

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

In the Matter of
Beth M. Erickson, Ph.D., LMFT
License No. 0132

**STIPULATION
AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Beth M. Erickson, L.M.F.T. (Licensee), and the Minnesota Board of Marriage and Family Therapy ("Board") as follows:

1. During all times herein, Licensee has been and now is subject to the jurisdiction of the Board, from which she holds a license to practice marriage and family therapy in the State of Minnesota.

FACTS

2. Licensee neither admits nor denies the allegations set forth herein, except as specifically noted. However, in the interest of settling this matter and avoiding the necessity for further proceedings, Licensee agrees not to contest the following facts and hence the Board may consider the following facts as true for the purpose of this Stipulation and Order. However, it is the intent of the parties that this Stipulation and Order and the facts set forth herein shall have no collateral estoppel effect, *res judicata* effect, or other preclusive effect, and no evidentiary value in any action or proceeding in any forum or process other than proceedings before the Minnesota Board of Marriage and Family Therapy or another authorized licensing board or licensing

agency. Nothing in this paragraph shall limit or affect the Board's obligation to fulfill any reporting requirements.

a) On September 9, 2002, licensee signed a Stipulation and Consent Order with the Minnesota Board of Psychology in which licensee admitted to sexual conduct on or about March 16, 2001 with a former client with whom she had terminated a therapeutic relationship on or about March 12, 2001.

b) On December 18, 2002, licensee submitted a "License Renewal 2003" form to the Minnesota Board of Marriage and Family Therapy. On that form, licensee checked "No" to a question which asked "Were you ever sanctioned/disciplined by another state licensing board?"

STATUTES AND RULES

3. The Board views Licensee's practices as described in paragraph 2 above to be in violation of statutes and rules enforced by the Board and to constitute violations of Minn. Stat. 148B.07, subd. 7, § 148B.37, subd. 1(1) and (3); and Minn. R. 5300.0350, subps. 4; 4.S.; 5; 5.B.; 5.E.; 5.F.; 5.G.; 5.I.; and 5.J. Licensee agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify disciplinary action.

REMEDY

4. Upon this stipulation and all of the files, records and proceedings herein and without any further notice or hearing herein, Licensee does hereby consent that until further order of the Board, made after notice and hearing upon application by Licensee or upon the Board's own motion, the Board may make and enter an order as follows:

a. Licensee shall **SURRENDER** her license to practice marriage and family therapy in the State of Minnesota. All state licenses and certificates shall be surrendered to the

Board within ten days of the date the terms of this stipulation are adopted and implemented by the Board.

b. Licensee shall not practice, attempt to practice, offer to practice, or advertise or hold out as authorized to practice marriage and family therapy in Minnesota or any other jurisdiction, and shall not use a title or any designation which indicates marriage and family therapy licensure.

c. Licensee shall not practice as an unlicensed mental health practitioner in Minnesota, as defined in Minn. Stat. § 148B.60.

d. Licensee agrees not to reapply for licensure in Minnesota for a period of five years from the date the terms of this stipulation are adopted and implemented by the Board.

e. At the time Licensee applies for reinstatement of her license, she shall obtain a psychological evaluation performed by a mental health professional who has been approved in advance by the Board. Licensee shall be solely responsible for the cost of the evaluation. Any party to this stipulation, at the party's discretion, may submit written information to the evaluator; all such information shall be made available to the other party. The results of the evaluation shall be sent directly to the Board office and shall meet the following requirements:

1) Verification that the evaluator has received a copy of this Stipulation and Order and other information submitted by the Board;

2) A summary of the results of the evaluation and recommendations for treatment, if necessary, the evaluator's opinion whether Licensee is fit to practice with reasonable skill and safety to clients; the evaluator's opinion as to any restrictions that should be placed on Licensee's practice; and

3) Any other information the evaluator believes would assist the Board in its ultimate review of this matter.

f. Licensee's application for re-licensure must include a certified check in the amount of \$6,000.00 made out to the Minnesota Board of Marriage and Family Therapy to reimburse the Board for all or part of the cost of the proceedings resulting in this Stipulation and Order pursuant to Minn. Stat. § 148B.175, subd. 6(7).

g. Licensee shall not be re-licensed in Minnesota until further order of the Board, which may include conditions and/or restrictions on Licensee's license.

ADDITIONAL TERMS

5. This stipulation shall not in any way limit or affect the authority of the Board to initiate administrative contested case proceedings against Licensee on the basis of any act, conduct or omission of Licensee occurring after the date of this stipulation which is not related to the facts, circumstances or requirements referenced above, nor does this stipulation in any way limit or affect the Board's authority to seek injunctive relief or other actions against Licensee for any violation of Minn. Stat. § 148B.32 occurring after the effective date of the Order herein.

6. In the event the Board at its discretion does not approve this settlement, 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.

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

8. Licensee has been advised by Board representatives that she may choose to be represented by legal counsel in this matter.

9. Licensee waives all formal hearings on this matter and all other procedures before the Board to which Licensee may be entitled under the Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

10. Licensee hereby knowingly and voluntarily waives any and all claims against the Board, the Minnesota Attorney General, the State of Minnesota and their agents, employees and representatives which may otherwise be available to Licensee under the Americans With Disabilities Act or the Minnesota Human Rights Act relative to the action taken or authorized against Licensee's license to practice marriage and family therapy under this stipulation.

11. Licensee hereby acknowledges that she 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 she is fully aware that the stipulation shall be approved by the Board. The Board may approve the Stipulation and Consent Order as proposed, approve the Stipulation and Consent 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.

12. This Stipulation and Consent Order constitutes a disciplinary action against Licensee.

13. This Stipulation and Consent Order is a public document (See Minn. Stat. § 13.41, subd. 5). Nothing herein shall preclude the Board from providing copies upon request. The Board may also publish and share the document pursuant to Minn. Stat. §§ 148B.04 and 148B.13, including any data banks that require the reporting of disciplinary actions taken.

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.


Beth M. Erickson, Ph.D., LMFT

Dated: 8/21/, 2003

ORDER

Upon consideration of this Stipulation and all the files, records, and proceedings herein,
IT IS HEREBY ORDERED that Licensee shall **SURRENDER** her license to practice marriage and family therapy, and that all other terms of this stipulation are adopted and implemented by the Board this 19 day of September, 2003.

MINNESOTA BOARD OF
MARRIAGE AND FAMILY THERAPY



ROBERT C. BUTLER
Executive Director