

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

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

**STIPULATION AND
CONSENT ORDER**

STIPULATION

Amy Lee-Jones, LMFT (“Licensee”), and the Complaint Panel of the Minnesota Board of Marriage and Family Therapy (“Complaint Panel”) agree the above-referenced matter may be resolved without trial of any issue or fact as follows:

I.

JURISDICTION

1. The Minnesota Board of Marriage and Family Therapy (“Board”) is authorized pursuant to Minnesota Statutes sections 148B.07 to 148B.48 to license and regulate marriage and family therapists and to take disciplinary action as appropriate.

2. Licensee holds a license from the Board to practice marriage and family therapy in the State of Minnesota and is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation and Consent Order.

II.

BACKGROUND

3. On December 7, 2015, the Board issued a Notice of Removal of Stay of Suspension, Imposition of Suspension, and Hearing (“Notice”) scheduling a hearing on January 15, 2016. On January 11, 2016, the Complaint Panel received Licensee’s written response.

Following a thorough review of all available information, the Complaint Panel, composed of Board members Herb Grant, Ph.D., LMFT and Dennis Morrow, Ph.D., determined that this matter could be resolved by mail with a Stipulation and Consent Order.

4. Licensee was advised that she may choose to be represented by legal counsel in this matter. Licensee knowingly waived legal representation. The Complaint Panel was represented by Caitlin M. Grom, Assistant Attorney General.

III.

FACTS

5. The parties agree this Stipulation and Consent Order is based upon the following facts:

a. On January 16, 2015, the Board adopted a Stipulation and Consent Order (“2015 Consent Order”) suspending Licensee’s license to practice marriage and family therapy for two years but staying the suspension after 30 days so long as Licensee complied with the requirements listed in the 2015 Consent Order. The 2015 Consent Order was based on Licensee’s unprofessional conduct, failure to avoid dual relationships, providing services to a client when the therapist’s objectivity or effectiveness were impaired, failing to inform a client of a divergence of interests, values, attitudes or biases, and disclosing private information that the therapist acquired in rendering services to a client. The 2015 Consent Order required, among other things, Licensee to enroll in a preapproved individualized training course within 120 days and complete the class within 12 months of the 2015 Consent Order.

b. Licensee failed to enroll in a preapproved individualized training course within 120 days and failed to complete the class within 12 months of the 2015 Consent Order.

c. The Complaint Panel determined that Licensee's failure to enroll or complete the individualized training class warranted suspension of her marriage and family therapy license.

IV.

LAWS

6. Licensee acknowledges the conduct described in section III. above constitutes a violation of Minn. Stat. § 148B.37 and Minn. R. 5300.0350, Subdivision 4(S), and justifies the disciplinary action described in section V. below.

V.

DISCIPLINARY ACTION

The parties agree the Board may take the following disciplinary action and require compliance with the following terms:

7. The Board hereby **RESCINDS** the January 16, 2015 Stipulation and Consent Order which shall have no future force or effect.

A. Suspension

8. The Board **SUSPENDS** Licensee's license to practice marriage and family therapy for an indefinite period of time. 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. Reinstatement of License

9. Licensee may petition for reinstatement of her license at any regularly scheduled Board meeting. At time of Licensee's petition, Licensee may be required to meet with a

Complaint Panel. The burden of proof shall be upon Licensee to demonstrate by a preponderance of the evidence that she is capable of practicing marriage and family therapy in a fit and competent manner. At the time of Licensee's request, Licensee shall comply with, at a minimum, the following:

a. Self Report. Licensee shall submit to the Board a report from Licensee herself. The report shall be submitted at the time Licensee petitions for reinstatement of her license. The report shall provide and address:

- 1) Licensee's work schedule;
- 2) Licensee's future work plans in marriage and family therapy and the steps she has taken to prepare herself to return to the practice of marriage and family therapy; and
- 3) Any other information Licensee believes would assist the Board in its ultimate review of this matter.

b. Report from Employer. During the petition process, if requested by Board staff, Licensee must cause to be submitted to the Board a report from any employer who has employed Licensee while this Order is in effect. The report(s) are due within one month of any such request from the Board. The report(s) must provide and address:

- 1) Licensee's ability to perform assigned tasks, and if any performance deficiencies are identified, the actions taken to address them;
- 2) Licensee's attendance and reliability;
- 3) Licensee's typical work schedule;
- 4) Any other information reasonably requested by the Board; and
- 5) Any other information the employer believes would assist the Board in its ultimate review of this matter.

c. Completion of Individualized Training Course. Licensee shall enroll in a preapproved individualized training course focusing on treating minors and on ethics including multiple relationships. To secure approval of a 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. All fees for the course shall be paid by Licensee. Successful completion of the course shall be determined at the sole discretion of the Complaint Panel.

d. Additional Information. Licensee shall provide any additional information reasonably requested by the Complaint Panel.

e. Licensure Requirements. Licensee shall meet all licensure requirements in effect at the time of her petition for reinstatement, including but not limited to completing the appropriate application, paying requisite fees, and completing any necessary continuing education requirements.

