

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of
Leslie Ross Olson, M.S.Ed., L.P.
License No. LP2489

**STIPULATION AND
CONSENT ORDER**

IT IS HEREBY STIPULATED AND AGREED by, Leslie Ross Olson, M.S.Ed., L.P. (Licensee), and the Minnesota Board of Psychology (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 psychology in the state of Minnesota.

FACTS

2. For the purpose of this stipulation, the Board may consider the following facts as true:

a. From March 12, 1994, to July 1994, Licensee provided psychological services to client #1 and her two children, client #2 (33-month-old male), and client #3 (13-month-old female). Client #1 sought assistance for herself and her children (clients #2 and #3) for concerns about their separation from her as a result of visitation and custody arrangements and her impending divorce. Licensee's notes for the intake session on March 12, 1994, state that her plan was to see client #1 with the children "when visitation permits to observe behavior and to make recommendations. Provide parenting support and ongoing assessment of childrens (sic) adjustment." Although Licensee does not list a competency in performing child custody evaluations with the Board, she evaluated client #1's parenting and submitted reports to the court in which she made custody recommendations. While providing psychological services to these clients, Licensee also engaged in unprofessional conduct, had impaired objectivity with respect to client #1, and prepared inadequate psychological reports as described more fully below.

b. Licensee had an individual session with client #1 on March 15, 1994, and a session with client #1 and the children on March 19, 1994. During therapy sessions, Licensee engaged in unprofessional conduct and exercised poor professional judgment when she made inappropriate, biased statements about client #1's husband and the custody of the children. For example, Licensee said they (husband's family) had "a farm mentality." Licensee admitted to this statement in her written and oral responses to the Board.

c. On March 23, 1994, Licensee prepared a letter for submission to the court on client #1's behalf. Licensee requested that the court consider her "urgent suggestion" that the children be immediately returned to the care and primary custody of their mother. Licensee's "letter" failed to contain a description of all assessments, evaluations, or other procedures upon which her conclusions were based, any reservations or qualifications concerning the validity or reliability of the conclusions formulated and recommendations made in her report, or a notation concerning any discrepancy, disagreement, or conflicting information regarding the circumstances of the case that may have a bearing on her conclusions. For example:

1) Licensee concluded that client #1 was not mentally ill or suffering any impairment that would in any way endanger her children. Licensee's report failed to note that client #1's husband obtained an order for protection against client #1 in January 1994 after she was physically abusive to him. Licensee's report also failed to mention that client #1 had taken the Minnesota Multiphasic Personality Inventory-2 (MMPI-2) on March 22, 1994, but the results were invalid due to client #1's defensiveness. Licensee also failed to disclose her assessment of client #1 as depressed.

2) Licensee concluded that the children showed signs of stress at the disruption in their living environment and that their removal from their mother's custody posed a serious threat to their development. Licensee's conclusion was based only on information provided by client #1, a friend of client #1, and Licensee's observation (approximately four hours) of client #1 and her children.

d. On March 29, 1994, the father of client #2 and client #3 reported to the clinic where Licensee worked for a session with another psychologist, the clinic's owner. Instead, Licensee met with the father and the children and discussed the parenting, custody and divorce issues related to clients #1, #2, #3. Licensee engaged in unprofessional conduct and engaged in conduct which could impair her objectivity in that she met with the father when she had a pre-existing therapy relationship with client #1 and failed to disclose her identity to the father during the session. Licensee stated at the conference with the Complaint Resolution Committee that this was inadvertent.

e. After the March 29, 1994, session with the father, Licensee asserts that she spoke with an attorney because she believed she may have had a conflict of interest in meeting with the

father. Licensee asserts the father was not billed for the session with her. Licensee admitted to an investigator from the Attorney General's Office that it was a mistake to meet with the father.

f. On May 5, 1994, Licensee went to an Early Childhood Education meeting to observe the behavior and interactions between client #1, client #2, and client #3. The children's father also attended the meeting.

g. On May 11, 1994, Licensee prepared an affidavit for the court on client #1's behalf. Licensee described her observations of the children's behavior at the May 5, 1994, Early Childhood Education meeting. Licensee concluded that client #2's lack of interest in the craft activity and tantrum when the adults left the room and client #3's anxiety when her mother was out of sight constituted Separation Anxiety and Separation Anxiety with depressive features. Licensee concluded that the children's current living arrangement was not meeting their emotional needs. There was no basis for Licensee's assertion that client #1 "does not present with any personality profile that would suggest that she has a pattern of aggression toward other people, or that she has problems with impulse control in respect to her parenting." Licensee's conclusions were based on an invalid MMPI-2 and limited data about client #1.

