



The Minnesota Board of Psychology protects the public through licensure, regulation and education to promote access to safe, competent, and ethical psychological services.

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March 1, 2016

Michael Ward, MA, LP
Dakota Valley Family MHC
6775 Cahill Ave
Inver Grove heights, MN 55076

Dear Mr. Ward:

This letter is your official notification that the Minnesota Board of Psychology Complaint Resolution Committee has completed its review of your compliance with the Agreement for Corrective Action, dated October 3, 2014, and has determined that you have satisfactorily completed the agreed upon corrective action. Therefore, the complaint referenced in the Corrective Action Agreement is closed.

Pursuant to Minnesota Statutes Section 214.103 an Agreement for Corrective Action is a public document and as such becomes a permanent part of a licensee's public file. All other material related to a complaint is classified under the Minnesota Government Data Practices Act as "confidential" while the complaint is in active status and "private" after it is closed. Therefore, such material is not a part of your public licensure file and is not available to the public. Please note, this letter will be included in your public licensure file to reflect your compliance with the Agreement for Corrective Action.

Thank you for your cooperation in this matter.

Sincerely,


Joshua Bramley
Compliance Specialist

**BEFORE THE MINNESOTA
BOARD OF PSYCHOLOGY
COMPLAINT RESOLUTION COMMITTEE**

In the Matter of the License
of Michael D. Ward, M.A., L.P.
License Number: LP4030

**AGREEMENT FOR
CORRECTIVE ACTION**

This agreement is entered into by and between Michael D. Ward, M.A., L.P. ("Licensee"), and the Complaint Resolution Committee of the Minnesota Board of Psychology ("Committee") pursuant to the authority of Minn. Stat. § 214.103, subd. 6(a) (2012). Licensee and the Committee hereby agree as follows:

FACTS

1. This agreement is based upon the following facts:
 - a. Licensee failed to create or maintain adequate records; consequently, Licensee was unable to provide records to a client upon the client's request. For one client, Licensee's records only contained a list of treatment dates and a page of handwritten notes.
 - b. Licensee acknowledged that his records did not meet the minimal requirements of Minnesota Rules 7200.4750, subpart 1 and has since changed his practice to meet those requirements.
2. On August 8, 2014, Licensee met with the Committee to discuss the facts set forth in paragraph 1. Based on the discussion, the Committee views Licensee's practices as inappropriate under Minn. Stat. § 148.941, subs. 2(a)(1) and 2(a)(3) (2012) and Minn. R. 7200.4750, subp. 1 and 7200.5700 (2013), and Licensee agrees that the conduct cited above occurred and constitutes a reasonable basis in law and fact to justify the corrective action described in paragraph 3 below.

CORRECTIVE ACTION

3. Licensee agrees to address the conduct referenced in paragraphs 1 and 2 by taking the following corrective actions:

a. ***Recordkeeping Consultation.*** Licensee shall obtain consultation regarding recordkeeping within 30 days of the date this Agreement for Corrective Action is adopted. The recordkeeping consultation is to continue for a minimum of 12 months. The recordkeeping consultant shall be approved in advance by the Complaint Resolution Committee from a list of at least three names submitted to the Board office by Licensee. Licensee shall cause each consultant listed to submit a current vitae to the Board office for the Committee's review prior to its approval of a consultant. The Committee reserves the right to reject all names submitted by Licensee. If the Committee rejects any names submitted, the Committee may require that Licensee submit additional names as described above or the Committee may provide Licensee with the name of a consultant. Licensee shall have no previous personal or professional relationship with the consultant. The consultant shall develop an individualized training plan to include a recordkeeping audit of a minimum of five client records. The recordkeeping consultant shall submit a report to the Board every three months for a minimum of twelve months. The first report is due three months from the date consultation sessions begin, and all subsequent reports shall be submitted by the first day of the month in which they are due. Each report shall provide and/or address:

- 1) In the first report, a statement that the consultant has reviewed this Agreement for Corrective Action;
- 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 opinion as to Licensee's capacity to understand his professional role;
- 6) In the fourth report, the consultant's assessment of Licensee's ability to conduct himself in a fit, competent, and ethical manner in the practice of psychology as well as whether Licensee exhibits an acceptable comprehension and knowledge of recordkeeping issues encountered in practice; and
- 7) Any other information the consultant believes would assist the Board in its ultimate review of this matter.

