

DAVID KNIGHT, PSYD

**SURRENDERED HIS LICENSE
EFFECTIVE DECEMBER 10, 2020.**

**BEFORE THE MISSOURI
STATE COMMITTEE OF PSYCHOLOGIST**

STATE COMMITTEE OF PSYCHOLOGIST,)	
)	
Petitioner,)	
)	
v.)	No. 18-1464
)	
DAVID MACGREGOR KNIGHT,)	
Respondent.)	

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

On or about February 7, 2020, the Administrative Hearing Commission entered its *Consent Order* in the case of *State Committee of Psychologist v. David Macgregor Knight*, Case No. 18-1464. In that Consent Order, the Administrative Hearing Commission (AHC) found that Respondent’s psychologist license, license number 1999140253, is subject to disciplinary action by the State Committee of Psychologist (“Committee”) pursuant to § 337.035.2 (6), (13), and (15), RSMo.¹

The Committee has received and reviewed the record of the proceedings before the AHC, including the *Consent Order* of the AHC and the Parties’ *Joint Motion For Consent Order, Joint Stipulation Of Facts And Conclusions Of Law, And Waiver Of Hearing Before The Administrative Hearing Commission*. The record of the AHC, including the Committee’s *Complaint*, Respondent’s *Answer*, the *AHC Consent Order*, and the Parties’ *Joint Motion For Consent Order, Joint Stipulation Of Facts And Conclusions Of Law, And Waiver Of Hearing Before The Administrative Hearing Commission*, are incorporated by reference within this Disciplinary Order.

¹ All statutory references are to Missouri Revised Statutes 2000, as amended, unless otherwise indicated.

Pursuant to notice and § 621.110 and Chapter 337, RSMo, the Committee scheduled a hearing to be held on June 25, 2020, at approximately 1:30 p.m., at the Embassy Suites Hotel, 11237 Lone Eagle Drive, Bridgeton, Missouri, for the purpose of determining the appropriate disciplinary action against Respondent's license. At the June 25, 2020 disciplinary hearing, the Committee was represented by attorney Clayton Weems. Respondent appeared at the scheduled hearing and was represented by attorney, Douglas Hennon.

I.

FINDINGS OF FACT

1. The State Committee of Psychologist ("Committee") is an agency of the State of Missouri created and established pursuant to Chapter 337, RSMo, for the purpose of carrying out the provisions of Chapter 337, RSMo, relating to psychologists.

2. Respondent, David Macgregor Knight, is licensed by the Committee as a psychologist, license number 1999140253. Respondent's Missouri license is current and active until January 31, 2022.

3. The Committee hereby adopts and incorporates by reference, as if fully delineated within this Disciplinary Order, the *Consent Order* of the Administrative Hearing Commission in *State Committee of Psychologist v. David Macgregor Knight*, Case No. 18-1464, and the Parties' *Joint Motion For Consent Order, Joint Stipulation Of Facts And Conclusions Of Law, And Waiver Of Hearing Before The Administrative Hearing Commission*, in its entirety, to include the Joint Proposed Findings of Fact and Joint Proposed Conclusions of Law.

4. In its *Consent Order*, the Administrative Hearing Commission determined there was cause to discipline Respondent's license pursuant to § 337.035.2 (6), (13), and (15), RSMo, as a result of Respondent's Ethical Rules of Conduct violations regarding multiple and prohibited relationships of a sexual nature with a client (T.L.) during a therapeutic relationship entered into in February of 2015. All of the listed violations are violations for which the Committee has authority to discipline Respondent's license.

5. The Committee set this matter for disciplinary hearing and served notice of the disciplinary hearing upon Respondent by certified mail and via First Class mailing through the U.S. Postal Service.

II.

CONCLUSIONS OF LAW

6. This Committee has jurisdiction over this proceeding pursuant to §§ 621.110 and Chapter 337, RSMo.

7. The Committee expressly adopts and incorporates by reference, as if fully delineated within this Disciplinary Order, the *Consent Order* issued by the Administrative Hearing Commission on February 7, 2020, in *State Committee of Psychologist v. David Macgregor Knight*, Case No. 18-1464, and the Parties' *Joint Motion For Consent Order, Joint Stipulation Of Facts And Conclusions Of Law, And Waiver Of Hearing Before The Administrative Hearing Commission*. The Committee hereby enters its Conclusions of Law consistent therewith.

