

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

In the Matter of
Amy Lee-Jones, LMFT
License No. 1582

STIPULATION AND CONSENT ORDER

IT IS HEREBY STIPULATED AND AGREED by Amy Lee-Jones, LMFT ("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. For the purpose of this stipulation, the Board considers the following facts as true:
a. Licensee provided individual and family counseling services to Client #1, a teenage boy, and Client #2, the boy's mother, between January 11, 2011 and April 7, 2013.

b. When Licensee found out that Client #1 was struggling in school, Licensee recommended several schools to which Client #1 could transfer, including the school ("School") that Licensee's son and daughter attended. Licensee told Client #1 that Licensee's son and daughter attended the School.

c. Client #1 enrolled in the School in October 2011. Licensee asked Client #1 to maintain a normal peer relationship with Licensee's son and daughter.

d. Licensee sometimes took telephone calls from Client #1 in the evening, and spoke to Client #1 about issues related to his therapy while Licensee's family members were close by.

e. In February 2013, Client #1 attended a school-related two-day seminar. During that trip, Licensee's son bullied Client #1 and told Client #1 that Licensee's son knew that Licensee was Client #1's therapist.

f. Client #1 reported the bullying to Licensee at a counseling session on February 12, 2013. Licensee told Client #1 that Licensee's son would never engage in such behavior.

g. On or about March 27, 2013, Client #1 and Licensee's daughter began a romantic relationship.

h. Licensee's son was angry that his sister was romantically involved with Client #1, and on or about April 5, 2013, Licensee's son told classmates that he was going to bring a gun to a school festival and shoot Client #1.

i. Client #1 told Licensee about her son's threat, and Licensee denied that her son would make such a threat, blamed Client #1 for causing the situation by becoming romantically involved with Licensee's daughter, and demanded that Client #1 apologize to Licensee's son.

j. On April 7, 2013, Client #1 and Client #2 ended their therapeutic relationship with Licensee.

REGULATIONS

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 constitutes a reasonable basis in law and fact to justify the disciplinary action provided for in this Stipulation and Consent Order. The statutes and rules violations include:

a. Engaging in unprofessional conduct, in violation of Minn. R. 5300.0350, subp. 4(S).

b. Failing to avoid dual relationships with clients that could impair the therapist's professional judgment, in violation of Minn. R. 5300.0350, subp. 5(B).

c. Providing services to a client when the therapist's objectivity or effectiveness was impaired, in violation of Minn. R. 5300.0350, subp. 5(J).

d. Failing to inform a client of a divergence of interests, values, attitudes, or biases between a client and the therapist that is sufficient to impair their professional relationship, in violation of Minn. R. 5300.0350, subp. 5(L).

e. Disclosing private information that the therapist acquired in rendering services to the client, in violation of Minn. R. 5300.0350, subp. 6(A).

REMEDY

4. Upon the foregoing facts and all the files, records, and proceedings herein, the board determines that disciplinary action is warranted. Without further notice or hearing, the Board enters an order as follows:

a. The Board hereby **SUSPENDS** Licensee's license to practice marriage and family therapy in the state of Minnesota for a period of two years, effective as of the date of this Order. During the period of suspension, Licensee shall not practice marriage and family therapy in any manner, shall neither offer nor provide marriage and family therapy services of any kind within Minnesota, and shall not use the designation "licensed marriage and family therapist," "LMFT," or any other designation that implies that Licensee is eligible to practice marriage and family therapy in the state of Minnesota.

b. Following 30 days from the date of this Order, Licensee's suspension shall be **STAYED**, so long as Licensee complies with the following conditions:

1) Within 120 days of the date of this Order, Licensee shall enroll in a preapproved individualized training course (the "Course") focusing on treating minors and on ethics, including multiple relationships. The Board Complaint Panel ("Complaint Panel") can provide Licensee with an approved professional or the Licensee may seek Complaint Panel approval for an individualized training course that the Licensee selects. To secure approval of a licensee-selected course, Licensee shall submit to the Complaint Panel an official course description, as well as the instructor's name and applicable credentials. The Complaint Panel

may also require a syllabus that includes the course's goals, objectives, assignments, projects, methods, and frequency of evaluation, as well as any additional information required to evaluate the course for approval.