b. ***Report on Recordkeeping Consultation From Licensee.*** Within three months of beginning the consultation referenced above, Licensee shall submit a report to the Committee which provides and addresses:

- 1) The dates Licensee began and completed the consultation;
- 2) A brief statement of the topics covered in the consultation;
- 3) A detailed discussion of what Licensee has learned from the consultation, including Licensee's comprehension and knowledge of recordkeeping issues, as well as various ethical issues encountered in practice, and how this course will affect his practice in the future;
- 4) A detailed discussion of each violation that occurred regarding the circumstances described in the Facts section of this agreement, including (a) how Licensee came to violate the recordkeeping rule; (b) the manner in which Licensee violated the recordkeeping rule; (c) the specific harm to specific individuals that resulted or could have resulted from the

recordkeeping rule violation; and (d) how Licensee now believes the recordkeeping rule violations could have been averted;

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

6) Licensee's reasons for believing he is capable of conducting himself in a fit, competent, and ethical manner in the practice of psychology; and

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

c. ***Release of Information.*** Licensee shall also execute releases allowing the Board to exchange data related to this Agreement for Corrective Action with Licensee's consultant, and any other professional Licensee contacts in order to comply with this Agreement.

4. Licensee shall be responsible for all costs incurred as a result of compliance with this agreement.

5. If any due date required by the Agreement for Corrective Action 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. No condition imposed as a remedy by this Agreement for Corrective Action shall be used as a continuing education activity for the purpose of renewal of Licensee's license to practice psychology, unless it is specifically stated in this Agreement for Corrective Action that the condition may be used for this purpose.

OTHER INFORMATION

7. Licensee understands that this agreement does not constitute disciplinary action.

8. Upon Licensee's satisfactory completion of the corrective action referenced in paragraph 3, the Committee agrees to dismiss the complaint(s) referenced in paragraph 1. Licensee agrees that the Committee shall be the sole judge of satisfactory completion. Licensee understands and further agrees that if, after dismissal, the Committee receives additional complaints similar to the facts in paragraph 1, the Committee may reopen the dismissed complaint(s).

9. If Licensee fails to complete the corrective action satisfactorily, or if the Committee receives additional complaints similar to the facts described in paragraph 1, the Committee may, at its discretion, reopen the investigation and proceed according to the Board's practice act and Minn. Stat. chs. 214 and 14. Licensee agrees that the Committee will be the sole judge of satisfactory completion. Licensee understands and further agrees that if, after dismissal, the Committee receives additional complaints similar to that referenced in the Facts section, the Committee may reopen the dismissed complaint. In any subsequent proceeding, the Committee may use as proof of the facts of paragraph 1 Licensee's agreements herein. Licensee agrees that failure to complete corrective action satisfactorily constitutes failure to cooperate under Minn. Stat. § 148.941, subd. 4, and may subject Licensee to disciplinary action by the Board.

10. Licensee has been advised by Committee representatives that Licensee may choose to be represented by legal counsel in this matter. Although aware of this opportunity, Licensee has elected not to be represented by counsel. The Committee is represented by Sara P. Boeshans, Assistant Attorney General.

11. This agreement shall become effective upon execution by the Committee and shall remain in effect until the Committee dismisses the complaint, unless the Committee receives additional information that renders corrective action inappropriate. Upon receipt of such information, the Committee may, at its discretion, proceed according to the Board's practice act and Minn. Stat. chs. 214 and 14.

12. Licensee understands and acknowledges that this agreement and any letter of dismissal are classified as public data.

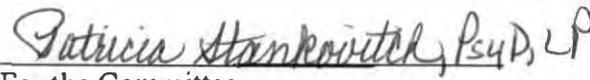
13. Licensee hereby acknowledges having read and understood this agreement and having voluntarily entered into it. This agreement contains the entire agreement between the Committee and Licensee, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this agreement.

LICENSEE

MINNESOTA BOARD OF PSYCHOLOGY
COMPLAINT RESOLUTION COMMITTEE



MICHAEL D. WARD



For the Committee

Dated: 10/2/14

Dated: 10/3/14