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. Licensee agrees that the conduct cited above constitutes a violation of Minn. Stat. §§ 148.98 (1996) (code of ethics); 148.941, subd. 2(a)(1) (1996) (violation of statute, rule or order Board issued or is empowered to enforce); 148.941, subd. 2(a)(3) (1996) and Minn. R. 7200.5700 (unprofessional conduct); Minn. R. 7200.4600, subp. 1 (failure to limit practice to stated areas of competence); Minn. R. 7200.4810, subps. 1 and 2.A. (impaired objectivity); and Minn. R. 7200.5000, subp. 3 (inadequate psychological reports) and constitutes a reasonable basis in law and fact to justify the disciplinary action provided for in the order.

REMEDY

4. Upon this stipulation and without any further notice or proceedings, Licensee is hereby **REPRIMANDED** for providing psychological reports that did not contain the requirements listed in Minn. R. 7200.5000, subps. 3.A., 3.B., 3.C. and 3.D.

5. Upon this stipulation and without any further notice or proceedings, the Board places the following **RESTRICTION** on Licensee's license: Licensee is prohibited from providing letters or reports concerning her clients to any court until she successfully completes the educational coursework described in paragraph 6 below. If Licensee is ordered by a court to provide a written document, Licensee shall immediately notify the Board and send to the Complaint Resolution Committee a copy of the written report she submitted in response to the court order. Licensee may delete any data from the report which identifies the client before providing it to the Committee. If Licensee is subpoenaed or ordered to testify in court, Licensee shall notify the Complaint Resolution Committee in writing of the matter in which she will testify or has testified, the nature of the testimony and the date of the testimony.

6. Upon this stipulation and without any further notice or proceedings, the Board places Licensee's license in a **CONDITIONAL** status. Licensee's retention of her license is conditional upon her complying with or submitting at least the following:

a. **Coursework.** Licensee shall successfully complete 20 hours of continuing education within two years of the date of this stipulation and order on the following subjects:

- 1) custody evaluations;
- 2) court testimony; and
- 3) psychological report writing.

Each continuing education experience shall be pre-approved by the Complaint Resolution Committee and may count toward continuing education requirements set out in Minn. R. 7200.3820 and 7200.3830.

b. **Civil Penalty.** Licensee shall pay a civil penalty to the Board in the amount of one thousand (\$1,000.00) dollars for engaging in the violations described in paragraph 3 above. Payment of \$1,000.00 shall be remitted in full to the Minnesota Board of Psychology at Suite 320, 2829 University Avenue SE, Minneapolis, Minnesota, 55414 within sixty (60) days of the date of this stipulation and order.

c. **Fine for Violation.** If any due date required by this Stipulation and Consent Order 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.

d. **Costs.** Licensee shall be responsible for all costs incurred as a result of compliance with this Stipulation and Order.

7. All reports shall cover the entire reporting period and provide the bases upon which conclusions were drawn.

8. The Board or its authorized representatives shall have the right to discuss Licensee's condition with and obtain records from any person with whom Licensee has contact as a result of her compliance with this Stipulation and Order or as a result of her being examined or her obtaining treatment, counseling, or other assistance on her own initiative or otherwise. Licensee shall execute and provide any health record or other waivers necessary for submission of the reports referenced in the stipulation to enable the Board to obtain the information it desires and to authorize the testimony of those contacted by the Board in any proceeding related to this matter.

