

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

In the Matter of  
Randall S. Voeks, L.M.F.T.  
License No. 0759

**STIPULATION  
AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Randall S. Voeks, L.M.F.T. (Licensee), and the Minnesota Board of Marriage and Family Therapy ("Board") as follows:

1. During all times herein, Licensee has been and now is subject to the jurisdiction of the Board, from which he holds a license to practice marriage and family therapy in the State of Minnesota.

**FACTS**

2. Licensee neither admits nor denies the allegations set forth herein, except as specifically noted. However, in the interest of settling this matter and avoiding the necessity for further proceedings, Licensee agrees not to contest the following facts and hence the Board may consider the following facts as true for the purpose of this Stipulation and Order. However, it is the intent of the parties that this Stipulation and Order and the facts set forth herein shall have no collateral estoppel effect, *res judicata* effect, or other preclusive effect, and no evidentiary value in any action or proceeding in any forum or process other than proceedings before the Minnesota Board of Marriage and Family Therapy or another authorized licensing board or licensing agency. Nothing in this paragraph shall limit or affect the Board's obligation to fulfill any reporting requirements.

Client #1

a. Licensee provided therapy services to Client #1 from 1993 to 1995 for marital problems and problems with her son. Client #1 returned to him for therapy in March 2000 to deal with her bulimia and ongoing marital problems.

b. On June 14, 2000, Client #1 told Licensee she had sexual feelings for him. Licensee discussed transference with Client #1. He did not suggest that Client #1 seek a different therapist.

c. On July 26, 2000, which Licensee maintains is the day after their final therapy session, he engaged in sexual intercourse with Client #1.

d. On six to eight occasions between July 26, 2000 and September or October 2000, Licensee had sexual intercourse with Client #1.

Clients #2, #3, #4 and #5

e. The Board has credible evidence to support factual findings that Licensee engaged in misconduct with respect to clients #2, #3, #4 and #5 as described more fully below.

Client #2

f. In approximately 1998, Licensee began providing therapy to Client #2 at his office in Edina. He continued to see her there on a regular basis through November or December of 1999. Client #2 allegedly has a history of sexual abuse and depression. Licensee has allegedly diagnosed Client #2 as suffering from Dissociative Identity Disorder.

g. It is alleged that within two years of the termination of treatment, Licensee entered into inappropriate business, personal, romantic, and sexual relationships with Client #2, which were non-therapeutic, possibly exploitative of the therapist-client relationship, and

violative of one or more Minnesota statutes, rules of professional ethics, and minimum standards of acceptable and prevailing practice for marriage and family therapists.

**Client #3**

h. Licensee has treated Client #3, during which on or after February 2001, Licensee encountered certain boundary issues with Client #3, in that he allegedly discussed with her his relationship with Client #2. In approximately February 2001, Licensee began disclosing personal information to Client #3 during her therapy sessions with him.

i. Because of Licensee's disclosures of personal information, Client #3 informed him that she would no longer see him. Licensee, however, continued to contact Client #3 and had two further meetings with her. Following these meetings, Client #3 stated she was angry, upset, and confused.

**Clients #4 and #5**

j. It is alleged that Licensee began treating Client #4 in March 1999 for issues surrounding an affair Client #4 had and the effect it had on his marriage. Licensee subsequently suggested that Client #5 (Client #4's wife) join Client #4 at his therapy sessions to further address the affair and resulting marital issues. In the spring of 2001, at Licensee's suggestion, Client #5 began seeing Licensee individually for issues of past sexual abuse.

k. It is alleged that Licensee encountered certain boundary issues with Client #5 during therapy.

l. It is alleged that Client #5 began having sexual fantasies about Licensee, but she did not disclose this to him.

m. In early June, 2001, Client #5 told another therapist that she had feelings for Licensee. The therapist called Licensee, informed him of Client #5's feelings for him, and

advised him to terminate the therapeutic relationship with Clients #4 and 5. Licensee told the therapist that Client #5 had already "fired" him and that he would think about whether to terminate his therapeutic relationship with Client #4.

n. It is alleged that Clients #4 and 5 met with Licensee on June 21, 2001 to discuss his conduct toward Client #5 and to terminate their relationship with him. Client #5 asked Licensee to not contact her anymore. As Clients #4 and 5 were leaving Licensee's office, Licensee reportedly said to Client #5, "I'll see you in two years."