8. As a result of the foregoing, and in accordance with the Administrative Hearing Commission's *Consent Order* of February 7, 2020, and the Parties' *Joint Motion For Consent Order, Joint Stipulation Of Facts And Conclusions Of Law, And Waiver Of Hearing*

Before The Administrative Hearing Commission, Respondent's psychologist license, license number 1999140253, is subject to disciplinary action by the Committee pursuant to § 337.035.2 (6), (13), and (15), RSMo.

9. The Committee has determined that a Disciplinary Order is necessary to ensure the protection of the public.

III.

ORDER

10. Based upon the foregoing, and for the purpose of settling the issue of what discipline is appropriate in accordance with the *AHC Consent Order and Joint Motion For Consent Order, Joint Stipulation Of Facts And Conclusions Of Law, And Waiver Of Hearing Before The Administrative Hearing Commission*, the following shall constitute the disciplinary order entered by the Committee in this matter under the authority of § 621.045.3, RSMo:

11. The terms of discipline shall include that the Respondent's psychologist license, license number 1999140253, be **SUSPENDED for a period of two (2) years**.

Immediately following the two-year suspension, Respondent's license, number 1999140253, shall be placed on **PROBATION for a period of five (5) years**. During this Probation ("disciplinary period"), Respondent will be subject to the terms and conditions set forth herein. During the period of **PROBATION**, Respondent shall be entitled to practice as a licensed psychologist subject to the terms and conditions contained in this Order.

TERMS AND CONDITIONS

A. During the period of SUSPENSION AND/OR PROBATION, Respondent may not serve as a supervisor for any psychological trainee, intern, resident, assistant, or anyone undergoing supervision during the course of obtaining licensure as a psychologist, professional counselor, social worker, or marital and family therapist.

B. During the period of SUSPENSION AND/OR PROBATION, Respondent must keep the Committee apprised at all times, in writing, of Respondent's current home and work addresses, telephone number(s), and e-mail address(es), if available.

C. The Respondent will notify the Committee if there is any change in his practice location(s) and the Committee and any representative of the Committee shall have the right to inspect the practice site to determine if the safety protocols the Respondent described as having initiated are still in place and acceptable to the Committee (e.g., office space with clear windows and no window treatments, group practice environment with other providers always present during the times the Respondent is engaged in the practice of psychology, etc.).

D. During the period of SUSPENSION AND/OR PROBATION, Respondent must pay to the Committee, in a timely fashion, all fees required by law to renew and keep Respondent's license current and active. Alternatively, Respondent may surrender Respondent's psychology license by submitting a Surrender of Licensure Rights and Privileges form to the Committee along with all indicia of licensure. If Respondent applies for a psychologist license after surrender, Respondent shall be required to requalify as if an original applicant.

E. During the period of SUSPENSION AND/OR PROBATION, Respondent shall comply with all provisions of Chapter 337, RSMo, regulations promulgated thereunder and all state and federal laws.

F. During the period of SUSPENSION AND/OR PROBATION, Respondent shall provide the Committee periodic reports of Respondent's compliance with the Agreement every three months. The Committee shall receive the reports on or before March 1, June 1, September 1, and December 1 of each year of SUSPENSION AND/OR PROBATION.

G. During the period of SUSPENSION AND/OR PROBATION, Respondent must agree to meet with the Committee or its designee at reasonable intervals designated by the Committee.

H. During the period of SUSPENSION AND/OR PROBATION, Respondent shall submit or cause submission of all reports required by the Agreement to: State Committee of Psychologists, P.O. Box 1335, Jefferson City, MO 65102.

I. Upon expiration of the SUSPENSION AND/OR PROBATION, Respondent's license as a psychologist in Missouri shall be fully restored.

J. If the Committee determines that the Respondent has violated a term or condition of discipline, or has otherwise failed to comply with the provisions of Chapter 337, RSMo, which violation would be actionable in a proceeding before the Committee, the Administrative Hearing Commission or a Circuit Court, the Committee may elect to pursue any lawful remedies or procedures afforded it.