9. The Board may, at any regularly scheduled meeting at which Licensee has made a timely petition, take any of the following actions:

- a. Remove the restriction and conditions attached to the license of Licensee;
- b. Amend the restriction and conditions attached to the license of Licensee;
- c. Continue the restriction and conditions attached to the license of Licensee upon her failure to meet her burden of proof;
- d. Impose additional restrictions or conditions on the license of Licensee.

10. If Licensee shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the license of Licensee to practice psychology in the State of Minnesota shall be suspended immediately upon written notice by the Board to Licensee, such a suspension to remain in full force and effect until Licensee petitions the Board to terminate the suspension after a hearing. Nothing contained herein shall prevent the Board from revoking or suspending Licensee's license to practice psychology in the State of Minnesota after any such hearing.

11. If Licensee's license has been suspended pursuant to paragraph 10 above, Licensee may petition to have the suspension lifted at any regularly-scheduled board meeting following Licensee's submission of a petition, provided that the petition is received by the Board at least 20 working days before the Board meeting. The Board shall grant the petition upon a clear showing by Licensee that she has corrected all violations of this Stipulation and Order which were the basis for the suspension. Based on the evidence presented, the Board may impose additional conditions or limitations upon reinstating Licensee's license.

12. This stipulation shall not in any way or manner limit or affect the authority of the Board to proceed against Licensee by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or omission of Licensee justifying disciplinary action which occurred before or after the date of this stipulation and which is not directly related to the specific facts and circumstances set forth herein.

13. In the event the Board at its discretion does not approve this settlement or a lesser remedy than indicated in this settlement, then, and in that event, 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.

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

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

16. 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.

17. 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 either approve the Stipulation and Order as proposed, approve the Stipulation and 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.

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

19. This Stipulation and Consent Order is a public document and will be sent to all appropriate data banks.

20. 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.

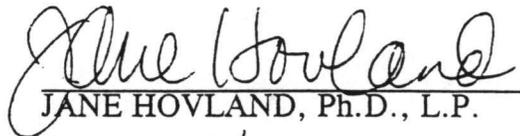
BOARD OF PSYCHOLOGY
COMPLAINT RESOLUTION
COMMITTEE


LESLIE ROSS OLSON, M.S.Ed., L.P.
Licensee

Dated: 3-4, 1999


GERALD T. KAPLAN, M.A., L.P.

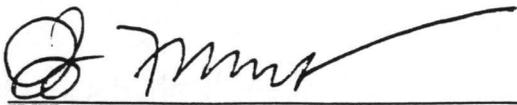
Dated: May 7, 1999


JANE HOVLAND, Ph.D., L.P.

Dated: 5/7, 1999

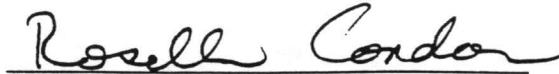

SHARON R. ANDREWS

Dated: May 7, 1999


WILLIAM L. FRENCH
P.O. Box 6323
627 Woodhaven Court N.E.
Rochester, MN 55903-6323
(507) 280-6136

Attorney for Licensee

Dated: 3-17-99, 1999


ROSELLEN CONDON

Assistant Attorney General
500 Capitol Office Building
525 Park Street
St. Paul, MN 55103-2106
(651) 297-1050

Attorney for Committee

Dated: 3-18, 1999

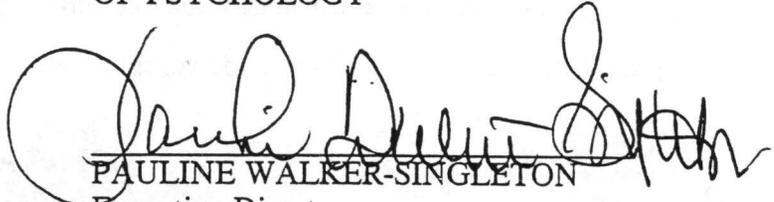
ORDER

Upon consideration of this stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that Licensee is REPRIMANDED, that the license of Licensee is placed in a RESTRICTED and CONDITIONAL status, and that all other terms of this stipulation are adopted and implemented by the Board this 14th day of May, 1999.

MINNESOTA BOARD

OF PSYCHOLOGY


PAULINE WALKER-SINGLETON
Executive Director

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