10. The Board may, at any regularly scheduled meeting following Licensee's petition for reinstatement pursuant to paragraph 9 above, take any of the following actions:

a. Grant Licensee a license to practice marriage and family therapy;

b. Grant Licensee a license to practice marriage and family therapy with limitations upon the scope of Licensee's practice and/or with conditions for Licensee's practice;
or

c. Continue the suspension of Licensee's license upon her failure to meet the burden of proof.

VI.

CONSEQUENCES FOR NONCOMPLIANCE OR ADDITIONAL VIOLATIONS

11. It is Licensee's responsibility to ensure all payments, reports, evaluations, and documentation required to be filed with the Board pursuant to this Stipulation and Consent Order are timely filed by those making the payment or preparing the report, evaluation, or documentation. Failure to make payments or file reports on or before their due date is a violation

of this Stipulation and Consent Order. The information contained in the reports, evaluations, and documentation is confidential and shall be submitted to the Board by United States Mail, courier, or personal delivery only.

12. 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 suspended 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 additional conditions or limitations on Licensee's practice, an additional period of suspension, additional conditions of reinstatement, or revocation of Licensee's license.

VII.

ADDITIONAL INFORMATION

13. Licensee waives the contested case hearing and all other procedures before the Board to which Licensee may be entitled under the Minnesota and United States constitutions, statutes, or rules.

14. Licensee waives any claims against the Board, the Minnesota Attorney General's Office, the State of Minnesota, and their agents, employees, and representatives related to the investigation of the conduct herein, or the negotiation or execution of this Stipulation and Consent Order, which may otherwise be available to Licensee.

15. This Stipulation and Consent Order, the files, records, and proceedings associated with this matter shall constitute the entire record and may be reviewed by the Board in its consideration of this matter.

16. Either party may seek enforcement of this Stipulation and Consent Order in any appropriate civil court.

17. Licensee has read, understands, and agrees to this Stipulation and Consent Order and has voluntarily signed the Stipulation and Consent Order. Licensee is aware this Stipulation and Consent Order must be approved by the Board before it goes into effect. The Board may either approve the Stipulation and Consent Order as proposed, approve it subject to specified change, or reject it. If the changes are acceptable to Licensee, the Stipulation and Consent Order will take effect and the order as modified will be issued. If the changes are unacceptable to Licensee or the Board rejects the Stipulation and Consent Order, it will be of no effect except as specified in the following paragraph.

18. Licensee agrees that if the Board rejects this Stipulation and Consent Order or a lesser remedy than indicated in this settlement, and this case comes again before the Board, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation and Consent Order or of any records relating to it.

19. This Stipulation and Consent Order shall not limit the Board's authority to proceed against Licensee by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Licensee which constitutes grounds for disciplinary action and which is not directly related to the specific facts and circumstances set forth in this document.

VIII.

DATA PRACTICES NOTICES

20. This Stipulation and Consent Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5. Therefore, employers and other individuals will be able to see this entire Stipulation and Consent Order by searching Licensee's name on the Board's website, or by requesting a copy of this Stipulation and Consent Order from the Board. Data regarding this action will be provided to data banks as required by Federal law and consistent with Board policy. While this Stipulation and Consent Order is in effect, information obtained by the Board pursuant to this Order is considered active investigative data on a licensed health professional, and as such, is classified as confidential data pursuant to Minnesota Statutes section 13.41, subdivision 4.

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

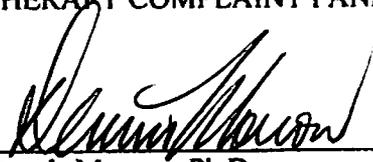
CONSENT:

BOARD OF MARRIAGE AND FAMILY
THERAPY COMPLAINT PANEL



Amy Lee-Jones
Licensee

Dated: January 14, 201⁶



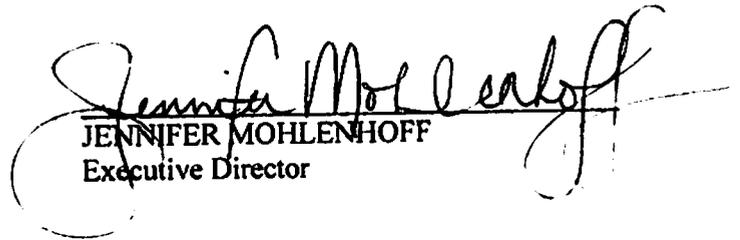
Dennis Morrow, Ph.D.
Board Member

Dated: 15 JANUARY, 201⁶

ORDER

Upon consideration of the Stipulation, the Board **RESCINDS** the 2015 Consent Order, places Licensee's license in a **SUSPENDED** status and adopts all of the terms described above on this 15 day of January 2016.

MINNESOTA BOARD OF
MARRIAGE AND FAMILY THERAPY


JENNIFER MOHLENHOFF
Executive Director