2) Licensee shall complete the Course within 12 months of the date of this Order. All fees for the course shall be paid by the Licensee. Licensee must provide the Complaint Panel with written documentation from the Course provider that confirms successful completion of the Course.

3) During the period of stay of suspension, Licensee's cases with clients who cannot consent to treatment, including, but not limited to minors and vulnerable adults, must be supervised by a preapproved LMFT supervisor who specializes in working with minors. Licensee's supervisor must be approved in advance by the Complaint Panel from a list of at least three names Licensee shall submit to the Complaint Panel. Licensee shall cause each proposed supervisor to submit a curriculum vitae to the Board for the Complaint Panel's review prior to its approval of a supervisor.

The Complaint Panel reserves the right to reject all names submitted by Licensee. If the Complaint Panel rejects any names submitted, the Complaint Panel may require that Licensee submit additional names as described above, or the Panel may provide Licensee with the name of a supervisor. Licensee shall have no previous personal or professional relationship with the supervisor. Licensee shall not provide marriage and family therapy to clients who cannot consent to treatment until a supervisor has been approved by the Complaint Panel and retained by Licensee. Licensee shall meet with the supervisor no less than twice per month for a minimum of two hours per session. The purpose of the meetings is to address and review issues that shall be contained within the supervisor's reports as follows:

4) Supervisor's Reports. The supervisor shall provide a report to the Complaint Panel every three months and at the time Licensee petitions to remove the stay of suspension. The first report is due three months from the date supervision begins, and all

subsequent reports shall be submitted on the first day of the month in which they are due. Each report shall provide and/or address:

i) In the first report, evidence Licensee's supervisor has received and reviewed a copy of this Stipulation and Order;

ii) Dates on which supervision took place with Licensee;

iii) The method by which supervision was conducted;

iv) A statement that all cases have been reviewed, a description of any problems discovered in the review, and the resolution of the problems;

v) The supervisor's opinion as to Licensee's ability to provide competent services;

vi) Any other information the supervisor believes would assist the Board in its ultimate review of this matter; and

vii) At the time Licensee petitions for removal of the stay of suspension, the supervisor's report shall include an assessment of Licensee's ability to conduct herself in a fit, competent, and ethical manner in the practice of marriage and family therapy as well as whether Licensee exhibits an acceptable comprehension and knowledge of issues associated with treating minors and with multiple relationships as well as the ability to apply this knowledge.

c. The Board hereby **REVOKES** Licensee's Supervisor status. As of the date of this Order, Licensee shall not act, offer, practice, advertise, or hold herself out as a Board-approved Supervisor authorized to supervise applicants seeking licensure by the Board, nor shall Licensee use any credentials which indicate that she is authorized to act as a Supervisor. Licensee may not apply for reinstatement of her Supervisor status for a period of at least 2 years from the date of this Order. Licensee must meet with the Complaint Panel prior to applying for reinstatement of Licensee's Supervisor status. Licensee's Supervisor status may be reinstated, if at all, as the evidence dictates and based upon the need to protect the public. The burden of proof shall be upon Licensee to demonstrate by a preponderance of the evidence that

she is capable of conducting herself in a fit and competent manner in the supervision of marriage and family therapy. The Complaint Panel may require Licensee to provide any additional information relevant to Licensee's petition reasonably requested by the Complaint Panel.

5. Removal of Stayed Suspension. Licensee may petition for removal of the stay of suspension at any regularly scheduled Board meeting following the conclusion of Licensee's stayed suspension. Licensee's stayed suspension may be removed, if at all, as the evidence dictates and based upon the need to protect the public. The burden of proof shall be upon Licensee to demonstrate by a preponderance of the evidence that Licensee is capable of conducting herself in a fit and competent manner in the practice of marriage and family therapy. Before petitioning for removal of the stayed suspension, Licensee shall meet with the Complaint Panel to review her petition and any evidence in support of the petition. The Board may, at any regularly scheduled meeting following Licensee's petition for removal of the stayed suspension, remove the stayed suspension, remove the stayed suspension with limitations placed upon the scope of Licensee's practice and/or conditional upon further reports to the Board, or continue the stayed suspension of Licensee's license based upon Licensee's failure to meet the burden of proof. Licensee shall provide any additional information relevant to her petition reasonably requested by the Complaint Panel.

