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AUG 30 1993

STATE COMMITTEE
OF PSYCHOLOGISTS

AGREEMENT BETWEEN THE STATE COMMITTEE OF
PSYCHOLOGISTS AND JAMES LEFTWICH
REGARDING DISCIPLINE OF THE LICENSE OF JAMES LEFTWICH

I.

Come now James Leftwich, Ph.D. and the State Committee of Psychologists and enter into this Agreement for the purpose of resolving the question of whether his Psychologist's license will be subject to discipline.

James Leftwich, Ph.D. (hereinafter "Licensee") understands that this Agreement is in lieu of a trial-type hearing of the charges by the Administrative Hearing Commission where he would have the right to appear and be represented by legal counsel; the right to have all charges proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing; the right to a decision upon the record by a fair and impartial administrative hearing commissioner concerning the charges pending, and subsequently, the right to a disciplinary hearing before the State Committee of Psychologists at which time evidence in mitigation of discipline may be presented; and the right to a claim for attorneys fees and expenses. Being aware of these rights, the parties knowingly and voluntarily waive each and every one of these rights and agree to abide by the terms of this document, in lieu of proceedings before the Administrative Hearing Commission.

II.

Licensee hereby stipulates with the State Committee of Psychologists to the following facts:

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

2. The Licensee is licensed by the Committee as a Psychologist, License No. 00291. The Licensee's Missouri license is current and active.

3. Respondent commenced therapy with patient S.K. on or about September 11, 1989.

4. On or about December 12, 1989, Licensee hugged patient S.K. during therapy. During the hug, Licensee kissed patient S.K. on the top of the head.

5. Through these behaviors, the Licensee mishandled the therapeutic boundary with patient S.K.

6. Licensee's actions compromised the effectiveness of the therapeutic intervention.

7. Cause exists for discipline against Licensee's Psychologist license pursuant to Section 337.035.2.

III.

In light of the foregoing stipulation of facts, Licensee and the Committee hereby consent and agree to the following

disciplinary action to be imposed against license number 00291 effective the date this document is signed by the Committee.

A. By agreement of the parties, License number 00291 of James Leftwich is hereby placed on probation for a period of one (1) year. The probation is hereby stayed under the following terms and conditions:

1. For a period of two years, licensee's practice as a professional psychologist shall be supervised on a weekly basis by a psychologist approved by the State Committee of Psychologists. The supervision shall focus on the basic constructs of psychotherapy and ethics, which shall include a review of all patients periodically with particular emphasis on an in depth discussion of one problematic case per week.
2. Licensee's supervision shall include a didactic component with readings. Licensee shall submit to the Committee a list of readings as well as objectives on how the reading will meet those objectives.
3. Licensee shall secure a supervisor within twenty (20) days from the effective date of this agreement or cease practicing psychology until a supervisor is secured. Supervision includes full order and control of licensee's practice of professional psychology by the supervising

psychologist. Licensee shall be responsible for any payment associated with the supervision.

4. 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 this agreement, then, the licensee 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 the stipulation. After twenty days, the licensee shall not practice if he or she has not secured a supervisor.

5. During the stay, Licensee 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.
 6. During the stay, Licensee must keep the State Committee of Psychologists appraised at all times, in writing, of licensee's current home and work addresses and telephone numbers.
 7. During the stay, Licensee 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 licensee's psychology license in Missouri.
 8. During the stay, Licensee 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.
- B. Upon the successful completion of the terms and conditions of the stay, the Licensee's license as a psychologist in Missouri shall be fully restored, provided all provisions of this agreement and all other requirements of law have been satisfied.

C. If the State Committee of Psychologists determines that the licensee has violated a term or condition of his stay, 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 Psychologist 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 agreement and its selection of remedies concerning such violation.

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

Effective this 3rd day of September, 1992³ *RS*.

(Effective date to be filled in by Executive Director).

STATE COMMITTEE OF PSYCHOLOGISTS

James Leftwich 7/29/93
James Leftwich, Ph.D. date
Licensee

Dennis Buckelew 8/30/93
Dennis Buckelew date
Executive Director

JEREMIAH W. (JAY) NIXON
Attorney General

Stephen S. Brown date
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Daryl R. Hylton 8/30/93
Daryl R. Hylton date
Assistant Attorney General

ATTORNEY FOR LEFTWICH