

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

In the Matter of
Stacie Nelson, LMFT
License No. 2696

**STIPULATION AND
CONSENT ORDER
FOR SUSPENSION**

STIPULATION

Stacie Nelson, LMFT (“Licensee”), and the Complaint Panel of the Minnesota Board of Marriage and Family Therapy (“Complaint Panel”) agree the above-referenced matter may be resolved without trial of any issue or fact as follows:

I.

JURISDICTION

1. The Minnesota Board of Marriage and Family Therapy (“Board”) is authorized pursuant to Minnesota Statutes sections 148B.07 to 148B.48 to license and regulate marriage and family therapists and to take disciplinary action as appropriate.

2. Licensee holds a license from the Board to practice marriage and family therapy in the State of Minnesota and is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation and Consent Order.

II.

CONFERENCE

3. On September 22, 2015, Licensee and her attorney, Fabian Hoffner, Hoffner Firm, Ltd., 310 4th Avenue South, Suite 5010, Minneapolis, MN 55415, appeared before the Complaint Panel, composed of Board members Herb Grant, Ph.D., LMFT, and Dennis Morrow,

Ph.D., to discuss allegations contained in a Notice of Conference dated April 22, 2015. Caitlin M. Grom, Assistant Attorney General, represented the Complaint Panel at the conference.

III.

FACTS

The parties agree this Stipulation and Consent Order is based upon the following facts:

4. Licensee began treating a patient ("Patient 1") in approximately early 2013.
5. In conversation following a treatment session, Licensee disclosed to Patient 1 that she was seeking affordable housing near her place of work. Patient 1 offered to rent the lower level of his residence to Licensee. Licensee declined the offer.
6. Approximately one month later, Patient 1 again offered to rent the lower level of his residence to Licensee, and Licensee again declined his offer. Licensee explained to Patient 1 the ethical considerations involved in entering into a tenancy with a client.
7. In approximately July of 2014, Patient 1 terminated his therapeutic relationship with Licensee. At the end of the last session, Patient 1 again offered a tenancy to Licensee. Licensee declined Patient 1's offer.
8. Thereafter, Licensee saw Patient 1 outside of the treatment setting, and Patient 1 again offered his space for rent.
9. In approximately August 2014, Licensee accepted Patient 1's offer, and signed a rental agreement with Patient 1. Licensee then moved into Patient 1's lower level residence.
10. Licensee lived in Patient 1's residence until approximately March 7, 2015.

IV.

LAWS

11. Licensee acknowledges the conduct described in section III. above constitutes a violation of Minnesota Statutes section 148B.37, and Minn. R. 5300.0350, subp. 4(S) (unprofessional conduct); Minn. R. 5300.0350, subp. 5(B) (failed to avoid dual relationships with clients and failed to recognize the potentially influential position the therapist may have with respect to clients); and Minn. R. 5300.0350, subp. 5(G) (exploited the professional relationship with a client in any manner for the therapist's emotional, financial, sexual, religious, political, or personal advantage or benefit), and justifies the disciplinary action described in section V. below.

V.

DISCIPLINARY ACTION

The parties agree the Board may take the following disciplinary action and require compliance with the following terms:

A. Suspension

12. The Board hereby **SUSPENDS** Licensee's license to practice marriage and family therapy in the State of Minnesota. During the period of suspension, Licensee shall not practice marriage and family therapy in any manner, shall neither offer nor provide marriage and family therapy services of any kind within Minnesota, and shall not use the designation "licensed marriage and family therapist," "LMFT," or any other designation that implies that Licensee is eligible to practice marriage and family therapy in Minnesota.

B. Requirements for License Reinstatement

13. Licensee's license will be administratively reinstated upon the successful completion of the following:

a. Successful Completion of Ethics Course. License shall arrange to enroll, and complete, a three credit graduate level ethics course focusing on professional boundaries for mental health professionals. All fees for the course shall be paid by Licensee. Successful completion of the course shall be determined at the sole discretion of the Complaint Panel and verified by submission to the Board of an official transcript from the graduate program indicating completion of the required course.

b. Report on Course from Licensee. Within 30 days of completing the course described in paragraph 13(a) above, Licensee shall submit a written report to the Complaint Panel which provides and/or addresses the following:

i. The dates Licensee began and completed the course;

ii. A brief statement of the topics covered in the course;

iii. A detailed discussion of what Licensee learned from the course, including Licensee's comprehension and knowledge of boundary and ethics issues, as well as various boundaries and ethics issues encountered in practice and how this course will affect her practice in the future.

14. Licensee shall meet all licensure requirements in effect at the time of her reinstatement, including but not limited to completing the appropriate application, paying requisite fees, and completing any necessary continuing education requirements.

15. The reinstatement of Licensee's license is effective upon written notification to Licensee by the Board.

VI.

