

BEFORE THE MINNESOTA  
BOARD OF PSYCHOLOGY

In the Matter of  
Michael Appleman, M.A., LP  
License No. 750

STIPULATION AND  
CONSENT ORDER

IT IS HEREBY STIPULATED AND AGREED by Michael Appleman, M.A., LP (Licensee) and the Minnesota Board of Psychology (Board) that without trial or adjudication of any issue of fact or law herein and without any evidence or admission by any party with respect to any such issue:

1. On December 23, 1991, a Notice Of Conference With Board Of Psychology Discipline Committee was duly served upon Licensee, receipt of which is hereby acknowledged by Licensee;

2. On February 3, 1992, Licensee and his attorney, David L. Valentini, appeared before the Board Discipline Committee composed of Isabel Harris and Gretchen Goff, Board members, to discuss allegations made in the notice referenced above. Tracey E. Burton, Special Assistant Attorney General, represented the Board at the conference. Marilyn J. Arneson, Board staff member, was also present at the conference;

3. Licensee expressly waives the formal hearing and all other procedures before the Board to which Licensee may be entitled under the Minnesota or United States constitutions, statutes, or rules of the Board;

4. This Stipulation And Consent Order shall constitute the entire record of this matter and shall be filed with the Board prior to its next meeting;

5. In the event the Board in 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this settlement or a lesser remedy than indicated in this settlement, then and in that event this stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party to this stipulation, except that Licensee agrees that should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;

6. Licensee does not contest the facts as stated below and grants that the Board may, for the purpose of reviewing the record in paragraph 4 above, consider the following as true without prejudice to him in any current or future proceedings of the Board with regard to these or other allegations:

a. Licensee has entered into the following Stipulation and Consent Orders with the Board:

- 1) January 17, 1980;
- 2) April 30, 1980;
- 3) May 19, 1980;
- 4) June 3, 1983.

b. On September 14, 1990, the Board issued a Stipulation for and Order of Reprimand to Licensee for misrepresentation of his professional qualifications;

c. On October 15, 1990, Licensee's employer was informed of the disciplinary action taken by the Board. An investigation was conducted by Licensee's employer at Group Health and Riverside Medical Center to determine if Licensee had notified anyone at those facilities of the reprimand of the Board and that he should not be addressed as "Doctor." The investigation determined that Licensee had not advised anyone. In addition, the employer discovered that Licensee continued to use initials "Ph.D" and the designation "Doctor." Licensee's employment was terminated on November 15, 1990, for continuing to misrepresent himself since the September 12, 1990 being reprimanded by the Board and consistently misrepresenting his professional qualifications since his date of hire on May 22, 1984. It was only following Licensee's discharge from Group Health, Inc. that Licensee notified the Board of the affirmative action he was taking to comply with the Board order.

7. Licensee does not contest that the facts and conduct specified in paragraph 6 above, constitute a violation of Minn. Stat. § 148.98 (1992) and Minn. R. 7200.5100, subp. 2 (1991), justify disciplinary action against his license, and constitute a reasonable basis in law and fact to justify the disciplinary action provided for in the order;

8. Upon this stipulation and record, as set forth in paragraph 4 above, and without any further notice of proceedings, the Board places Licensee's license in a conditional status. Licensee's retention of his license is conditional upon his complying with and/or submitting or causing to be submitted at least the following:

a. Licensee shall submit to the Board, for as long as he remains licensed, all printed materials, including but not limited to advertising, telephone listings, publications, letterhead, and business cards. Licensee shall submit the materials on December 31, 1993 and thereafter on a quarterly basis on the last day of March, June, September, and December until December 31, 2003. Thereafter, the materials shall be submitted annually with Licensee's application for license renewal;

b. The Board may solicit other information regarding Licensee's representation of his credentials at anytime upon request. Licensee shall cooperate with all requests received from the Board.

9. IT IS FURTHER ORDERED that Licensee may petition the Board at any regularly scheduled meeting after a period of ten years. At the time of his petition, the burden of proof will be upon Licensee to demonstrate by clear and convincing evidence that he is capable of conducting himself in a fit, competent, and ethical manner in the practice of psychology. However, such decision is within the sole discretion of the Board. In order to sustain his burden of proof, Licensee must submit or cause to be submitted at least the materials and information specified in paragraph 8 above;

10. The Board may, at any regularly scheduled meeting at which Licensee has made a timely petition, take any of the following actions:

- a. Remove the conditions attached to the license of Licensee;
- b. Amend the conditions attached to the license of Licensee;

c. Continue the conditions attached to the license of Licensee upon his failure to meet his burden of proof.

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

12. 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 must be approved by the Board. The Board may either approve the stipulation as proposed, approve the 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;

13. If Licensee shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the license of Licensee to practice psychology in the State of Minnesota shall be **SUSPENDED** immediately upon written notice by the Board to Licensee. The suspension shall remain in full force and effect until the Board issues a Final Order following a hearing before the Board on Licensee's petition to terminate. Such hearing will be by affidavit and oral argument only. Licensee may file a petition to terminate with the Board within 30 days of the date of service of an Order for Suspension. Within 30 days of receipt of Licensee's petition to terminate, the Board shall issue its Final Order, which may provide for discipline, including revocation of Licensee's license, as the facts require;

14. 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  
DISCIPLINE COMMITTEE

Michael Appleman M.A.L.P.  
MICHAEL APPELMAN, M.A., LP  
Licensee

Dated: 11/10, 1993

Gretchen Goff M.P.H., LP  
GRETCHEN GOFF, M.P.H., LP  
Board Member

Dated: 12/10, 1993

Peter J Flint Ph.D  
PETER FLINT, Ph.D., LP  
Board Member

Dated: 12/10, 1993

David L. Valentini  
DAVID L. VALENTINI  
Attorney for Licensee

Dated: Nov. 10, 1993

Louis Hoffman  
LOUIS HOFFMAN  
Assistant Attorney General

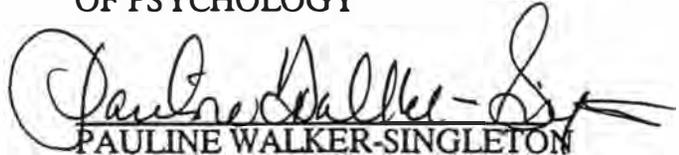
Dated: Nov. 16, 1993

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

IT IS HEREBY ORDERED that the license of Licensee is placed in a  
CONDITIONAL status and that all other terms of this stipulation are adopted and  
implemented by the Board this 10<sup>th</sup> day of Dec, 1993.

MINNESOTA BOARD

OF PSYCHOLOGY

  
PAULINE WALKER-SINGLETON  
Executive Director