

BEFORE THE
STATE COMMITTEE OF PSYCHOLOGISTS
STATE OF MISSOURI

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STATE COMMITTEE OF PSYCHOLOGISTS,)
)
Petitioner,)
)
v.)
)
HARRY R. DAVIDSON)
)
Respondent.)

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STATE COMMITTEE
OF PSYCHOLOGISTS
Case No. 94-001646PS

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DISCIPLINARY ORDER**

Findings of Fact

The Administrative Hearing Commission is an agency of the State of Missouri created and established pursuant to § 621.015, RSMo, for the purpose of conducting hearings and making findings of fact and conclusions of law in cases in which disciplinary action may be taken against a licensee or certificate holder by certain agencies, including the Missouri State Committee of Psychologists.

On June 28, 1995, the Administrative Hearing Commission of the State of Missouri entered its Findings of Fact and Conclusions of Law in the case of State Committee of Psychologists v. Harry R. Davidson, Case No. 94-001646PS. In its decision, the Administrative Hearing Commission found that Respondent's license to

practice psychology is subject to disciplinary action by this Committee for violation of §§ 337.035.2 (6) and (15), RSMo 1994, for violating 4 CSR 235.5.030 (10)(d).

This Committee has received the record of the proceedings before the Administrative Hearing Commission and the decision. The decision by the Administrative Hearing Commission in Case No. 94-001646PS is incorporated herein by reference as if fully set forth in this Order.

This Committee set this matter for disciplinary hearing and served notice of the disciplinary hearing upon Respondent in a proper and timely fashion.

Pursuant to notice and § 621.110, RSMo, this Committee held a hearing on November 18, 1995, for the purpose of determining the appropriate disciplinary action against Respondent's license. Respondent was present for the hearing and was not represented by counsel. The Committee was represented by Assistant Attorney General Paul Boyd.

Each member of this Committee who participated in this decision certified on the record that he or she had read the Administrative Hearing Commission's Findings of Fact and Conclusions of Law. The following members of this Committee were present throughout the hearing and participated in the Committee's deliberations, vote and order: Dr. Darrell Hartke, Dr. Betty Kraemer, Dr. Betty Schlesing, Dr. Carl Willis, Dr. Janice Vanburen and Dr. Clifford Whipple.

Harry R. Davidson, Respondent, is licensed by the Committee, license number

PY00237. Respondent's license is current and active.

Conclusions of Law

This Committee has jurisdiction over this proceeding pursuant to Section 621.110, RSMo.

Respondent's license is subject to disciplinary action by this Committee pursuant to Section 337.035.2 (6) and (15), RSMo 1994, for violating 4 CSR 235.5.030(10)(d).

Disciplinary Order

THEREFORE, having fully considered all the evidence before this Committee, and giving full weight to the Findings of Fact and Conclusions of Law of the Administrative Hearing Commission, it is the ORDER of this Committee that the license of Harry R. Davidson, numbered PY00237, to practice psychology is hereby placed on PROBATION for a period of one (1) year. The following terms and conditions shall apply throughout the period of probation.

- A. During the disciplinary period, the scope and nature of Respondent's practice as a professional psychologist will be under review of the State Committee of Psychologists.
- B. During the disciplinary period, Respondent must complete a graduate level course on use of and proficiency in the MMPI, in a department of psychology from an APA approved psychology program. The Respondent must obtain a grade of B or higher in the course. Readings courses, correspondence courses or independent study courses are unacceptable.
- C. Should Respondent demonstrate proficiency in the use, administration,

scoring, interpretation and reporting of the MMPI after successfully completing the above-referenced required course, Respondent may petition the Committee to waive the remainder of the period of probation. However, the Committee may, at its discretion, deny Respondent's request for waiver of the remainder of the period of probation.

D. During the disciplinary period, Respondent must inform Respondent's worksite supervisor, employers, and all hospitals, institutions, and managed health care organizations with which Respondent is affiliated, that Respondent's work as a professional psychologist is under probation by the State Committee of Psychologists.

E. During the disciplinary period, or until such time as Respondent demonstrates proficiency in the use, administration, scoring, interpretation and reporting of the MMPI, Respondent shall not engage in the use, administration, scoring, interpretation and reporting of the MMPI unless such use, administration, scoring, interpretation and reporting of the MMPI is under the direct supervision of a Committee approved psychologist. If Respondent has failed to secure a supervisor within twenty (20) business days from the start of probation the Respondent shall cease use of the MMPI until a supervisor is secured and approved by the Committee. Respondent shall be responsible for any payment associated with the supervision.

F. 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 (3) business 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, 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 (20) business 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 (20) business days, the Respondent shall not practice if he or she has not secured a supervisor.

G. Respondent's supervisor must report every six (6) months on Respondent's compliance with this Order.

H. Respondent's supervisor must determine and verify to the Committee that Respondent is proficient in the use, administration, scoring, interpretation

and reporting of MMPI results in order for the Committee to consider waiver of the remainder of the period of probation.

- I. 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.
- J. 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.
- K. 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.
- L. 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.
- M. Respondent must provide periodic reports of Respondent's compliance with this Order every six (6) months.
- N. At Respondent's expense, Respondent must agree to meet with the State Committee of Psychologists at reasonable intervals designated by the Committee.
- O. 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.

P. If the State Committee of Psychologists determines that the Respondent has violated a term or condition of his/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 its selection of remedies concerning such violation.

Q. The State Committee of Psychologists will maintain this Order as an open record of the Committee.

IT IS SO ORDERED, effective this 18th day of January, 19 96.

STATE COMMITTEE OF PSYCHOLOGISTS


Mildred Robertson
Executive Director

(SEAL)