### STATUTES AND RULES

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 and to constitute violations of Minn. Stat. § 148B.37, subd. 1(1) and (3); and Minn. R. 5300.0350, subps. 4; 4.S.; 5; 5.B.; 5.E.; 5.F.; 5.G.; 5.I.; and 5.J. Licensee agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify disciplinary action.

### REMEDY

4. Upon this stipulation and all of the files, records and proceedings herein and without any further notice or hearing herein, Licensee does hereby consent that until further order of the Board, made after notice and hearing upon application by Licensee or upon the Board's own motion, the Board may make and enter an order as follows:

a. Licensee shall SURRENDER his license to practice marriage and family therapy in the State of Minnesota. All state licenses and certificates shall be surrendered to the Board within ten days of the date the terms of this stipulation are adopted and implemented by the Board.

b. Licensee shall not practice, attempt to practice, offer to practice, or advertise or hold out as authorized to practice marriage and family therapy in Minnesota or any

other jurisdiction, and shall not use a title or any designation which indicates marriage and family therapy licensure.

c. Licensee shall not practice as an unlicensed mental health practitioner in Minnesota, as defined in Minn. Stat. § 148B.60.

d. Licensee agrees not to reapply for licensure in Minnesota for a period of five years from the date the terms of this stipulation are adopted and implemented by the Board.

e. At the time Licensee applies for reinstatement of his license, he shall obtain a psychological evaluation performed by a mental health professional who has been approved in advance by the Board. Licensee shall be solely responsible for the cost of the evaluation. Any party to this stipulation, at the party's discretion, may submit written information to the evaluator; all such information shall be made available to the other party. The results of the evaluation shall be sent directly to the Board office and shall meet the following requirements:

1) Verification that the evaluator has received a copy of this Stipulation and Order and other information submitted by the Board;

2) A summary of the results of the evaluation and recommendations for treatment, if necessary, the evaluator's opinion whether Licensee is fit to practice with reasonable skill and safety to clients; the evaluator's opinion as to any restrictions that should be placed on Licensee's practice; and

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

f. Licensee's application for re-licensure must include a certified check in the amount of \$6,000.00 made out to the Minnesota Board of Marriage and Family Therapy to reimburse the Board for all or part of the cost of the proceedings resulting in this Stipulation and Order pursuant to Minn. Stat. § 148B.175, subd. 6(7).

g. Licensee shall not be re-licensed in Minnesota until further order of the Board, which may include conditions and/or restrictions on Licensee's license.

## ADDITIONAL TERMS

5. This stipulation shall not in any way limit or affect the authority of the Board to initiate administrative contested case proceedings against Licensee on the basis of any act, conduct or omission of Licensee occurring after the date of this stipulation which is not related to the facts, circumstances or requirements referenced above, nor does this stipulation in any way limit or affect the Board's authority to seek injunctive relief or other actions against Licensee for any violation of Minn. Stat. § 148B.32 occurring after the effective date of the Order herein.

6. In the event the Board at its discretion does not approve this settlement, 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.

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

8. Licensee has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Licensee has been represented by John Degnan, Esq.

9. 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.

10. Licensee hereby knowingly and voluntarily waives any and all claims against the Board, the Minnesota Attorney General, 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 marriage and family therapy under this stipulation.

11. Licensee 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, Licensee acknowledges that he is fully aware that the stipulation shall be 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.

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

13. This Stipulation and Consent Order is a public document (See Minn. Stat. § 13.41, subd. 5). Nothing herein shall preclude the Board from providing copies upon request. The Board may also publish and share the document pursuant to Minn. Stat. §§ 148B.04 and 148B.13, including any data banks that require the reporting of disciplinary actions taken.

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

  
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RANDALL S. VOEKS, L.M.F.T.  
Licensee

Dated: 12/3, 2001

**ORDER**

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

IT IS HEREBY ORDERED that Licensee shall SURRENDER his license to practice marriage and family therapy, and that all other terms of this stipulation are adopted and implemented by the Board this 21 day of December, 2001.

MINNESOTA BOARD OF  
MARRIAGE AND FAMILY THERAPY



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ROBERT C. BUTLER  
Executive Director

AG: 526075, v. 01