

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

In the Matter of the License of
Jan Hoistad, Ph.D., L.P.
License No.: LP2675

**AGREEMENT FOR
CORRECTIVE ACTION**

This agreement is entered into by and between Jan Hoistad, 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. For purposes of this agreement for corrective action, the parties agree that there is evidence to prove the following:
 - a. On, or about June 11, 1979, the Board licensed Licensee to practice psychology in the State of Minnesota.
 - b. In 2021 Licensee provided applied psychological services to a business located in New Orleans, Louisiana. The business was owned by four individuals. Licensee is not licensed to practice psychology in Louisiana.
 - c. Licensee conducted individual and group sessions with the four owners.
 - d. One of the owners ("Client #1") confided in Licensee that she had was legally disabled, has been diagnosed with PTSD in the past, and that she believed she was also on the autism spectrum. Licensee was unsympathetic to Client #1's mental health circumstances.

e. Licensee helped organize and facilitate a meeting at which Client #1 and another owner were confronted and asked to leave the business. Licensee encouraged this action and encouraged Client #1 not to challenge it. This development was detrimental to Client #1's interests.

f. Client #1 attempted to contact Licensee following this situation and Licensee did not respond.

2. The conduct described above constitutes a violation of Minn. Stat. § 148.941, subd. 2(a)(1) (violated a statute, rule, or order that the Board issued or is empowered to enforce); Minn. Stat. § 148.941, subd. 2(a)(3) and Minn. R. 7200.5700 (engaged in unprofessional conduct).

CORRECTIVE ACTION

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

a. **Consultation.** Licensee shall obtain one-on-one professional consultation from a Minnesota licensed psychologist who specializes in industrial and organizational psychology who provides applied psychological services in a work setting, to discuss the facts of this case and other similar situations and how to avoid a similar situation in the future.

Licensee shall submit the *curriculum vitae* of her proposed professional consultant for pre-approval by the Committee within 30 days of the date this Agreement becomes effective. Licensee shall select a consultant with whom he has had no previous personal or professional relationship. The Committee reserves the right to reject the consultant proposed by Licensee. If the Committee rejects the consultant proposed by Licensee, the Committee may require that Licensee submit additional names.

Licensee must begin consultation within 30 days of approval of her proposed consultant. For a period of 9 months, Licensee shall meet with the consultant for a minimum of at least two hours per month.

Consultant Report. License shall have the consultant submit a report to the Board on a quarterly basis. The reports shall provide and/or address:

- 1) A statement that the consultant has reviewed this Agreement and any other data deemed relevant by the Committee;
- 2) The dates on which consultations were held with Licensee;
- 3) Licensee's active participation in each consultation;
- 4) The issues discussed in each consultation;
- 5) The consultant's assessment of Licensee's understanding and ability to deal with the issues covered by the consultation; and Licensee's understanding of how to apply her knowledge of these issues, and any other issues covered during consultation, to her practice;
- 6) The consultant's opinion as to Licensee's understanding of the issues that gave rise to this Agreement and the topics covered in the consultation; and
- 7) Any other information the consultant believes would assist the Board in its ultimate review of this matter.

Self-Report. At the conclusion of the consultations, Licensee shall have 30 days to submit a report to the Board herself. The report shall provide and/or address:

- 1) A brief statement of the topics discussed at each consultation session;

2) What Licensee has learned from the consultations, including her own statement as to her comprehension and knowledge of the issues that gave rise to this Agreement and covered in the consultation;

3) A statement as to how Licensee has changed or will change her practice as a result of the knowledge and skills obtained or honed through the consultation; and

4) Any other information Licensee believes would assist the Board in its ultimate review of 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, unless it is specifically stated in this Agreement for Corrective Action that the condition may be used for this purpose.

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(s) 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(s).

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. Licensee agrees that the Committee will be the sole judge of satisfactory completion. Licensee understands and further agrees that if, after dismissal, the Committee receives additional complaints similar to that referenced in the Facts section, the Committee may reopen the dismissed complaint. 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. Licensee is represented by Thomas Pearson, Esq. The Committee is represented by Nicholas Lienesch, Assistant Attorney General.

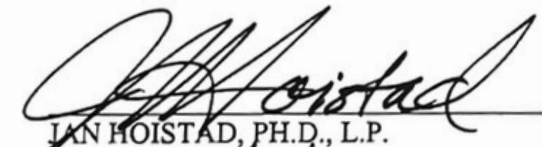
11. This agreement shall become effective upon execution by the Committee and shall remain in effect until the Committee dismisses the complaint, unless the Committee receives

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.

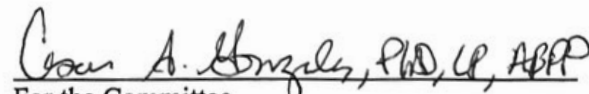
12. Licensee understands and acknowledges that this agreement and any letter of dismissal are classified as public data.

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


JAN HOISTAD, PH.D., L.P.
Dated: 5/5/2023

MINNESOTA BOARD OF PSYCHOLOGY
COMPLAINT RESOLUTION COMMITTEE


For the Committee
Dated: 6/6/2023