

**BEFORE THE MINNESOTA  
BOARD OF PSYCHOLOGY**

In the Matter of  
Jacqueline A. Moeller, Psy.D., L.P.  
License Number: LP4901

**STIPULATION AND  
CONSENT ORDER**

IT IS HEREBY STIPULATED AND AGREED by Jacqueline A. Moeller, Psy.D., L.P. (Licensee), and the Minnesota Board of Psychology (Board) as follows:

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

**FACTS**

2. The Board finds the following:
- a. On January 25, 2008, the Board licensed Licensee to practice psychology in the State of Minnesota.
  - b. On January 3, 2014, while working at a chronic pain rehabilitation facility ("Facility"), Licensee completed an intake screening for a client ("Client #1") to determine whether Client #1 needed psychological therapeutic services. The screening determined that Client #1 did not need psychological therapeutic services. Client #1 continued with chronic pain rehabilitation at the Facility.
  - c. Between December 2013 and January 2014, Licensee provided group psychoeducation to clients at the Facility. The definition of the "practice of psychology" contained in the Psychology Practice Act at Minnesota Statutes section 148.89, subdivision 5, includes "psychoeducational services." Client #1 attended seven of the group classes Licensee taught.

- d. On January 17, 2014, Client #1 was discharged from the Facility.
- e. On, or about, January 21, 2014, Client #1 asked Licensee out on a date.

Due to the unique work setting and environment at the Facility, Licensee misunderstood the definition of “practice of psychology” and the definition of “client” and failed to seek consultation on these topics. Licensee accepted Client #1’s invitation and the two began a personal, intimate relationship.

- f. On May 25, 2014, Licensee and Client #1 were married.

### REGULATIONS

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. § 148.941 subd. 2(a)(1) (violating a statute, rule, or Board order); Minn. Stat. § 148.941 subd. 2(a)(3) and Minn. R. 7200.5700 (unprofessional conduct); and Minn. R. 7200.4905, subps. 5 and 6 (sexual behavior with a former client) and constitutes a reasonable basis in law and fact to justify the disciplinary action provided for in the order.

### REMEDY

4. Upon this Stipulation and Consent Order (“Stipulation”) and all the files, records, and proceedings herein, and without 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. ***Reprimand.*** Licensee is **REPRIMANDED** for engaging in the conduct and violations described above.

b. **Civil Penalty.** Licensee shall pay a civil penalty to the Board in the amount of Two Thousand Five Hundred (\$2,500.00) dollars for engaging in the conduct and violations described in paragraphs 2 and 3 above. Payment of \$2,500.00 shall be remitted in full to the Minnesota Board of Psychology at Suite 320, 2829 University Avenue SE, Minneapolis, Minnesota 55414, within sixty (60) days of the date this Stipulation and Consent Order is adopted by the Board.

c. **Boundaries Course.** Within six (6) months of the date of this Order, Licensee must complete a one-to-one, individualized training course of no less than eight (8) hours on professional boundaries taught by an experienced licensed psychologist. The course must address the following topics:

- Boundaries in the practice of psychology and other professional relationships;
- Identifying boundaries issues in practice;
- Dealing with boundaries issues when they arise;
- Identifying when a client-psychologist relationship has been initiated; and
- Any other topic deemed relevant by the instructor.

The Committee will provide Licensee with a list of pre-approved courses or course instructors for purposes of satisfying this requirement. If the Committee and Licensee concur that there is sufficient reason for Licensee not to utilize the pre-approved options, Licensee shall submit to the Committee for approval a syllabus that includes goals, objectives, assignments, projects, methods, and frequency of evaluation, etc., for a similar individualized professional boundaries training course. Licensee shall also submit the course instructor's *curriculum vitae* to

the Committee for its pre-approval of the instructor. All fees for the course must be paid by Licensee. To show satisfactory completion of the Course, Licensee must submit the following:

1) *Report on Boundaries Course from Licensee.* Licensee must submit a written report to the Committee which provides and/or addresses the following:

a) The dates Licensee began and completed the Course;

b) A brief statement of the topics covered in the Course;

c) A detailed discussion of what Licensee has learned from the Course, including Licensee's comprehension and knowledge of the topics reviewed in the Course as well as the various ethical issues encountered in practice, and how this Course will affect Licensee's practice in the future;

d) A detailed discussion of the violations that occurred, including how Licensee came to violate her professional boundaries, the harm that may have occurred to Licensee's clients as a result of Licensee's conduct, and how Licensee now believes the violations could have been averted;

e) A detailed discussion of the specific ways this course will affect Licensee's practice in the future;

f) Licensee's reasons for believing she is capable of conducting herself in a fit, competent, and ethical manner in the practice of psychology; and

g) Any other information Licensee believes would assist the Board in its ultimate review of this matter.

2) *Report on Boundaries Course from Instructor.* Licensee must cause to be submitted to the Committee a report from the instructor of the Course. This report must address:

a) The extent of Licensee's participation in the Course; and  
b) The instructor's assessment of Licensee's knowledge obtained from the Course, comprehension of the material issues, and opinion as to Licensee's fitness to engage in the practice of psychology.

d. **Professional Consultation.** Licensee shall obtain one-on-one professional consultation from a Minnesota licensed psychologist to work on boundaries issues, transference and counter-transference issues, gaining a working knowledge of the Psychology Practice Act, and how to apply this knowledge to her practice.

Licensee shall submit the *curriculum vitae* of her proposed professional consultant for pre-approval by the Committee within 30 days of the date this Stipulation becomes effective. Licensee shall select a consultant with whom she has had no previous personal or professional relationship. The Committee reserves the right to reject the consultant proposed by Licensee. If the Committee rejects the consultant proposed by Licensee, the Committee may require that Licensee submit additional names, or the Committee may provide Licensee with the name of a consultant.

For a period of twelve (12) months, Licensee shall meet with the consultant for a minimum of at least two (2) hours per month.

At the conclusion of the consultations, Licensee shall have the consultant submit a report to the Board no later than 60 days from the date of the last consultation. The report shall provide and/or address:

- 1) A statement that the consultant has reviewed this Stipulation and any other data deemed relevant by the Committee;
- 2) The dates on which consultations were held with Licensee;

- 3) Licensee's active participation in each consultation;
- 4) The issues discussed in each consultation;
- 5) The consultant's assessment of Licensee's understanding and ability to deal with boundaries issues, issues of transference and counter-transference, knowledge of the Psychology Practice Act, and applying this knowledge to her practice;
- 6) The consultant's opinion as to whether Licensee has demonstrated a satisfactory understanding of the issues that gave rise to this Stipulation, and whether additional consultations or education is required; and
- 7) Any other information the consultant believes would assist the Board in its ultimate review of this matter.

At the conclusion of the consultations, Licensee shall have 30 days to submit a report to the Board herself. The report shall provide and/or address:

- 1) A brief statement of the topics discussed at each consultation session;
- 2) What Licensee has learned from the consultations, including her own statement as to her comprehension and knowledge of the issues that gave rise to this Stipulation;
- 3) A statement as to how Licensee has changed or will change her practice as a result of the knowledge and skills obtained or honed through the consultation; and
- 4) Any other information Licensee believes would assist the Board in its ultimate review of this matter.

e. ***Consultation Network.*** Licensee shall develop a plan for establishing a network of professional peers with whom she can consult for informal guidance and professional

development. Within thirty (30) days of the date of this Order, Licensee shall submit to the Board for review and approval her plan for establishing a network of professional peers.

5. If any due date required by this Stipulation is not met, the Committee may fine Licensee \$100 per violation. Licensee shall pay the fine and correct the violation within five days after service on Licensee of a demand for payment and correction. If Licensee fails to do so, the Committee may impose additional fines not to exceed \$500 per violation. The total of all fines may not exceed \$5,000. Licensee waives the right to seek review of the imposition of these fines under the *Administrative Procedure Act*, by *writ of certiorari* under Minn. Stat. § 480A.06, by application to the Board, or otherwise. Neither the imposition of fines nor correction of the violation will deprive the Board of the right to impose additional discipline based on the violation.