K. During the discipline period, Respondent shall report to the Committee each occurrence of Respondent's being arrested or finally adjudicated and found guilty, or entering a plea of guilty or nolo contendere, in a state or federal criminal prosecution, to felony or misdemeanor offenses, within ten business days of each such occurrence.

L. Respondent shall limit his practice of psychology to adult male patients.

M. Respondent shall immediately institute a "no electronic contact" policy with clients. This shall be included in the Informed Consent document all patients will be required to sign once the Probationary period begins. This policy will notify clients that the Respondent will not communicate with clients via email, text, Face Time, or any social media platforms or applications (e.g., Facebook, Twitter, etc.). The Respondent will also not provide any telehealth services using telephonic or electronic platforms (e.g., Zoom).

ADDITIONAL TERMS AND CONDITIONS

A. Evaluation

1. At Respondent's expense, Respondent must undergo an evaluation to assess current functioning and effects of such functioning on Respondent's ability to practice, conducted by a licensed and/or board certified psychologist trained in diagnostic psychological assessment and evaluation including expertise in "fitness for duty" evaluations ("evaluating practitioner"), approved by the Committee. Within twenty (20) days of the effective date of this Order, Respondent shall submit a list of no less than five (5) proposed evaluating practitioners to conduct the evaluation. The Committee may approve an evaluating practitioner from this list, or may require a second list of five (5) evaluating practitioners, which the Respondent must submit within twenty (20) business days of the Committee's request. The Respondent must begin the evaluation within thirty (30) days of the Committee's approval. The Respondent must immediately notify the Committee, in writing of the start date of the evaluation.

2. The written evaluation must be submitted by the evaluating practitioner to the Committee within thirty (30) days of the evaluation being initiated. It shall be the Respondent's responsibility to ensure that the evaluation is submitted by the evaluating practitioner to the Committee.

3. The evaluating practitioner shall be released to discuss the purpose and methods of the evaluation with a representative of the Committee prior to performing the evaluation. The evaluation will be pursuant to consultation with the Committee. While Respondent will pay for the evaluation, the evaluating practitioner will work on behalf of the Committee.

4. Respondent shall abide by the recommendations of the evaluating practitioner set forth in the evaluating practitioner's evaluation. Respondent shall engage in all testing, evaluation, supervision, therapy or other treatment recommended by the evaluating practitioner. If therapy is deemed appropriate, the treating psychologist trained in managing patients with sexual addiction as well as other diagnoses related to problems identified both in the formal Evaluation and discussed between the Respondent and the Committee ("treating health care provider"), must be different from the evaluating practitioner and must be approved by the Committee. Respondent shall commence any recommended therapy or treatment within twenty (20) days of the evaluation completion date.

5. If therapy is deemed appropriate, it must be continued according to the frequency of sessions recommended by the evaluating practitioner. The treatment modality or plan shall reflect issues and themes recommended by the evaluating practitioner as well as any additional treatment goals. Ongoing treatment and documentation should address the evaluating practitioner's recommendation.

6. In the event the treating health care provider becomes unable or decides not to continue serving in his/her capacity as a treating health care provider during the disciplinary period, then, the Respondent shall:

a. Within three (3) business days of being notified of the treating health care provider's inability or decision not to continue serving as the treating health care provider or otherwise learning of the need to secure a treating health care provider, advise the Committee in writing that he/she is needing to secure a treating health care provider and the reasons for such change; and

b. Within twenty (20) business days of being notified of the treating health care provider's inability or decision not to continue serving as the treating health care provider or otherwise learning of the need to secure a treating health care provider, secure a treating health care provider pursuant to and in accordance with the terms and conditions set forth in this Order.

7. Respondent must give the Committee, or its representative, permission to review Respondent's personal treatment or medical records.

8. In any professional activity in which Respondent is involved, all individuals whom Respondent treats, evaluates, or provides service must allow their treatment records to be reviewed by the Committee or its representatives.

9. Respondent's treating health care provider must report at least quarterly to the Committee on Respondent's progress. Reports must be received before March 1, June 1, September 1, and December 1 of each year. It is Respondent's responsibility to ensure that these reports are provided in a timely manner.