CONSEQUENCES FOR NONCOMPLIANCE OR ADDITIONAL VIOLATIONS

16. If Licensee fails to comply with or violates this Stipulation and Consent Order, the Complaint Panel may, in its discretion, seek additional discipline either by initiating a contested case proceeding pursuant to Minnesota Statutes chapter 14 or by bringing the matter directly to the Board pursuant to the following procedure:

a. The Complaint Panel shall schedule a hearing before the Board. At least 20 days before the hearing, the Complaint Panel shall mail Licensee a notice of the violation(s) alleged by the Complaint Panel. In addition, the notice shall designate the time and place of the hearing. Within ten days after the notice is mailed, Licensee shall submit a written response to the allegations. If Licensee does not submit a timely response to the Board, the allegations may be deemed admitted.

b. The Complaint Panel, in its discretion, may schedule a conference with Licensee prior to the hearing before the Board to discuss the allegations and to attempt to resolve the allegations through agreement.

c. Prior to the hearing before the Board, the Complaint Panel and Licensee may submit affidavits and written argument in support of their positions. At the hearing, the Complaint Panel and Licensee may present oral argument. Argument shall not refer to matters outside the record. The evidentiary record shall be limited to the affidavits submitted prior to the hearing and this Stipulation and Consent Order. The Complaint Panel shall have the burden of proving by a preponderance of the evidence that a violation has occurred. If Licensee has failed to submit a timely response to the allegations, Licensee may not contest the allegations, but may present argument concerning the appropriateness of additional discipline. Licensee waives a

hearing before an administrative law judge, discovery, cross-examination of adverse witnesses, and other procedures governing hearings pursuant to Minnesota Statutes chapter 14.

d. Licensee's correction of a violation before the conference, hearing, or meeting of the Board may be taken into account by the Board but shall not limit the Board's authority to impose discipline for the violation. A decision by the Complaint Panel not to seek discipline when it first learns of a violation shall not waive the Complaint Panel's right to later seek discipline for that violation, either alone or in combination with other violations, at any time while Licensee's license is in a suspended status.

e. Following the hearing, the Board will deliberate confidentially. If the allegations are not proved, the Board shall dismiss the allegations. If a violation is proved, the Board may impose additional discipline, including additional conditions or limitations on Licensee's practice, an additional period of suspension, additional conditions of reinstatement, or revocation of Licensee's license.

f. Nothing herein shall limit the Complaint Panel's or the Board's right to temporarily suspend Licensee's license pursuant to Minnesota Statutes section 148.262, subdivision 3, based on a violation of this Stipulation and Consent Order or based on conduct of Licensee not specifically referred to herein. Similarly, nothing herein shall limit the Complaint Panel's or the Board's right to automatically suspend Licensee's license pursuant to Minnesota Statutes section 148.262, subdivision 2.

VII.

ADDITIONAL INFORMATION

17. Licensee waives the contested case hearing and all other procedures before the Board to which Licensee may be entitled under the Minnesota and United States constitutions, statutes, or rules.

18. Licensee waives any claims against the Board, the Minnesota Attorney General's Office, the State of Minnesota, and their agents, employees, and representatives related to the investigation of the conduct herein, or the negotiation or execution of this Stipulation and Consent Order, which may otherwise be available to Licensee.

19. This Stipulation and Consent Order, the files, records, and proceedings associated with this matter shall constitute the entire record and may be reviewed by the Board in its consideration of this matter.

20. Either party may seek enforcement of this Stipulation and Consent Order in any appropriate civil court.

21. Licensee has read, understands, and agrees to this Stipulation and Consent Order and has voluntarily signed the Stipulation and Consent Order. Licensee is aware this Stipulation and Consent Order must be approved by the Board before it goes into effect. The Board may either approve the Stipulation and Consent Order as proposed, approve it subject to specified change, or reject it. If the changes are acceptable to Licensee, the Stipulation and Consent Order will take effect and the order as modified will be issued. If the changes are unacceptable to Licensee or the Board rejects the Stipulation and Consent Order, it will be of no effect except as specified in the following paragraph.

22. Licensee agrees that if the Board rejects this Stipulation and Consent Order or a lesser remedy than indicated in this settlement, and this case comes again before the Board, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation and Consent Order or of any records relating to it.

23. This Stipulation and Consent Order shall not limit the Board's authority to proceed against Licensee by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Licensee which constitutes grounds for disciplinary action and which is not directly related to the specific facts and circumstances set forth in this document.

VIII.

DATA PRACTICES NOTICES

24. This Stipulation and Consent Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5. Therefore, employers and other individuals will be able to see this entire Stipulation and Consent Order by searching Licensee's name on the Board's website, or by requesting a copy of this Stipulation and Consent Order from the Board. Data regarding this action will be provided to data banks as required by Federal law and consistent with Board policy. While this Stipulation and Consent Order is in effect, information obtained by the Board pursuant to this Order is considered active investigative data on a licensed health professional, and as such, is classified as confidential data pursuant to Minnesota Statutes section 13.41, subdivision 4.

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

LICENSEE:

BOARD OF MARRIAGE AND FAMILY
THERAPY COMPLAINT PANEL



Stacie Nelson, LMFT
Licensee

Dated: October 6th, 2015



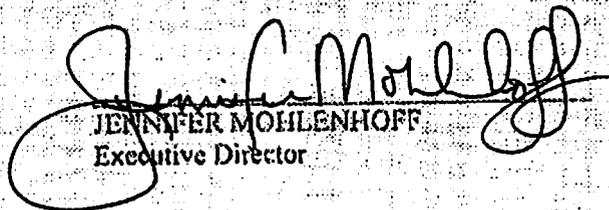
Dennis Morrow, Ph.D.
Board Member

Dated: 13 Oct, 2015

ORDER

Upon consideration of the Stipulation, the Board places Licensee's license in a
SUSPENDED status and adopts all of the terms described above on this 13 day of
October, 2015.

MINNESOTA BOARD OF MARRIAGE
AND FAMILY THERAPY


JENNIFER MOHLENHOFF
Executive Director