CONSEQUENCES FOR NONCOMPLIANCE OR ADDITIONAL VIOLATIONS

6. If Licensee fails to comply with or violates this Stipulation and Consent Order the Complaint Panel may, in its discretion, seek additional discipline either by initiating a contested case proceeding pursuant to Minnesota Statutes chapter 14 or by bringing the matter directly to the Board pursuant to the following procedure:

a. The Complaint Panel shall schedule a hearing before the Board. At least 20 days before the hearing, the Complaint Panel shall mail Licensee a notice of the violation(s) alleged by the Complaint Panel. In addition, the notice shall designate the time and place of the hearing. Within ten days after the notice is mailed, Licensee shall submit a written response to

the allegations. If Licensee does not submit a timely response to the Board, the allegations may be deemed admitted.

b. The Complaint Panel, in its discretion, may schedule a conference with Licensee prior to the hearing before the Board to discuss the allegations and to attempt to resolve the allegations through agreement.

c. Prior to the hearing before the Board, the Complaint Panel and Licensee may submit affidavits and written argument in support of their positions. At the hearing, the Complaint Panel and Licensee may present oral argument. Argument shall not refer to matters outside the record. The evidentiary record shall be limited to the affidavits submitted prior to the hearing and this Stipulation and Consent Order. The Complaint Panel shall have the burden of proving by a preponderance of the evidence that a violation has occurred. If Licensee has failed to submit a timely response to the allegations, Licensee may not contest the allegations, but may present argument concerning the appropriateness of additional discipline. Licensee waives a hearing before an administrative law judge, discovery, cross-examination of adverse witnesses, and other procedures governing hearings pursuant to Minnesota Statutes chapter 14.

d. Licensee's correction of a violation before the conference, hearing, or meeting of the Board may be taken into account by the Board but shall not limit the Board's authority to impose discipline for the violation. A decision by the Complaint Panel not to seek discipline when it first learns of a violation shall not waive the Complaint Panel's right to later seek discipline for that violation, either alone or in combination with other violations, at any time while Licensee's license is in a limited and conditional status.

e. Following the hearing, the Board will deliberate confidentially. If the allegations are not proved, the Board shall dismiss the allegations. If a violation is proved, the Board may impose additional discipline, including, but not limited to, additional conditions or limitations on Licensee's practice, suspension, or revocation of Licensee's license.

7. 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.

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

9. Licensee has been advised by Board representatives that she may choose to be represented by legal counsel in this matter, and is represented by Jessica J. Theisen, Esq. The Complaint Panel is represented by Nicholas Lienesch, Assistant Attorney General.

10. 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.

11. 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 as a licensed marriage and family therapist under this stipulation.

12. 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 she is fully aware the stipulation is not binding unless and until it is approved by the Board.

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

14. This Stipulation and Consent Order is a public document and will be sent to all appropriate data banks and entities consistent with Board policy.

15. This Stipulation and Consent Order contains the entire agreement between the parties there being no other agreement of any kind, verbal or otherwise, which varies this stipulation.

LICENSEE

FOR THE COMPLAINT PANEL



Amy Lee-Jones, LMFT



Board Member

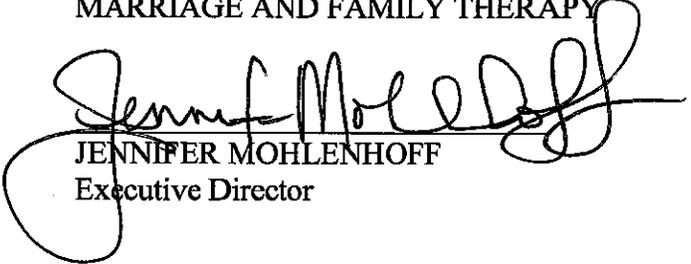
Dated: 1/14/2015

Dated: 16 JAN 2015

ORDER

Upon consideration of this stipulation and all the files, records, and proceedings herein,
IT IS HEREBY ORDERED that the Board accepts this stipulation and that all other terms of this
stipulation are adopted and implemented by the Board this 16 day of January,
2015.

MINNESOTA BOARD OF
MARRIAGE AND FAMILY THERAPY



JENNIFER MOHLENHOFF
Executive Director