

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

In the Matter of  
Laura Barbeau, LMFT  
License No. 2017

**STIPULATION AND  
CONSENT ORDER**

**STIPULATION**

Laura Barbeau, LMFT (“Licensee”), and the Minnesota Board of Marriage and Family Therapy Complaint Panel (“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 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 November 17, 2015, Licensee and her attorney, Jessica J. Theisen, Cousineau McGuire, Minneapolis, Minnesota, appeared before the Complaint Panel, composed of Board members Herb Grant, Ph.D., LMFT, and Dennis Morrow, Ph.D., to discuss allegations made in a Notice of Conference dated October 27, 2015. Caitlin M. Grom, Assistant Attorney General, represented the Complaint Panel at the conference.

**III.**  
**FACTS**

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

a. On January 21, 2011, Licensee was licensed by the Board to practice marriage and family therapy.

b. On or about August 6, 2010, Licensee began providing therapy services for a married couple that included a wife ("Client 1") and husband ("Client 2"). The couple signed a confidentiality agreement that identified the couple as the client.

c. The therapy sessions continued until January 14, 2011. Thereafter, Client 1 and Client 2 divorced.

d. On February 3, 2015, Licensee wrote a letter in support of Client 1 with regard to a parenting time dispute between Client 1 and Client 2. Licensee named Client 1 and Client 2 by their full names.

e. In the letter, Licensee identified herself as the psychotherapist of Client 1 and stated that she saw both Client 1 and Client 2 as a couple in therapy.

f. In the letter, Licensee stated her impressions of Client 2 based on her joint therapy sessions with Client 1 and Client 2. Specifically, Licensee stated that Client 2 exhibited traits of narcissistic personality disorder. Licensee also listed behaviors that she observed in the joint therapy sessions as examples of Client 2's narcissistic personality disorder.

g. Licensee did not complete a formal diagnostic assessment of Client 2.

h. Licensee stated her concern about the negative impact of a narcissistic parent on a child.

i. Licensee wrote her letter on professional letterhead that included her marriage and family therapy credentials. Licensee also signed the letter with her marriage and family therapy credentials.

j. Licensee's letter was provided to court professionals and custody evaluators involved in the parenting time dispute between Client 1 and Client 2.

#### IV.

#### LAWS

5. Licensee acknowledges the conduct described in section III. above constitutes a violation of Minn. Stat. § 148B.37, subd. 1(3), and Minn. R. 5300.0350, subp. 4(S) (engaged in unprofessional conduct); Minn. R. 5300.0350, subp. 6(A) (disclosed private information that the therapist acquired in rendering services to a client); Minn. R. 5300.0350 subp. 5(H) (used any confidence of a client to the client's disadvantage); Minn. R. 5300.0350 subp. 4(A) (performed professional services beyond the therapist's field of competence); Minn. R. 5300.0350 subp. 4 (failed to act in accordance with the highest standards of professional integrity and competence), 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. Reprimand and Civil Penalty

6. The Board **REPRIMANDS** Licensee and imposes a **CIVIL PENALTY** in the amount of \$800. The civil penalty must be paid by cashier's check or money order made payable to the Minnesota Board of Marriage and Family Therapy and must be delivered personally or by certified mail to the Minnesota Board of Marriage and Family Therapy c/o Jennifer Mohlenhoff, Executive Director, 2829 University Avenue SE, Suite 400, Minneapolis, Minnesota 55414. Licensee must pay the civil penalty in quarterly payments of \$200. The first payment is due 60 days from the date of this Order, with subsequent payments due quarterly thereafter.

##### B. Conditions on License

7. The Board places the following conditions on Licensee's license:

a. Completion of Ethics Course. Licensee shall arrange to enroll in, and complete, a three-credit graduate-level ethics course 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. Licensee shall complete the course within one year of the date of the Order.

b. Report on Course From Licensee. Within 30 days of completing the course described in paragraph 7(a) above, Licensee shall submit a written report to the Complaint Panel which provides and/or addresses the following:

- 1) The dates Licensee began and completed the course;
- 2) A brief statement of the topics covered in the course;
- 3) 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.

c. Report on Course From Instructor. Licensee shall cause to be submitted to the Complaint Panel a report from the instructor of the course listed in paragraph 7(a). The report shall address:

- 1) Verification the instructor has reviewed this Order;
- 2) The extent of Licensee's participation in the course; and
- 3) The instructor's assessment of Licensee's knowledge obtained from the course, comprehension of the material issues, and opinion as to Licensee's ability to engage in the practice of marriage and family therapy.

d. Additional Information. Licensee shall provide any additional relevant information reasonably requested by the Complaint Panel.

### **C. Removal of Conditions**

8. The conditions upon Licensee's license will be administratively removed upon completion of the report on course required by paragraphs 7(b) and 7(c) above. The removal is effective upon written notification to Licensee by the Board of the removal of the conditions.

## **VI.**

### **CONSEQUENCES FOR NONCOMPLIANCE OR ADDITIONAL VIOLATIONS**

9. It is Licensee's responsibility to ensure all payments, reports, evaluations, and documentation required to be filed with the Board pursuant to this Stipulation and Consent Order are timely filed by those making the payment or preparing the report, evaluation, or documentation. Failure to make payments or file reports on or before their due date is a violation of this Stipulation and Consent Order. The information contained in the reports, evaluations, and documentation is confidential and shall be submitted to the Board by United States Mail, courier, or personal delivery only.

10. 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 conditional 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, suspension, 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 148B.175, subdivision 7, 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 148B.175, subdivision 8.

## **VII.**

### **ADDITIONAL REQUIREMENTS**

11. In the event Licensee should leave Minnesota to reside or to practice outside of the state, Licensee shall give the Board written notification of the new location, as well as dates of departure and return. Periods of residency and practice outside of Minnesota will not apply to the reduction of any period of Licensee's conditional license in Minnesota unless Licensee demonstrates that the practice in another state conforms completely with this Stipulation and Consent Order. If Licensee leaves the state, the terms of this Order continue to apply unless waived in writing.

## **VIII.**

### **OTHER INFORMATION**

12. 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.

13. 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.

14. 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.

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

16. 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 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.

17. 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.

18. 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 action 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.

## **IX.**

### **DATA PRACTICES NOTICES**

19. 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 Stipulation and Consent 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.

20. 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:

  
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LAURA BARBEAU, LMFT  
Licensee

Dated: Jan 29, 2016

FOR THE COMPLAINT PANEL:

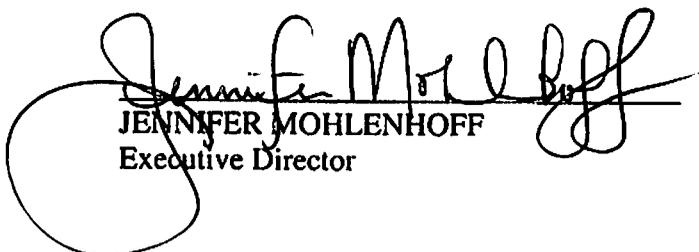
  
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DENNIS MORROW  
Board Member

Dated: 16 FEB, 2016

**ORDER**

Upon consideration of the Stipulation, the Board issues Licensee a **REPRIMAND** and **CIVIL PENALTY**, places Licensee's license in a **CONDITIONAL** status, and adopts all of the terms described above on this 11 day of March, 2016.

MINNESOTA BOARD OF  
MARRIAGE AND FAMILY THERAPY

  
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JENNIFER MOHLENHOFF  
Executive Director