

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

In the Matter of
Deborah Vogt, LMFT
License No. 1405

**STIPULATION AND
CONSENT ORDER**

STIPULATION

Deborah Vogt, 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.

BACKGROUND

3. By letter dated June 20, 2016, the Board requested Licensee's written response to allegations regarding her marriage and family therapy practice. On July 11, 2016, the Board received Licensee's written response. Following a thorough review of all available information, the Complaint Panel, composed of Board members Herb Grant, Ph.D., LMFT, and Dennis Morrow, Ph.D., determined the matter could be resolved by mail with a Stipulation and Consent Order for a Reprimand.

4. Licensee was advised by the Board's representatives that she may choose to be represented by legal counsel in this matter. Peter Van Bergen, Cousineau McGuire, Chartered, represents Licensee. Cody M. Zustiak, Assistant Attorney General, represents the Complaint Panel in this matter.

III.

FACTS

5. This Stipulation and Consent Order is based upon the following facts as found by the Board:

a. On May 20, 2005, Licensee was issued a license to practice as a Licensed Marriage and Family Therapist in Minnesota.

b. On June 17, 2015, while Licensee was employed at a mental health clinic in St. Cloud, Minnesota, Licensee documented completing five diagnostic assessment ("DA") updates for clients who she did not see that day. The DA updates for these five clients were substantially similar to the initial DA updates conducted by the clients' previous therapist.

c. Subsequently, during a review of Licensee's recordkeeping, Licensee's employer noted that a DA update conducted in January 2015 and a DA update conducted in May 2015 for two different clients were substantially similar to the previous DA updates for those two clients conducted by the clients' previous therapist.

IV.

LAWS

6. The Board has determined that the conduct described in section III. above constitutes a violation of Minnesota Statutes section 148B.37, subd. 3 and Minn. R. 5300.0350, subp. (4)N, 148B.37, subd. 3 and Minn. R. 5300.0350, subp. (4)U, and 148B.37, subd. 3 and Minn. R. 5300.0350, subp. (6)L, 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:

7. The Board **REPRIMANDS** Licensee for inaccurate and/or unprofessional conduct in creating and maintaining accurate client treatment and billing records as referenced in section III.

VI.

OTHER INFORMATION

8. 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.

9. 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.

10. 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.

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

12. 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.

13. 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.

14. 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.

VII.

DATA PRACTICES NOTICES

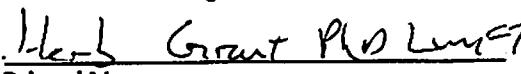
15. This Stipulation and Consent Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5. Therefore, employers and other individuals will be able to see this entire Stipulation and Consent Order by searching Licensee's 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.

16. 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


Deborah Vogt, LMFT
Licensee


Board Member Signature

Printed Name

Dated: 11/18/2016, 2016

Dated: Nov 18, 2016

ORDER

Upon consideration of the Stipulation, the Board Reprimands Licensee's license and adopts all of the terms described above on this 18 day of November, 2016.

Deborah Vogt
MINNESOTA BOARD OF MARRIAGE
AND FAMILY THERAPY


JENNIFER MOHLENHOFF
Executive Director