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BEFORE THE
STATE COMMITTEE OF PSYCHOLOGISTS
STATE OF MISSOURI

STATE COMMITTEE
OF PSYCHOLOGISTS

STATE COMMITTEE OF PSYCHOLOGISTS,)
)
 Petitioner,)
)
 v.)
)
 JOHN R. REISENLEITER)
)
 Respondent.)

Case No. 93-001742PS

**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 January 31, 1995, the parties filed a "Joint Stipulation of Facts and Waiver of Hearing Before the Administrative Hearing Commission and Consent to a Finding of Cause for Discipline with Joint Proposed Finding of Fact and Conclusions of Law" at the Administrative Hearing Commission. On February 2, 1995, the Administrative Hearing Commission issued a Consent Order independently determining that Respondent's license to practice psychology is subject to disciplinary action by this

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Committee for violation of Sections 337.035.2 (5), (6), (13) and (15), RSMo 1986, and incorporating the parties' proposed findings of fact and conclusions of law. This Committee has received the record of the proceedings before the Administrative Hearing Commission and the Consent Order. The Joint Stipulation entered by the parties and the Administrative Hearing Commission's Consent Order are incorporated herein by reference as if fully set forth in this document.

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 Sections 621.110, RSMo, this Committee held a hearing on May 20, 1995, for the purpose of determining the appropriate disciplinary action against Respondent's license. Respondent was present for the hearing and was represented by counsel, David S. Purcell. The Committee was represented by Assistant Attorney General Edward R. Ardini, Jr..

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. Duane Hartley, Dr. Betty Kraemer, Dr. Betty Schlesing, Dr. Carl Willis, Dr. Janice Vanburen and Dr. Clifford Whipple.

John Reisenleiter, Respondent, is licensed by the Committee, license number PY00662. Respondent's license is current and active.

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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 Sections 337.035.2 (5), (6), (13) and (15), RSMo 1986.

Disciplinary Order

THEREFORE, having fully considered all the evidence before this Committee, and giving full weight to the Findings of Fact and Conclusions contained in the Joint Stipulation, it is the Order of this Committee that the license of John Reisenleiter, numbered PY00662, to practice psychology is hereby REVOKED. The revocation shall be stayed, and Respondent's license shall be SUSPENDED for a period of two (2) years. Immediately following the period of suspension, Respondent's license shall be placed on PROBATION for a period of five (5) years. The following terms and conditions shall apply throughout the periods of suspension and probation.

- A. Licensee shall submit all copies and originals of Licensee's psychologist license, wallhanging, and wallet certificate to the State Committee of Psychologists within thirty (30) days of the effective date of this Order to be held during the period of suspension.
- B. During the period of suspension, Licensee shall not engage in any counseling, guidance, psychotherapy, or acts which fall under the definition of the term psychology as set forth in Sections 337.015.3 and 337.015.4 RSMo, 1989, whether license is required for such acts or not.

- C. Licensee may, after completing a mandatory initial evaluation and providing a copy of the written treatment evaluation to the Committee, petition the Committee to waive the period of suspension and to allow Respondent to immediately begin the period of probation. However, the Committee may, at its discretion, deny Respondent's request for waiver of the period of suspension.
- D. At Licensee's expense, Licensee must undergo an evaluation to assess current functioning and effects of such functioning on Licensee's ability to practice, conducted by a psychologist approved by the State Committee of Psychologists. Within twenty (20) business days of the effective date of this Order, Licensee shall submit a list of no less than five (5) proposed psychologists to conduct the evaluation. The Committee may approve a psychologist from this list, or may require a second list of five (5) psychologists which the Licensee shall submit within twenty (20) business days of the Committee's request. The Licensee must begin the evaluation within thirty (30) days of the Committee's approval. The Licensee must immediately notify the Committee, in writing, of the start date of the evaluation.
- E. The written evaluation must be submitted by the evaluating psychologist to the State Committee of Psychologists within thirty (30) days of the evaluation being initiated. It shall be Licensee's responsibility to ensure that the evaluation is submitted by the evaluating psychologist to the

State Committee of Psychologists.

