

# MINNESOTA BOARD OF PSYCHOLOGY

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**PERSONAL**

August 17, 2009

Leland Martin, Ph.D., LP  
The Terrace Group  
10580 Wayzata Blvd, #150  
Minnetonka, MN 55305

Dear Dr. Martin :

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 that you entered into with the Committee on July 18, 2008, and has determined that you have successfully completed the corrective action agreed upon. Therefore, the complaint referenced in the Agreement was dismissed on July 10, 2009.

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

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

In the Matter of the License  
of Leland Martin, Ph.D., L.P.  
License Number: LP3095

**AGREEMENT FOR  
CORRECTIVE ACTION**

This agreement is entered into by and between Leland Martin, 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) (2006). Licensee and the Committee hereby agree as follows:

**FACTS**

1. This agreement is based upon the following facts:
  - a. Licensee was licensed as a licensed psychologist in Minnesota on May 13, 1994.
  - b. From January 2, 2004, through approximately August 2006, Licensee saw client #1 (female; DOB 11/7/65) for complaints of migraines, anxiety, and marital problems.
  - c. On July 16, 2004, Licensee issued a letter to client #1's medical provider, regarding medication issues.
  - d. On July 17, 2006, Licensee issued a report to client #1's attorney regarding client #1's psychological and emotional health.
  - e. Licensee's report fails to include a description of all assessments, evaluations, or other procedures upon which his conclusions are based.

f. Licensee's report fails to contain any reservations or qualifications concerning the validity or reliability of the conclusions formed and recommendations made, as demonstrated by the following:

1) Licensee's report contains numerous references to the relationship between client #1 and her husband, including comments about the psychological or emotional state of client #1's husband. Licensee failed to note that he had no direct contact with client #1's husband and that all of the information regarding client #1's husband and client #1's relationship with her husband was based upon reports by client #1.

2) Licensee's report contains numerous statements regarding client #1's relationship with her children. Licensee failed to state that he had no contact with client #1's children and all of the information regarding client #1's children, including statements that client #1's husband was interfering in client #1's relationship with her children, was based solely upon information obtained from client #1.

3) Licensee's report contains the statement that client #1 "is not addicted to alcohol or other chemicals." However, Licensee's chart on client #1 contains no assessment or other evaluative tools from which Licensee could have made this determination.

g. Licensee's file does not contain a release of information, authorizing him to release the information contained in his July 16, 2004, letter to client #1's medical provider.

2. On May 9, 2008, Licensee met with the Committee to discuss the facts set forth in paragraph 1. Based on the discussion, the Committee views Licensee's practices to be a violation of Minn. Stat. § 148.941, subd. 2(a)(1) (statute or rule the Board is empowered to enforce), and (3) (2006) and Minn. R. 7200.5700 (2005) (rules of conduct), and Minn. R. 7200.5000, subp. 3 (provided a psychological report that failed to include information required by this rule), and

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. ***Forensic Assessment Course.*** Within 30 days of the effective date of this agreement, Licensee shall arrange to enroll in an individualized forensic assessment training course. The Committee will provide Licensee with a list of such courses, which have been approved, for the purposes of satisfying this requirement. If the Committee and Licensee concur that there is sufficient reason for Licensee not to enroll in any of the courses the Committee has listed, Licensee shall, within 30 days of the date of this agreement, submit to the Committee for approval, a syllabus, that includes goals, objectives, assignments, projects, methods and frequency of evaluation, etc., for a similar individualized forensic assessment training course. Licensee shall also submit the course instructor's curriculum vita to the Committee for its approval of the instructor. The instructor shall be either a licensed psychologist or have a doctoral degree in psychology. Licensee shall complete the course within twelve (12) months of the effective date of this agreement. All fees for the course shall be paid by Licensee. Successful completion of the forensic assessment course shall be determined by the Committee.

b. ***Report on Forensic Assessment Course From Licensee.*** Within 30 days of completing the forensic assessment course referenced above, Licensee shall submit a report to the Committee which provides and addresses:

1) The dates Licensee began and completed the forensic assessment training course;

2) A brief statement of the topics covered in the forensic assessment training course;

3) A detailed discussion of what Licensee has learned from the forensic assessment training course, including Licensee's comprehension and knowledge of assessment requirements and how this course will affect his practice in the future;

4) A detailed discussion of each assessment violation that occurred regarding the circumstances described in the Facts section of this agreement, including (a) how Licensee came to violate these requirements; (b) the manner in which Licensee violated these requirements; (c) the specific harm to specific individuals that resulted or could have resulted from the assessment violations; and (d) how Licensee now believes the assessment violations could have been averted;

5) A detailed discussion of the specific ways this course will affect Licensee's practice in the future;

6) Licensee's reasons for believing he is capable of conducting himself in a fit, competent, and ethical manner in the practice of psychology; and

7) Any other information Licensee believes would assist the Committee in its ultimate review of this matter.

c. ***Report on Forensic Assessment Course From Instructor.*** Within 60 days of completing the forensic assessment course referenced above, Licensee shall cause to be submitted to the Committee a report from the instructor of the forensic assessment course.

This report shall address:

1) The extent of Licensee's participation in the course; and

2) The instructor's assessment of Licensee's knowledge obtained from the course and opinion as to Licensee's recognition of assessment requirements and Licensee's fitness to engage in the practice of psychology.

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

e. **Fine for Violation of Agreement.** 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.

f. **Applicability to Renewal Requirements.** Licensee may use the conditions imposed as a remedy by this Agreement for Corrective Action as a continuing education activity for the purpose of renewal of Licensee's license to practice psychology.

#### **OTHER INFORMATION**

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

5. 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).

6. 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.

7. Licensee has been advised by Committee representatives that Licensee may choose to be represented by legal counsel in this matter. Although aware of this opportunity, Licensee has elected not to be represented by counsel. The Committee is represented by Nathan W. Hart, Assistant Attorney General.

8. 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.

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

10. 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

Leland K. Martin

LELAND MARTIN, Ph.D., L.P.

Myrla Seibold, Ph.D., LP by AMJ

MYRLA SEIBOLD, Ph.D., L.P.

Committee Chair

Margaret Fulton, Ph.D., L.P.

MARGARET FULTON, Ph.D., L.P.

Committee Member

Susan Ward

SUSAN WARD

Committee Member

Dated: 6/17/08

Dated: 7/18/08

AG: #2244938-v1