



BEFORE THE  
ADMINISTRATIVE HEARING COMMISSION  
STATE OF MISSOURI

STATE COMMITTEE OF PSYCHOLOGISTS,  
3605 Missouri Boulevard  
Jefferson City, MO 65102

Petitioner,

v.

ELIZABETH CAMPBELL, Ph.D.  
8080 Ward Parkway, Suite 100  
Kansas City, MO 64114

Respondent.

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MO. OFFICE  
ATTORNEY GENERAL

MISSOURI STATE COMMITTEE  
ON PSYCHOLOGISTS

Case No. 96-001060PS

FILED

DEC 20 1996

ADMINISTRATIVE HEARING  
COMMISSION

JOINT STIPULATION OF FACTS, WAIVER OF HEARING  
BEFORE THE ADMINISTRATIVE HEARING COMMISSION AND  
STATE COMMITTEE OF PSYCHOLOGISTS AND CONSENT ORDER  
WITH JOINT PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

Pursuant to the rules governing practice and procedure before the Administrative Hearing Commission (1 CSR 15-2.450(1)) and pursuant to the terms of § 536.060, RSMo 1994, as it is made applicable to the Administrative Hearing Commission by § 621.135, RSMo 1994, the parties waive the right to a hearing of the above-styled case by the Administrative Hearing Commission of the State of Missouri and, additionally, the right to a disciplinary hearing before the State Committee of Psychologists under § 621.135, RSMo 1994, and jointly stipulate to the facts and consent to the imposition of disciplinary action against the psychologists' license of Respondent for violations of statutes set forth below.

Respondent acknowledges that she has received and reviewed a copy of the Complaint filed by the State Committee of Psychologists in this case and the parties submit to the jurisdiction of the Administrative Hearing Commission.

The Respondent acknowledges that she is aware of the various rights and privileges afforded her by law, including the right to appear and be represented by counsel; the right to have all charges against Respondent proven upon the record by competent and substantial evidence; the right to cross-examine any witness appearing at the hearing against Respondent; the right to present evidence on Respondent's own behalf at the hearing; the right to a decision upon the record of the hearing by a fair and impartial administrative hearing commissioner concerning the complaint pending against Respondent; and the right to a ruling on questions of law by an administrative hearing commissioner. Being aware of these rights provided the Respondent by operation of law, the Respondent, Elizabeth Campbell, knowingly and voluntarily waives each and every one of these rights and freely enters into this Joint Stipulation of Facts, Waiver of Hearing Before the Administrative Hearing Commission and State Committee of Psychologists and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law and agrees to abide by the terms of this document as they pertain to Respondent.

Based upon the foregoing, the Petitioner and the Respondent jointly stipulate to the following and request that the Administrative Hearing Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law as the Administrative Hearing Commission's Findings of Fact and Conclusions of Law:

JOINT PROPOSED FINDINGS OF FACT

1. The State Committee of Psychologists (the "Committee") is an agency of the state of Missouri created and established pursuant to § 337.050, RSMo 1994, for the purpose of executing and enforcing the provisions of Chapter 337, RSMo.

2. Elizabeth Campbell (the "Respondent") is licensed by the Committee as a psychologist, License No. PY01166. The Respondent's Missouri license is current and active.

3. From March 1989 to May 1991, Respondent treated patient R. S. for borderline personality and depression.

4. During the course of therapy, in or about January 1990, Respondent hired patient R. S. to research and co-author the development of a university course for the University of Missouri Extension Center.

5. Respondent paid patient R. S. for services rendered in researching and co-authoring a university course textbook.

6. Respondent mishandled the therapeutic boundary with patient R. S. and engaged in an unprofessional dual relationship with patient R. S.

7. Respondent's actions compromised the effectiveness of the therapeutic intervention.

JOINT PROPOSED CONCLUSIONS OF LAW

8. Cause exists for discipline against Respondent's psychologist license pursuant to § 337.035.2, RSMo Supp. 1989, which provides:

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his certificate of registration or authority, permit or license for any one or any combination of the following causes;

....

(5) . . . misconduct . . . in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

....

(13) Violation of any professional trust or confidence;

....

(15) Being guilty of unethical conduct as defined in 'Ethical Rules of Conduct' as adopted by the committee and filed with the secretary of state.

9. 4 CSR 235-5.030(1)(A)(B)(C) and (D) provide:

(1) General Principles.

(A) Purpose. The ethical rules of conduct constitute the standards against which the required professional conduct of a psychologist is measured.

