in the Board of Marriage and Family Therapy's disciplinary conference with Licensee.

conduct by virtue of these violations and by having a sexual relationship with Client #5 (the wife of Client #6) within close proximity to the termination of his therapeutic relationship with Client #6.

STATUTES AND RULES

3. The Board views Licensee's practices as described in paragraph 2 above to be in violation of statutes and rules enforced by the Board. Licensee agrees that the conduct cited above constitutes a violation of Minn. Stat. § 148B.37, subd. 1 (engaging in the practice of marriage and family therapy in a manner harmful or dangerous to a client or to the public) and Minn. R. 5300.0350, subs. 4 (failure to act in accordance with the highest standards of professional integrity and competence), 4.N. (engaging in conduct likely to deceive or defraud the public or the board), 4.R. (engaging in unprofessional conduct), 5 (failure to adhere to the ethics of advancing the welfare and best interests of families and individuals, respecting the rights of persons seeking assistance, and making reasonable efforts to ensure that his services were used appropriately), 5.B. (exploiting the trust and dependency of clients and failure to avoid dual relationships with clients), 5.E. (engaging in sexual contact with a former client within two years of the termination of professional services), 5.G. (exploiting the professional relationship with a client for his own emotional, financial, sexual, or personal advantage or benefit), 5.J. (providing services to clients when his objectivity was impaired and failure to notify clients orally and in writing that he could no longer see them professionally and failure to assist clients in obtaining services from another professional), and 6 (failure to hold in confidence all information obtained in the course of professional services and failure to safeguard client confidences). Licensee agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action provided for in the Order.

REMEDY

4. Upon this stipulation and all of the files, records and proceedings herein and without any further notice or hearing herein, Licensee does hereby consent that until further order

of the Board, made after notice and hearing upon application by Licensee or upon the Board's own motion, the Board may make and enter an order as follows:

a. Licensee shall **SURRENDER** his license to practice marriage and family therapy in Minnesota. All state licenses and certificates shall be surrendered to the Board within ten days of service of this order by mailing them to Robert C. Butler, Board of Marriage and Family Therapy, Suite 330 University Park Plaza, 2829 University Avenue SE, Minneapolis, Minnesota 55414.

b. Licensee shall not practice, attempt to practice, offer to practice, or advertise or hold out as authorized to practice marriage and family therapy in Minnesota, except that he may practice in a setting in which licensure is not required, and shall not use the title marriage and family therapist, or any designation which indicates marriage and family therapy licensure, except as permitted by Minn. Stat. § 148B.32, subd. 2.

c. Should Licensee reapply for licensure as a licensed marriage and family therapist in Minnesota in the future, he must meet the requirements for licensure in effect at the time of that application. At the time of application, Licensee shall demonstrate by clear and convincing evidence that he is capable of practicing marriage and family therapy in a fit, competent, and ethical manner and with reasonable skill and safety to clients.

d. If Licensee reapplies for licensure, the Board or its authorized representatives shall have the right to discuss Licensee's conditions with and obtain records from any person with whom Licensee has contact as a result of his being examined or his obtaining treatment, counseling, or other assistance on his own initiative or otherwise. Licensee shall execute and provide any health record or other waivers necessary to enable the Board to obtain the information it desires and to authorize the testimony of those contacted by the Board in any proceeding related to this matter.

5. This stipulation shall not in any way or manner limit or affect the authority of the Board to proceed against Licensee by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or omission of Licensee justifying disciplinary action

which occurred before or after the date of this stipulation and which is not directly related to the specific facts and circumstances set forth herein.

6. In the event the Board at its discretion does not approve this settlement or a lesser remedy than indicated in this settlement, then, and in that event, this stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party to this stipulation, except that Licensee agrees that should the Board reject this stipulation and the case proceeds to hearing, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this stipulation or of any records relating to this matter.

7. Any appropriate court may, upon application of the Board, enter its decree enforcing the Order of the Board.

8. Licensee has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Licensee has been represented by Philip G. Villaume.

9. Licensee waives all formal hearings on this matter and all other procedures before the Board to which Licensee may be entitled under the Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

10. Licensee hereby acknowledges that he has read, understands, and agrees to this stipulation and has freely and voluntarily signed the stipulation without threat or promise by the Board or any of its members, employees, or agents. When signing the stipulation, Licensee acknowledges that he is fully aware that the stipulation shall be approved by the Board. The Board may either approve the Stipulation and Order as proposed, approve the Stipulation and Order subject to specified change, or reject it. If the changes are acceptable to Licensee, the stipulation will then take effect and the order as modified will be issued. If the changes are unacceptable to Licensee or the Board rejects the stipulation, it will be of no effect except as specified herein.

11. This Stipulation and Order constitutes a disciplinary action against the Licensee.

12. This Stipulation and Order is a public document and will be sent to all appropriate data banks.

13. This stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies this stipulation.



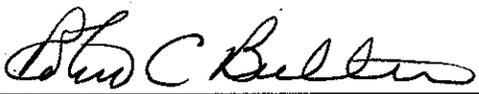
STEVEN ALAN CARLSON, L.M.F.T.
Licensee

Dated: May 5, 2000

ORDER

Upon consideration of this stipulation and all the files, records, and proceedings herein,
IT IS HEREBY ORDERED that Licensee SURRENDERS his license to practice marriage and family therapy in Minnesota, and that all other terms of this stipulation are adopted and implemented by the Board this 19 day of May, 2000.

MINNESOTA BOARD OF
MARRIAGE AND FAMILY THERAPY



ROBERT C. BUTLER
Executive Director