

1983

STATE OF MINNESOTA
COUNTY OF HENNEPIN

BEFORE THE MINNESOTA
BOARD OF PSYCHOLOGY

In the Matter of
William W. Duffy, PhD,
License No. 17-C-906

SETTLEMENT STIPULATION
FOR ORDER OF
CONDITIONAL LICENSE

IT IS HEREBY STIPULATED AND AGREED by William W. Duffy, PhD (hereinafter "Licensee"), and the Minnesota Board of Psychology (hereinafter "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. A Notice of Conference with the Board Ethics Panel was duly served upon Licensee on the 9th day of March, 1983, receipt of which is hereby acknowledged by Licensee;

2. On March 25, 1983, Licensee appeared before the Board Ethics Panel composed of William Madsen and Norman James, Board members, and Lois E. Mizuno, Executive Secretary of the Board, to discuss allegations made in the Notice of Conference referred to in paragraph 1, hereinabove. Terry P. O'Brien, Special Assistant Attorney General, represented the Board;

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. Although Licensee was several times reminded of his right to counsel, he voluntarily waived such right stating that he understood his right and his waiver;

4. This stipulation shall constitute the entire record herein and shall be filed with the Board prior to its July 15, 1983 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this settlement, or a lesser remedy than indicated in this settlement, then and in that event, this stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party hereto;

6. Licensee does not contest the facts hereinafter and grants that the Board may, for the purpose of reviewing the record as indicated in paragraph 4 herein, 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:

That Licensee failed to comply with the Consent Order of Conditional License issued to him on October 10, 1980, inasmuch as he failed to submit or cause to be submitted the reports required of him in paragraph 2.B of that order on or before April 1, 1982, and on or before October 1, 1982.

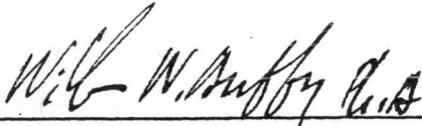
7. Upon this stipulation and record, as set forth in paragraph 4 above, and without any further notice of proceedings, the Board may, in its discretion, issue an Order of Conditional License to Licensee which is attached hereto and made a part hereof;

8. IT IS FURTHER STIPULATED AND AGREED that any appropriate court may, upon application to the Board, enter its decree enforcing the order of the Board referred to in paragraph 7 hereof;

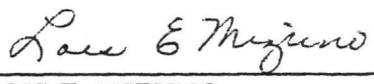
9. Licensee's failure to comply with the conditions listed herein shall constitute unethical conduct;

10. This stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies this stipulation.

BOARD OF PSYCHOLOGY
ETHICS PANEL


WILLIAM W. DUFFY, PhD
Licensee

Dated: 7/7, 1983


LOIS E. MIZUNO
Executive Secretary

Dated: 7/11, 1983

a. Remove the conditions attached to the license of Licensee upon written request of Licensee together with a presentation by Licensee of evidence satisfactory to the Board that he is capable of conducting himself in a fit and competent manner in the practice of psychology, which evidence shall include at least the reports as indicated in paragraph 3, hereinabove;

b. Amend the conditions attached to the license of Licensee upon the written request of Licensee and upon the evidence as specified in paragraph 3, hereinabove;

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



In the matter of the Order of Conditional License issued to William W. Duffy on July 15, 1983, A. Hudson moved, seconded by J. Zilisch, that the conditions upon the license of William W. Duffy be lifted and that an Order of Unconditional License be issued, on the basis of his having met his burden to prove that he has complied in all respects with the Order. Voting "aye": N. Acker, V. Bohlken, A. Hudson, O. Wanglie, J. Zilisch. Voting "nay": none. Abstaining: N. James and W. Madsen as members of the Ethics Panel, C. Dunham, R. Harlow, W. Schofield. There being five ayes and no nays, the motion was carried and the conditions lifted from Dr. Duffy's license.