(B) Scope. The psychologist shall be governed by these ethical rules of conduct whenever providing psychological services in any context. These ethical rules of conduct shall apply to the conduct of all licensees and applicants, including the applicant's conduct during the period of education, training and employment which is required for licensure. The term psychologist, as used within these ethical rules of conduct, shall be interpreted accordingly whenever psychological services are being provided in any context.

(C) Responsibility for Own Actions. The psychologist, when functioning as a licensed psychologist, shall be fully responsible for his/her own professional decisions and professional actions.

(D) Violations. A violation of these ethical rules of conduct constitutes unprofessional conduct and is sufficient reason for disciplinary action or denial of either original licensure, reinstatement or renewal of licensure.

10. Respondent's conduct as set forth herein violates 4 CSR 235-5.030(4)(B)

which provides:

(4) Impaired Objectivity and Dual Relationships.

.....

(B) Dual Relationship Affecting Psychologist's Judgment. The psychologist shall not undertake or continue a professional relationship with a client when the objectivity or competency of the psychologist is or could reasonably be expected to be impaired because of the psychologist's present or previous familial, social, sexual, emotional,

financial, supervisory, political, administrative or legal relationship with the client or a relevant person associated with or related to the client. If that dual relationship develops or is discovered after the professional relationship has been initiated, the psychologist shall terminate the professional relationship in an appropriate manner, shall notify the client in writing of this termination and shall assist the client in obtaining services from another professional.

11. Respondent's conduct as set forth herein violates 4 CSR 235-5.030(4)(C)2

which provides:

(4) Impaired Objectivity and Dual Relationships.

....

(C) Prohibited Dual Relationship.

....

2. The psychologist, in interacting with any current client or with a client to whom the psychologist has at anytime within the previous twenty-four (24) months rendered counseling, psychotherapeutic or other professional psychological services for the treatment or amelioration of emotional distress or behavioral inadequacy, shall not enter into a financial or other potentially exploitative relationship with him/her/them.

12. Respondent's conduct as set forth herein violates the following ethical standards for psychologists in full force and effect at the time of the actions set forth herein:

A. 4 CSR 235-5.020(2)(F), which provides:

(2) Responsibility. In providing services, psychologists maintain the highest standards of their profession. They

accept responsibility for the consequences of their acts and make every effort to ensure that their services are used appropriately.

. . . .

(F) As practitioners, psychologists know that they bear a heavy social responsibility because their recommendations and professional actions may alter the lives of others. They are alert to personal, social, organizational, financial or political situations and pressures that might lead to misuse of their influence.

B. 4 CSR 235-5.020(4)(D), which provides:

(4) Moral and Legal Standards. Psychologists' moral and ethical standards of behavior are a personal matter to the same degree as they are for any other citizen, except as these may compromise the fulfillment of their professional responsibilities or reduce the public trust in psychology and psychologists. Regarding their own behavior, psychologists are sensitive to prevailing community standards and to the possible impact that conformity to or deviation from these standards may have upon the quality of their performance as psychologists. Psychologists are also aware of the possible impact of their public behavior upon the ability of colleagues to perform their professional duties.

. . . .

(D) As practitioners and researchers, psychologists act in accord with these standards and guidelines related to practice . . . .

C. 4 CSR 235-5.020(7)(A), which provides:

(A) Psychologists are continually cognizant of their own needs and of their potentially influential position vis-a-vis persons such as clients, students and subordinates. They avoid exploiting the trust and dependency of such persons. Psychologists make every effort to avoid dual relationships

that could impair their professional judgement or increase the risk of exploitation. Examples of such dual relationships include, but are not limited to, research with and treatment of employees, students, supervisees, close friends or relatives . . . .

13. Cause exists for Petitioner to take disciplinary action against the psychologist's license of Respondent pursuant to § 337.035.2(5), (6), (13) and (15) RSMo 1994.

## II

### DISCIPLINARY ORDER

In light of the foregoing stipulation of facts, Respondent and the Committee hereby consent and agree to the following disciplinary action to be imposed against License No. PY01166 effective the date the Administrative Hearing Commission enters its order.

1. By agreement of the parties, License No. PY01166 of Elizabeth Campbell, Ph.D., is placed on probation for a period of three years under the following terms and conditions:

A. Respondent must complete professional education courses on the topics of ethics and psychotherapy approved by the State Committee of Psychologists. The courses must be approved by the APA for continuing education for psychology.

