

**BEFORE THE MINNESOTA  
BOARD OF PSYCHOLOGY**

In the Matter of  
Charles A. Meseck, M.A.  
Applicant for  
Licensure as a Psychologist

**STIPULATION AND  
CONSENT ORDER**

IT IS HEREBY STIPULATED AND AGREED by Charles A. Meseck, M.A. (Applicant) and the Minnesota Board of Psychology (Board) as follows:

1. During all times herein, Applicant has been and now is subject to the jurisdiction of the Board from which he has applied for 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. The Board received a complaint that in 1992 Applicant provided incompetent services to clients #1 - #5 including improper diagnoses, treatment planning, and psychological test administration and interpretation; failed to refer clients for family therapy; altered therapy notes; and listed false or exaggerated symptoms or characteristics in order to secure insurance reimbursement.

b. On November 18, 1994, Applicant attended a conference with the Board's Complaint Resolution Committee (formerly the Discipline Committee). The subject of the conference was Applicant's conduct with clients #1-#5.

c. Following the November 18, 1994, conference the Board received additional complaints concerning Applicant's conduct with clients #6, #7 and #8 between 1993 and 1995. The complaints related to Applicant's misdiagnosing client #7 with Borderline Personality Disorder, improperly releasing information about client #7 to client #6 which

client #6 used against client #7 in court in child custody proceedings, and failing to observe appropriate professional boundaries and engaging in sexual contact with client #8.

d. On July 19, 1996, a second Notice of Conference With Board of Psychology Complaint Resolution Committee ("notice") was duly served on Applicant.

e. On August 23, 1996, Applicant met with the Complaint Resolution Committee a second time to discuss allegations made in the second notice concerning his conduct with clients #6, #7 and #8.

f. Following the second conference, the Complaint Resolution Committee determined that Applicant failed to satisfy the requirements for licensure and failed to meet his burden of proof to demonstrate he is qualified to practice psychology in Minnesota.

#### REGULATIONS

3. The Board views Applicant's practices as described in paragraph 2 above to be in violation of statutes and rules enforced by the Board. Applicant agrees that the conduct cited above constitutes a violation of Minn. Stat. §§ 148.91, subd. 4 (1992) (ethical requirements for licensure), 148.941, subds. 2(a)(1) (violation of statute or rule the board is empowered to enforce), (2) (deceptive or dishonest conduct adversely affecting ability or fitness to practice psychology), (3) (unprofessional conduct or conduct having the potential for causing harm to the public, including failure to conform to minimum standards of acceptable and prevailing practice), (7) (failure to meet requirements for the issuance of a license) and (9) (violation of the code of ethics adopted by the board) (Supp. 1993 and 1994) and Minn. R. 7200.0600 F (engaged in conduct prohibited by Minn. R. 7200.4500 to 7200.5700); Minn. R. 7200.4600, subp. 1 (competence); Minn. R. 7200.4700, subp. 1 (failure to safeguard private information on a client); Minn. R. 7200.4810, subp. 1 (impaired objectivity); Minn. R. 7200.4810, subp. 3 (failure to refer client); Minn. R. 7200.4810, subp. 2.E. and Minn. R. 7200.4900, subp. 7a (exploitation of client); Minn. R. 7200.4900, subp. 1a (recordkeeping); Minn. R. 7200.4900, subp. 8 (sexual contact with a client); Minn. R. 7200.5000, subp. 1b (testing competence); Minn. R. 7200.5200, subp. 3 (misrepresentation to third party billed of the

nature and extent of required services) Minn. R. 7200.5600 (deceptive or dishonest conduct); and Minn. R. 7200.5700 (1993) (unprofessional conduct), 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 of proceedings, the Board DENIES APPLICANT'S APPLICATION FOR LICENSURE as a psychologist in the State of Minnesota.

5. If Applicant reapplies for licensure in the future, at the time of reapplication Applicant shall meet with a Board of Psychology Complaint Resolution Committee to review the information identified above. The Complaint Resolution Committee shall make a recommendation to the full Board regarding Applicant's reapplication.

6. The Board may, at any regularly scheduled meeting following Applicant's reapplication for licensure, take any of the following actions:

- a. Issue a license to Applicant;
- b. Issue a license to Applicant with restrictions or conditions placed upon the scope of Applicant's practice; or
- c. Deny Applicant's application for licensure upon his failure to meet the burden of proof.

7. This stipulation shall not in any way or manner limit or affect the authority of the Board to proceed against Applicant by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or omission of Applicant 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.

8. 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 Applicant agrees that should the Board reject this stipulation and

this case proceeds to hearing, Applicant 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.

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

10. Applicant has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Although aware of his right to representation by counsel, Applicant has knowingly and expressly waived that right.

11. Applicant waives all formal hearings on this matter and all other procedures before the Board to which Applicant 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.

12. Applicant hereby acknowledges that he 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, Applicant acknowledges that he 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 Applicant, the stipulation will then take effect and the order as modified will be issued. If the changes are unacceptable to Applicant or the Board rejects the stipulation, it will be of no effect except as specified herein.

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

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

15. This stipulation 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

*Charles A. Measeck*

CHARLES A. MESECK, M.A.

Applicant

Dated: 12-2, 1996

*I will abide by the agreement, but do not agree with the findings.*

*Gerald T. Kaplan*

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

Dated: Dec 13, 1996

*Samuel Albert*

SAMUEL ALBERT, Ph.D., L.P.

Dated: 12/13, 1996

*Jacquelyn E. Albright*

JACQUELYN E. ALBRIGHT

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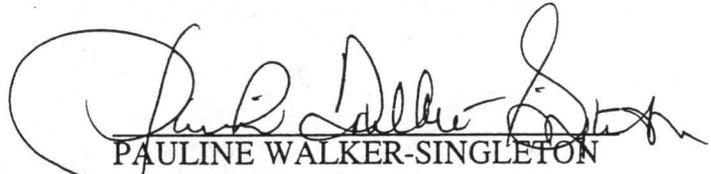
Dated: 12-5, 1996

ORDER

Upon consideration of this stipulation and all the files, records, and proceedings herein,  
IT IS HEREBY ORDERED that Applicant's APPLICATION FOR LICENSURE to  
practice psychology in the State of Minnesota is DENIED and that all other terms of this  
stipulation are adopted and implemented by the Board this 31<sup>st</sup> day of Oct, 1996.

MINNESOTA BOARD

OF PSYCHOLOGY

  
PAULINE WALKER-SINGLETON  
Executive Director

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