MINNESOTA BOARD OF PSYCHOLOGY

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PERSONAL

April 15, 1999

Joseph V. Bailey, M.A., L.P.
1615 Sterling Avenue South
St. Paul, Minnesota 55119

Dear Mr. Bailey:

This letter is notification that the Minnesota Board of Psychology Complaint Resolution Committee has completed its review of your compliance with the Agreement for Corrective Action, dated March 7, 1997, and has determined that you have satisfactorily completed the corrective action agreed upon. Therefore, the complaints referenced in the Corrective Action Agreement are dismissed.

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 part of a licensee's public licensure file and is not available to the public. Please note, however, that this letter dated April 15, 1999, will be included in your public licensure file to reflect your compliance with the Agreement For Corrective Action.

Sincerely,

Marilyn J. Arneson
Regulations Analyst Senior

cc: Ramona Advani, Assistant Attorney General

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

DISCIPLINE COMMITTEE

In the Matter of
the License of
Joseph V. Bailey, M.A., L.P.
License Number: LP1013

AGREEMENT FOR CORRECTIVE ACTION

This agreement is entered into by and between Joseph V. Bailey, M.A., L.P. ("Licensee") and the Discipline Committee of the Minnesota Board of Psychology ("Committee") pursuant to the authority of Minn. Stat. § 214.103, subd. 6(a) (1994). Licensee and the Committee hereby agree as follows:

FACTS

1. Licensee failed to observe and maintain appropriate professional boundaries with clients at the Minneapolis Institute of Mental Health (MIMH) between 1983 and 1993. Licensee also failed to maintain client confidentiality in that he allowed MIMH clerical staff to attend group therapy sessions with clients during which staff obtained private data on clients which was not necessary to perform their jobs. Licensee also has failed to use his academic degree with his license status in representing himself to the public on a sign advertising his professional services. When the omission was brought to Licensee's attention, he had the sign corrected.

2. On January 26, 1996, 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. R. 7200.4700, subp. 1 (failure to safeguard private information obtained in the course of practice); Minn. R. 7200.5700 (unprofessional conduct); and Minn. Stat. § 148.96, subd. 1 (failure to use academic degree with license status) and Licensee agrees that the conduct cited above occurred and constitutes a reasonable basis in law and fact to

justify corrective action. Specifically, Licensee acknowledges and agrees to address his failure to maintain appropriate professional boundaries with clients, his failure to safeguard private information on clients, and his failure to properly represent himself to the public.

CORRECTIVE ACTION

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

a. **Boundaries Course.** Licensee shall successfully complete the individualized professional boundaries training course taught by John Hung, Ph.D., L.P. All fees for the course shall be paid by Licensee. Successful completion shall be determined by the Committee.

b. **Report on Boundaries Course.** Within 30 days of completing the professional boundaries course referenced above, Licensee shall submit a report to the Committee which provides and addresses:

1) the dates Licensee began and completed the boundaries training course;

2) a brief statement of the topics covered in the professional boundaries training course;

3) what Licensee has learned from the boundaries training course, including Licensee's comprehension and knowledge of boundary issues, as well as various ethical issues encountered in practice, and how this course will affect his practice in the future;

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

5) any other information which Licensee believes would assist the Committee in its ultimate review of this matter.

c. **Report on Boundaries Course from Instructor.** Within 60 days of completing the professional boundaries course referenced above, Licensee shall cause to be submitted to the Committee a report from the instructor of the professional boundaries course. This report shall address:

1) the extent of Licensee's participation in the course; and

2) the instructor's assessment of Licensee's knowledge obtained from the course and opinion as to Licensee's recognition of boundary issues and Licensee's ethical fitness to engage in the practice of psychology.

d. **Professional Responsibility Exam.** Licensee shall pass the Board's written test covering the rules of the Board of Psychology and Minnesota Statutes, sections 148.89 to 148.98.

e. **Continuing Education.** Licensee shall complete six continuing education units on the subject of client confidentiality. All credits must be completed by the date for renewal of Licensee's license in 1998.

OTHER INFORMATION

4. 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).

5. 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 Minnesota Statutes chapters 214 and 14. Failure to complete corrective action satisfactorily constitutes failure to cooperate under the Board's practice act.

In any subsequent proceeding, the Committee may use as proof of the facts of paragraph 1 Licensee's agreements herein.

6. Licensee has been advised by Committee representatives that Licensee may choose to be represented by legal counsel in this matter and has so chosen Karla R. Wahl.

7. 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 Minnesota Statutes chapters 214 and 14.

8. Licensee understands that this agreement does not constitute disciplinary action. Licensee further understands and acknowledges that this agreement and any letter of dismissal is classified as public data.

9. 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

JOSEPH V. BAILEY, M.A., L.P.
Licensee

MINNESOTA BOARD OF PSYCHOLOGY
DISCIPLINE COMMITTEE

NORMAN L. JAMES, Ph.D., L.P.
Committee Chair 3-4-97

GERALD T. KAPLAN, M.A., L.P.
3-7-97

Karla R. Wahl

KARLA R. WAHL
Attorney for Licensee
Karla R. Wahl, P.A.
4840 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
(612) 341-8020

Date: Feb. 20, 1997

Jacquelyn E. Albright

JACQUELYN E. ALBRIGHT
Assistant Attorney General
Attorney for Discipline
Committee
Suite 500
525 Park Street
St. Paul, MN 55103-2106
(612) 297-5953

Date: Feb 26, 1997

January 21, 1997
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