

**BEFORE THE MINNESOTA
BOARD OF PSYCHOLOGY**

In the Matter of
Sarah Roberts, M.S., L.P.
License No. LP5032

**STIPULATION AND
CONSENT ORDER**

IT IS HEREBY STIPULATED AND AGREED by Sarah Roberts, M.S., 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. Licensee enrolled in the Health Professionals Services Program (“HPSP”) on, or about, April 23, 2013, for monitoring related to mental health, including anxiety and depression, as well as chemical health issues, including alcohol dependence.

3. Licensee relapsed with alcohol from March 21, 2014 through March 24, 2014.

4. Between June 2014 and March 2015 Licensee failed to comply with HPSP toxicology screening procedures on at least four occasions.

5. On, or about, April 22, 2015, Licensee was unsatisfactorily discharged from the HPSP due to non-compliance.

6. In approximately the first week of August, 2015, Licensee relapsed with alcohol.

7. On October 15, 2015, Licensee submitted to a mental health evaluation, which found the following:

a. Licensee was in an inpatient alcohol treatment program at the time of her evaluation.

b. Licensee has limited coping skills.

c. When Licensee leaves the inpatient treatment environment, she will be at risk for relapse and episodes of limited frustration tolerance and poor impulse control. Even brief interactions with co-workers will be difficult.

8. The evaluation recommended that Licensee follow all recommendations of her inpatient treatment and continue seeing her psychiatrist routinely.

REGULATIONS

9. The Board views Licensee's practices as described in paragraphs 2 through 8, 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. § 148.941, subd. 2(a)(1) (violated a statute, rule, or order that the Board issued or is empowered to enforce); Minn. Stat. § 148.941, subd. 2(a)(10) (demonstrated an inability to practice psychology with reasonable skill and safety to clients due to any mental or physical illness or condition).

REMEDY

10. Upon this stipulation and without any further notice or proceedings, Licensee's license to practice psychology in the State of Minnesota is **SUSPENDED** for an **INDEFINITE** period of time. During the period of suspension, Licensee shall not engage in the practice of psychology in Minnesota. Licensee shall immediately cease to advertise or otherwise represent herself in any manner to be a licensee in this State.

11. Licensee may petition the Board for reinstatement of her license at such time as she can demonstrate 12 consecutive months of sobriety and 12 consecutive months of stable mental health immediately preceding her petition. When Licensee petitions for reinstatement, she may be required to meet with the Board's Complaint Resolution Committee ("Committee") to discuss her petition. Her license 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 practice of psychology. Licensee's petition must provide proof that

Licensee has been sober and free from non-prescribed mood-altering chemicals during the 12 months immediately preceding her petition, and proof that that Licensee has experienced 12 consecutive months of stable mental health immediately preceding her petition. In petitioning for removal of the suspension, Licensee shall also comply with or provide the Committee 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 sobriety, including the date Licensee last used mood-altering chemicals, including alcohol, and the circumstances surrounding any use while this Order is in effect;

2) Licensee's treatment and participation in a chemical dependency rehabilitation program;

3) Licensee's physical and mental health status, treatment plan, medications, and compliance with treatment, including proof of 12 months of stable mental health immediately preceding her petition;

4) Licensee's work schedule;

5) Licensee's future practice plans and the steps she has taken to prepare herself to return to practice; and

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

b. Reports Verifying Sobriety. Licensee shall cause to be submitted to the Board reports from two adult persons, at least one of whom is not related to Licensee by blood or marriage, who can attest to Licensee's sobriety. These reports shall be submitted at the time Licensee petitions for reinstatement of her license. Each report shall provide and address:

1) Licensee's regular participation in a chemical dependency support group such as AA or other chemical dependency rehabilitation program;

2) Licensee's sobriety, including the date she last used mood-altering chemicals, including alcohol; and

3) Any other information the reporter believes would assist the Board in its ultimate review of this matter.

c. Report From Employer. Licensee shall cause to be submitted, along with her petition, a report from any employer who has employed Licensee while this Order is in effect. 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.

d. Report From Mental Health Treatment Professional. Licensee shall cause to be submitted to the Board a report from any mental health treatment professional whom Licensee consults while this Order is in effect. The report shall be submitted to the Board at the time Licensee petitions for reinstatement of her license. The report shall provide and address:

1) Verification the mental health professional has reviewed this Order;

2) Identification of a plan of treatment, including any medications, devised for Licensee;

3) A statement of the involvement between Licensee and the mental health treatment professional, including the number and frequency of meetings;

4) Licensee's progress with therapy and compliance with the treatment plan;

5) Licensee's awareness of her personal problems;

6) The mental health treatment professional's conclusion as to the need for continuing therapy and Licensee's discontinuance of therapy; and