6. Licensee is responsible for all costs incurred as a result of compliance with this Stipulation.

7. In the event Licensee resides or practices outside the State of Minnesota, Licensee shall promptly notify the Board in writing of the location of her residence and all work sites. Practice outside of Minnesota will not be credited toward any period of Licensee's suspended, limited, conditioned, or restricted license in Minnesota unless Licensee demonstrates to the satisfaction of the Board that the practice in another jurisdiction conforms completely with Licensee's Minnesota licensure requirements to practice psychology.

8. If Licensee shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the Committee shall schedule a hearing before the Board. The Committee shall mail Licensee a notice of the violation alleged by the Committee and of the time and place of the hearing. Licensee shall submit a response to the allegations at least three days

prior to the hearing. If Licensee does not submit a timely response to the Board, the allegations may be deemed admitted.

At the hearing before the Board, the Committee and Licensee may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation. Licensee waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Licensee's practice, or suspension, or revocation of Licensee's license.

9. This Stipulation shall not in any way limit or affect the authority of the Board to temporarily suspend Licensee's license under Minn. Stat. § 148.941 subd. 3 or Minn. Stat. § 214.077, or to initiate contested case proceedings against Licensee on the basis of any act, conduct, or omission of Licensee justifying disciplinary action occurring before or after the date of this Stipulation which is not related to the facts, circumstances or requirements referenced herein.

10. 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 this 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.

11. Any appropriate court may, upon application of the Board, enter its decree enforcing the order of the Board.

12. Licensee has been advised by Board representatives that she may choose to be represented by legal counsel in this matter. Licensee has voluntarily waived legal representation.

13. 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.

14. Licensee hereby knowingly and voluntarily waives any and all claims against the Board, the Minnesota Attorney General, the State of Minnesota and their agents, employees and representatives which may otherwise be available to Licensee under the Americans With Disabilities Act or the Minnesota Human Rights Act relative to the action taken or authorized against Licensee's license to practice psychology under this stipulation.

15. Licensee hereby acknowledges that she 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 she is fully aware the Stipulation is not binding unless and until it is approved by the Board. The Board may either approve the Stipulation as proposed, approve the Stipulation 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.

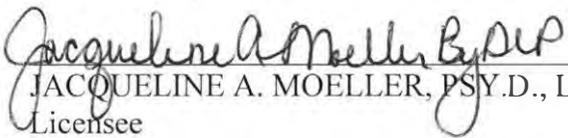
16. This Stipulation constitutes a disciplinary action against Licensee.

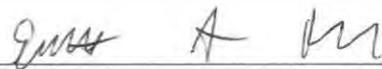
17. This Stipulation is a public document and will be sent to all appropriate data banks.

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

CONSENT:

BOARD OF PSYCHOLOGY  
COMPLAINT RESOLUTION COMMITTEE

  
JACQUELINE A. MOELLER, PSY.D., L.P.  
Licensee

  
COMMITTEE MEMBER

Dated: 5-19-15

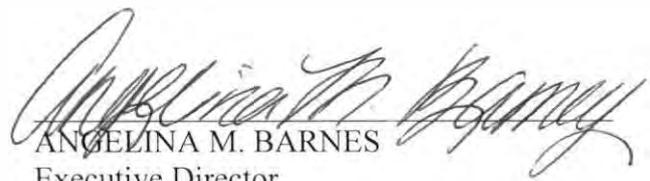
Dated: 6-26-15

**ORDER**

Upon consideration of this stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the license of Licensee is **REPRIMANDED** and that all other terms of this stipulation are adopted and implemented by the Board this 26th day of June, 2015.

MINNESOTA BOARD OF PSYCHOLOGY

  
ANGELINA M. BARNES  
Executive Director