B. During the probationary period, Respondent's practice as a professional psychologist shall be supervised by a psychologist approved by the

State Committee of Psychologists. The supervision shall be on a weekly basis for the first year of the probationary period, bimonthly basis for the second year of the probationary period, and monthly basis for the third year of the probationary period. Within twenty business days of the effective date of this agreement, licensee shall submit a list of no less than five proposed psychologists to supervise Respondent's practice as a professional psychologist. The Committee may approve a psychologist from this list or may require a second list of five psychologists which the licensee shall submit within twenty business days of the Committee's request. Supervision shall include a list of readings to be assigned by the supervising psychologist. If Respondent has failed to secure a supervisor within twenty days from the effective date of probation, the Respondent shall cease practicing psychology until a supervisor is secured. Supervision includes full order and control of Respondent's practice of professional psychology by the supervising psychologist. Respondent shall be responsible for any payment associated with the supervision. Full order and control includes, but is not limited to, onsite face-to-face review of cases as noted above and review, approval, and co-signing of written reports such as case notes, intake assessments, test reports, treatment plans, and progress reports.

C. In the event the supervising psychologist becomes unable or decides not to continue serving in his/her capacity as a supervising psychologist

or otherwise ceases to serve as a supervising psychologist during the period of probation, then, the Respondent shall:

a) within three business days of being notified of the supervising psychologist's inability or decision not to continue serving as the supervising psychologist, advise the State Committee of Psychologists in writing that he/she is needing to secure a supervising psychologist and the reasons for such change; and

b) within twenty days of being notified of the supervising psychologist's inability or decision not to continue serving as the supervising psychologist, or otherwise learning of the need to secure a supervising psychologist, secure a supervising psychologist pursuant to and in accordance with the terms and conditions set forth in this Order. After twenty days, the Respondent shall not practice if he or she has not secured a supervisor.

D. Respondent's supervisor must report every three months on Respondent's compliance with this Order. It is Respondent's responsibility to ensure that these reports are provided in a timely manner.

E. In any professional activities in which Respondent is involved, all individuals whom Respondent treats, evaluates, consults, or provides services must agree to allow their treatment records to be reviewed by the State Committee of Psychologists or its representatives.

F. Respondent may not serve as a supervisor for any psychological trainee, psychological intern, psychological resident, psychological assistant, or any person undergoing supervision during the course of obtaining licensure as a psychologist, professional counselor, or social worker.

G. Respondent must keep the State Committee of Psychologists apprised at all times, in writing, of Respondent's current home and work addresses and telephone numbers.

H. Respondent is required to pay to the State Committee of Psychologists, in a timely fashion, all requisite fees required by law to renew and keep current Respondent's psychology license in Missouri.

I. Respondent is required to comply with all provisions of Chapter 337, RSMo, the rules and regulations duly promulgated by the State Committee of Psychologists and state and federal criminal laws.

J. Respondent must provide periodic reports of Respondent's compliance with this Order every three months.

K. At Respondent's expense, Respondent must agree to meet with the State Committee of Psychologists at reasonable intervals designated by the Committee.

2. Upon the expiration of the disciplinary period, the Respondent's license as a psychologist in Missouri shall be fully restored, provided all provisions of this Order and all other requirements of law have been satisfied.

3. If the State Committee of Psychologists determines that the Respondent has violated a term or condition of her discipline, or has otherwise failed to comply with the provision of Chapter 337 RSMo, which violation would be actionable in a proceeding before the State Committee of Psychologists or the Administrative Hearing Commission or a circuit court, the State Committee of Psychologists may elect to pursue any lawful remedies or procedures afforded to it, and is not bound by this order in the selection of remedies concerning such violation.

4. Respondent hereby waives and releases the Committee, its members and any of its employees, agents, or attorneys, including any former Committee members, employees, agents, and attorneys, of, or from, any liability, claim, actions, causes of action, fees costs and expenses, and compensation, including, but not limited to any claims for attorneys fees and expenses, including any claims pursuant to §536.087, RSMo, or any claim arising under 42 USC 1983, which may be based upon, arise out of, or relate to any of the matters raised in this litigation, or from the negotiation or execution of this joint stipulation. The parties acknowledge that this paragraph is severable from the remaining portions of this joint stipulation in that it survives in perpetuity even in the event that any court of law deems this joint stipulation or any portion thereof void or unenforceable.

5. The parties to this Order understand that the State Committee of Psychologists will maintain this Order as an open record of the Committee as provided in Chapters 337, 610, and 620 RSMo.

RESPONDENT

STATE COMMITTEE OF  
PSYCHOLOGISTS

Elizabeth Campbell Ph.D. 12/2/96  
Elizabeth Campbell, Ph.D. date  
Respondent,

Kristopher A. Kuenn  
Kristopher A. Kuenn date  
Attorney at Law

Mildred Robertson 12/17/96  
Mildred Robertson date  
Executive Director

Mark D. Schoon 12/20/96  
Mark D. Schoon date  
Assistant Attorney General