7) Any other information the mental health treatment professional believes would assist the Board in its ultimate review of this matter.

e. Chemical Dependency Evaluation. During the petition process, the Board may direct Licensee to obtain a chemical dependency evaluation. Licensee shall undergo a chemical dependency evaluation performed by a chemical dependency treatment professional within 60 days, if directed to do so by Board staff. Licensee shall submit, or cause to be submitted, the credentials of the chemical dependency evaluator for review and preapproval by Board staff for purposes of this evaluation. Licensee is responsible for the costs of the evaluation. The results of the evaluation shall be sent directly to the Board and must include a statement verifying the evaluator has reviewed this Order and any evaluation and/or treatment records deemed pertinent by the Board or the evaluator prior to the evaluation.

f. Compliance With Evaluator's Recommendations. Licensee shall comply promptly with any recommendations for additional evaluation and treatment made by the chemical dependency evaluator.

g. Mental Health Evaluation. During the petition process, the Board may direct Licensee to obtain a mental health evaluation. Licensee must undergo a mental health evaluation performed by a psychiatrist or a licensed psychologist within 60 days, if directed to do so by Board staff. Licensee shall submit, or cause to be submitted, the credentials of the evaluator for review and preapproval by Board staff for purposes of this evaluation. Licensee is responsible for the cost of the evaluation. The results shall be sent directly to the Board and shall provide and address:

1) Verification the evaluator has reviewed a copy of this Order and any evaluation and/or treatment records deemed pertinent by the Board or the evaluator prior to the evaluation;

2) Diagnosis and any recommended treatment plan;

- 3) Licensee's ability to handle stress;
- 4) Recommendations for additional evaluation or treatment; and
- 5) Any other information the evaluator believes would assist the

Board in its ultimate review of this matter.

h. Compliance With Evaluator's Recommendations. Licensee shall comply promptly with any recommendations for additional evaluation and treatment made by the mental health evaluator.

i. Waivers. During the petition process, Licensee shall complete and sign health records waivers and chemical dependency treatment records waivers supplied by the Board to allow representatives of the Board to discuss Licensee's case with and to obtain written evaluations and reports and copies of all of Licensee's health, mental health, or chemical dependency records from her physician, mental health treatment professional/therapist, chemical dependency counselor, or others from whom Licensee has sought or obtained treatment, support, or assistance.

j. Additional Information. Any additional information relevant to Licensee's petition reasonably requested by the Committee.

12. If Licensee fails to comply with or violates this Stipulation and Consent Order, the Committee 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 Committee shall schedule a hearing before the Board. At least 20 days before the hearing, the Committee shall mail Licensee a notice of the violation(s) alleged by the Committee. 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 Committee, 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 Committee and Licensee may submit affidavits and written argument in support of their positions. At the hearing, the Committee 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 Committee 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 Committee not to seek discipline when it first learns of a violation shall not waive the Committee'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.

13. This stipulation shall not in any way limit or affect the authority of the Board to temporarily suspend Licensee's license under Minn. Stat. §§ 148.941, subd. 3 or 214.077, or to initiate contested case proceedings against Licensee on the basis of any act, conduct, or omission

of Licensee justifying disciplinary action occurring before or after the date of this Stipulation and Consent Order which is not related to the facts, circumstances or requirements referenced herein.

14. 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.

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

16. Licensee has been advised by Board representatives that she may choose to be represented by legal counsel in this matter. Licensee has knowingly waived legal representation and appears *pro se* in this matter. The Committee is represented by Nicholas Lienesch, Assistant Attorney General.

17. 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.

18. Licensee hereby knowingly and voluntarily waives any and all claims against the Board, the Minnesota Attorney General's Office, 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 psychology under this stipulation.

19. 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. The Board may either approve the Stipulation and Consent Order as proposed, approve the Stipulation and Consent 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.

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

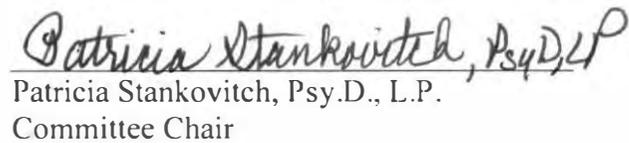
21. This Stipulation and Consent Order is a public document and will be sent to all appropriate data banks and other entities consistent with Board policy.

22. 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


Sarah Roberts, M.S., L.P.
Licensee

Dated: 1/5/16


Patricia Stankovitch, Psy.D., L.P.
Committee Chair

Dated: 1/22/16

ORDER

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

IT IS HEREBY ORDERED that the license of Licensee is placed in a SUSPENDED status and that all other terms of this stipulation are adopted and implemented by the Board this

27th day of January, 2016.

MINNESOTA BOARD
OF PSYCHOLOGY


ANGELINA M. BARNES
Executive Director