8. Preliminary Report - Education Requirements Committee

A. Hudson, Chair of the Education Requirements Committee, distributed a preliminary report regarding education requirements for licensure. Discussion followed. A guest remarked that the proposed changes in the rule would effectively eliminate cross-discipline majors from becoming licensed in Minnesota. W. Madsen pointed out that if the rule were to be adopted as drafted, the workload of both staff and Board would increase tremendously, as every application would be subject to careful analysis before the applicant could be admitted to examination, not just applications in which the major is from a department other than psychology as is the case at present. Furthermore, if the proposed rule were to be amended to make it apply only to applicants with majors from other than psychology departments, an objection might be raised that such applicants would have to meet stricter standards than applicants with majors from psychology departments. No decisions were reached and the committee plans to meet again to resolve pending issues.

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BEFORE THE MINNESOTA
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In the Matter of
William W. Duffy, PhD,
License No. 17-C-906

CONSENT ORDER OF
CONDITIONAL LICENSE

The Minnesota Board of Psychology (hereinafter "Board"), having convened on July 15, 1983, to consider the above-referenced matter, and having reviewed the stipulation agreed upon by William W. Duffy, PhD (hereinafter "Licensee"), now issues the following ORDER:

1. IT IS HEREBY ORDERED that the licenses of Licensee as a licensed psychologist and licensed consulting psychologist in the State of Minnesota are hereby placed in conditional status for an indefinite time;

2. IT IS HEREBY ORDERED that Licensee's retention of his licenses is conditional upon his submitting or causing to be submitted to the Board the following reports:

a. A syllabus of conferences scheduled for employees of the Center for Behavior Therapy, Inc., Minneapolis, Minnesota, and the Metropolitan Achievement Centers, Inc., Minneapolis, Minnesota, wherein Licensee has presented ethical standards concerning providing mental health services, the concepts behind these standards, the way in which these standards may be applied to each of the different programs within each corporation. These conferences shall be held approximately every two months for a 12-month period;

b. Copies of the attendance tally evidencing the number of attendees to these conferences and copies of an evaluation of each conference filled out by those who attended the conferences;

c. A handbook developed by Licensee concerning ethical standards for nonlicensed staff and addressing such matters as dealing with vulnerable adults, ethical procedures in the provision of services, and safeguarding confidentiality and clients' rights;

d. A summary written by Licensee concerning his observations and insights into how presenting these conferences has impacted on his understanding and application of the ethical standards and practice;

e. A log or journal evidencing Licensee's continual observation and insight into ethical standards, his adherence to those standards, and an evaluation of the appropriateness of his current standards and the manner or means by which his insight, understanding, and application may be improved. These reports shall include concrete examples when relevant. The log shall consist of approximately one page of single spaced typewritten material per week.

The syllabuses of the conferences addressed in paragraph 2.a, hereinabove, and the log addressed in paragraph 2.e, hereinabove, shall be submitted to the Board every three months following the issuance of this order. The attendance tally sheets, attendees' evaluations, and a copy of the handbook developed as a result of these conferences shall be submitted to the Board at the time Licensee petitions to have the conditions removed from his license;

3. IT IS HEREBY ORDERED that Licensee may apply to the Board to have the conditions removed from his licenses at any regularly scheduled meeting following July 1, 1984. The burden of proof shall be upon Licensee to demonstrate that he has complied in all respects with this order. In order to sustain his burden of proof, Licensee shall submit or cause to be submitted at least the reports and information indicated in paragraph 2, hereinabove;

4. Failure of Licensee to comply with the Order of Conditional License shall be unethical conduct and grounds for further disciplinary action;

5. 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 licenses of Licensee upon written request of Licensee together with a presentation by Licensee of evidence satisfactory to the Board that he has complied in all respects with this order, which evidence shall include at least the reports as indicated in paragraph 2, hereinabove;

b. Amend the conditions attached to the licenses of Licensee upon the written request of Licensee and upon the evidence as specified in paragraph 2, hereinabove;

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

CONSENT:

STATE OF MINNESOTA
BOARD OF PSYCHOLOGY

William W. Duffy Ph.D.
WILLIAM W. DUFFY, Ph.D.
Licensee

Lois E. Mizuno
LOIS E. MIZUNO
Executive Secretary

Dated: 7 July, 1983

Dated: July 15, 1983