B. Monitoring

1. Respondent's practice as a professional psychologist shall be monitored by a psychologist approved by the Committee. Within twenty (20) business days of the effective date of this agreement, Respondent shall submit a list of no more than five proposed psychologists to monitor 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 Respondent shall submit within twenty business days of the Committee's request. If Respondent has failed to secure a monitoring psychologist within twenty (20) business days from the effective date of the disciplinary order, Respondent shall cease practicing psychology until a monitoring psychologist is secured. Monitoring is defined as one hour per week of individual face-to-face discussions reviewing ethics, clinical issues, case management, billing, record-keeping, or other professional activities including informed consent related to financial arrangements with clients. Respondent shall be responsible for any payment associated with monitoring.

Monitor qualifications:

- a. The proposed candidates for monitor must be licensed at the doctoral level and eligible for independent practice.
- b. Monitors must abide by the ethical requirements and law of Missouri.
- c. Monitors must have knowledge of relevant theory and scientific literature related to monitoring as well as current training, knowledge and skill in providing competent monitoring.
- d. Monitors must have the training, knowledge, skill and experience in the Respondent's area of practice to effectively monitor all areas identified by the Committee or the monitor.
- e. Monitors must disclose any previous relationship with the Respondent and maintain professional boundaries.

Requirements of monitoring:

- a. The monitor must ensure the Respondent's duties and services are consistent with competent practice and meet the requirements of the disciplinary order.
- b. The monitor must ensure that the Respondent informs his/her clients/patients of the monitoring and obtains informed consent.
- c. The monitor must generate and maintain records of monitoring and abide by reporting requirements of the disciplinary order in a timely manner. Failure to do so could result in seeking discipline of the monitor's license.
- d. The supervisor shall notify the Committee of any issues promptly to allow for amendment to the parameters of supervision.

Monitoring Contract:

- a. The monitor and Respondent shall enter into a contract which shall be reviewed, approved and signed by the Committee or its designee.
 - b. The monitoring contract shall include:
 - i. General information including, but not limited to, the duration of monitoring, length and frequency of monitoring sessions, details of payment for monitoring, and the goals and objectives of monitoring.
 - ii. Job duties and responsibilities of the Respondent.
 - iii. Job duties and responsibilities of the monitor.
 - iv. Resolving differences between the monitor and Respondent.
 - vi. Requirements for informed consent.
 - vii. Grounds for termination of monitoring.
2. In the event the monitoring psychologist becomes unable or unwilling to serve in his/her capacity as a monitoring psychologist or otherwise ceases to serve as a monitoring psychologist during the period of probation, then the Respondent shall:
- a. Within three (3) business days of being notified of the monitoring psychologist's inability or decision not to continue serving as the monitoring psychologist, advise the Committee in writing that Respondent is needing to secure a monitoring psychologist and the reason for such change; and
 - b. Within twenty (20) business days of being notified of the monitoring psychologist's inability or unwillingness to continue serving as the monitoring psychologist, or otherwise learning of the need to secure a monitoring psychologist, secure a monitoring psychologist pursuant to and in accordance with the terms and conditions set forth in this Order.
3. 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 Committee or its representatives.
4. Respondent's monitoring psychologist must report at least once every three months on Respondent's compliance with the terms of discipline in the disciplinary order throughout the disciplinary period. Reports must be received before March 1, June 1, September 1 and December 1 of each year of the disciplinary period. It is Respondent's responsibility to ensure that these reports are provided to the Committee in a timely manner.
- a. The monitoring agreement must include a statement whether or not the monitoring psychologist's reports can be shared with the Respondent.

b. The monitor's reports should include a review of the process of monitoring, the dates and times of monitoring, status of the goals of monitoring and how Respondent is meeting the goals, and a recommendation on the continuation of monitoring.

The Committee will maintain this Order as an open and public record of the Committee as provided in Chapters 337, 324, and 610, RSMo.

SO ORDERED this 22nd day of July, 2020.



STATE COMMITTEE OF PSYCHOLOGIST

Pamela Groose

Pamela Groose, Executive Director

EFFECTIVE: September 22, 2020