

# MINNESOTA BOARD OF PSYCHOLOGY

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## PERSONAL

June 28, 2011

Theresa Gunderson, Ph.D., LP  
1354 Hunter Square  
Waconia, MN 55387

Dear Dr. Gunderson:

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 May 5, 2011 and has determined that you have successfully completed the corrective action agreed upon. Therefore, the complaint referenced in the Agreement is dismissed.

Because the Agreement for Corrective Action is a public document, a copy of this letter will be included in your public licensure file to reflect your compliance with and completion of the Agreement.

Sincerely,

A handwritten signature in cursive script that reads 'Patricia LaBrocca'.

Patricia LaBrocca  
Regulations Analyst

cc: David P. Bunde, Esq.

**BEFORE THE MINNESOTA  
BOARD OF PSYCHOLOGY  
COMPLAINT RESOLUTION COMMITTEE**

In the Matter of  
Theresa L. Gunderson, Ph.D., L.P.  
License No. LP4545

**AGREEMENT FOR  
CORRECTIVE ACTION**

This agreement is entered into by and between Theresa L. Gunderson, Ph.D., L.P. (“Licensee”), and the Complaint Resolution Committee of the Minnesota Board of Psychology (“Committee”) pursuant to the authority of Minn. Stat. § 214.103, subd. 6(a). Licensee and the Committee hereby agree as follows:

**FACTS**

1. This agreement is based upon the following facts:
  - a. Licensee has been licensed as a psychologist in Minnesota since December 10, 2004.
  - b. On or about July 28 and August 11, 2005, Licensee provided individual psychotherapy to client #1, a minor, and parenting-skills training to client #1’s mother.
  - c. Previously, on or about April 6, 2005, client #1’s mother had taken client #1 to be examined by a pediatrician. During the examination, the pediatrician learned that client #1 had described to her mother a potential incident of sexual abuse by a relative. The pediatrician referred client #1 and her mother to psychologist #1. During intake, psychologist #1 also noted the potential incident of sexual abuse involving client #1. Psychologist #1 documented that the allegation had not been previously reported to social services.
  - d. Neither the pediatrician nor psychologist #1 reported the potential incident of sexual abuse involving client #1 to social services.

e. Psychologist #1 subsequently referred client #1 and her mother to Licensee for parenting-skills training.

f. Prior to meeting with client #1 and her mother, Licensee reviewed at least part of the progress notes and written assessment produced by psychologist #1, which noted the suspected sexual abuse of client #1. On or about July 28 and August 11, 2005, Licensee provided parenting-skills training to client #1's mother.

g. Licensee did not report the potential incident of sexual abuse involving client #1 to social services.

h. During a conference with the Committee, Licensee stated that, based on her recollection, she did not report the potential incident of sexual abuse to social services because she mistakenly believed that it had already been reported by psychologist #1. Licensee did not document this rationale nor the potential source of her mistaken belief.

2. Based on discussions with Licensee, the Committee views Licensee's conduct to be a violation of Minn. Stat. § 626.556, subd. 3, Minn. R. 7200.4700, subp. 11, Minn. Stat. § 148.98, Minn. R. 7200.4500 and Minn. R. 7200.5700. Licensee agrees that the conduct cited above occurred and constitutes a reasonable basis in law and fact to justify the corrective action described in paragraph 3 below.

### **CORRECTIVE ACTION**

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

a. ***Continuing Education.*** Within six (6) months of the date this Agreement is executed, Licensee shall complete a minimum of four (4) hours of continuing education which addresses, at least in part, a licensed psychologist's obligations with respect to reporting maltreatment of a child in Minnesota. Licensee shall submit the proposed continuing

education course for pre-approval by the Committee. If the Committee rejects the course proposed by Licensee, the Committee may require that Licensee submit additional courses for consideration, or the Committee may provide Licensee with suggested courses or an alternate form of continuing education in lieu of the course.

b. ***Licensee's Own Report.*** Within two (2) weeks of completing the continuing education required in paragraph 3.a., Licensee shall submit a report to the Committee which provides and/or addresses:

1) A brief statement of the topics discussed during the continuing education;

2) What Licensee has learned from the continuing education, including her own statement as to how she would have conducted herself differently with respect to the facts described in paragraph 1;

3) How Licensee has changed or will change her practice with respect to her mandated obligation to report child maltreatment; and

4) Any other information Licensee believes would provide the Committee with additional insight regarding this matter.

4. Licensee shall be responsible for all costs incurred as a result of compliance with this agreement.

5. If any due date required by the Agreement for Corrective Action is not met, the Committee may fine Licensee \$100 per violation. Licensee shall pay the fine and correct the violation within five days after service on Licensee of a demand for payment and correction. If Licensee fails to do so, the Committee may impose additional fines not to exceed \$500 per violation. The total of all fines may not exceed \$5,000. Licensee waives the right to seek review of the imposition of these fines under the Administrative Procedure Act, by *writ of certiorari*

under Minn. Stat. § 480A.06, by application to the Board, or otherwise. Neither the imposition of fines nor correction of the violation will deprive the Board of the right to impose additional discipline based on the violation.

6. No condition imposed as a remedy by this Agreement for Corrective Action shall be used as a continuing education activity for the purpose of renewal of Licensee's license to practice psychology.

#### **OTHER INFORMATION**

7. Licensee understands that this agreement does not constitute disciplinary action.

8. Upon Licensee's satisfactory completion of the corrective action referenced in paragraph 3, the Committee agrees to dismiss the complaint 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.

9. 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 Minn. Stat. chs. 214 and 14. In any subsequent proceeding, the Committee may use as proof of the facts of paragraph 1 Licensee's agreements herein. Licensee agrees that failure to complete corrective action satisfactorily constitutes failure to cooperate under Minn. Stat. § 148.941, subd. 4, and may subject Licensee to disciplinary action by the Board.

10. Licensee has been advised by Committee representatives that Licensee may choose to be represented by legal counsel in this matter and has so chosen David P. Bunde, Esq. The Committee is represented by Benjamin R. Garbe, Assistant Attorney General.

11. 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 Minn. Stat. chs. 214 and 14.

12. Licensee understands and acknowledges that this agreement and any letter of dismissal are classified as public data.

13. 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.

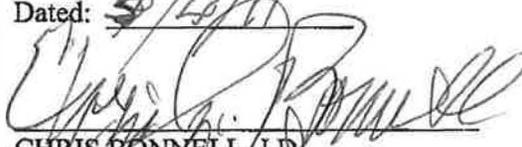
LICENSEE

MINNESOTA BOARD OF PSYCHOLOGY  
COMPLAINT RESOLUTION COMMITTEE

  
\_\_\_\_\_  
THERESA L. GUNDERSON, Ph.D., L.P.

  
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JEAN WOLF, Ph.D., L.P.  
Committee Chair

Dated: 4/18/11

Dated: 5/18/11  
  
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CHRIS BONNELL, J.D.  
Committee Member

Dated: 5/18/11