- F. The evaluating psychologist shall be released to discuss the purpose and methods of the evaluation with a representative of the State Committee of Psychologists prior to performing the evaluation. The evaluation will be pursuant to consultation with the State Committee of Psychologists. While Licensee will pay for the evaluation, the evaluating psychologists will work on behalf of the State Committee of Psychologists.
- G. Licensee shall abide by the recommendations of the evaluating psychologist set forth in the psychological evaluation. Licensee shall engage in all psychological testing, evaluation, supervision, therapy or other treatment recommended. If therapy is deemed appropriate, the treating psychologist must be different from the psychologist performing the evaluation and must be approved by the State Committee of Psychologists. Licensee shall commence any recommended therapy or treatment within twenty (20) business days of the evaluation completion date.
- H. If therapy is deemed appropriate, it must be continued according to the frequency of sessions recommended by the evaluating psychologist. The treatment modality or plan shall reflect issues and themes recommended by the evaluating psychologist as well as any additional treatment goals. Ongoing treatment and documentation should address the evaluating psychologist's recommendation.

I. In the event the treating psychologist becomes unable or decides not to continue serving in his/her capacity as a treating psychologist or otherwise ceases to serve as a treating psychologist during the disciplinary period, then, the Licensee shall:

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

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

J. Licensee must give the State Committee of Psychologists or its representative permission to review Licensee's treatment and/or medical records.

K. Licensee's therapist must report every six (6) months to the State Committee of Psychologists on Licensee's progress. It is Licensee's responsibility to ensure that these reports are provided in a timely

manner.

- L. During the probationary period, the scope and nature of Licensee's practice as a professional psychologist will be under review of the State Committee of Psychologists. Licensee may not work in settings that increase Licensee's risk for sexual misconduct. Licensee's work setting must be approved by the State Committee of Psychologists. -
- M. Within one year of the effective date of this Order, Licensee must complete a professional education course on the topic of professional ethics approved by the State Committee of Psychologists. Such course must be taken in a department of psychology from a regionally accredited university for graduate credit of no less than three semester hours. The Licensee must obtain a grade of B or higher in the course. Readings courses, correspondence courses or independent study courses are unacceptable.
- N. Within one year of the effective date of this Order, Licensee must complete a professional education course on the topic of diagnosis and treatment of sexual abuse disorders approved by the State Committee of Psychologists. Such course must be taken for graduate credit of no less than three semester hours or total 45 CEU credits.
- O. Within one year of the effective date of this Order, Licensee must complete a professional education course on the topic of treatment of sexual offenders approved by the State Committee of Psychologists.

Such course must be taken for graduate credit of no less than three semester hours or total 45 CEU credits.

- P. During the probationary period, Licensee must inform Licensee's worksite supervisor, employers, and all hospitals, institutions, and managed health care organizations with which Licensee is affiliated, that Licensee's work as a professional psychologist is under probation by the State Committee of Psychologists.
- Q. During the probationary period, Licensee's practice as a professional psychologist shall be supervised on a weekly basis by a psychologist approved by the State Committee of Psychologists. If Licensee has failed to secure a supervisor within twenty (20) business days from the start of probation the Licensee shall cease practicing psychology until a supervisor is secured. Licensee shall be responsible for any payment associated with the supervision. Supervision includes, but is not limited to, weekly onsite face-to-face review of all cases, and review of all written reports such as case notes, intake assessments, test reports, treatment plans, and progress reports.
- R. 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 Licensee 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 Licensee shall not practice if he or she has not secured a supervisor.

- S. The supervising psychologist shall be vested with administrative authority over all matters affecting the provision of psychological health services provided by Licensee.
- T. Licensee's supervisor must report every six (6) months on Licensee's compliance with this Order.
- U. 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.

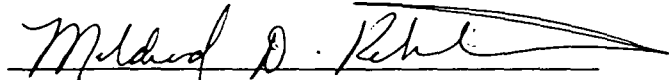
- V. Licensee must keep the State Committee of Psychologists apprised at all times, in writing, of Licensee's current home and work addresses and telephone numbers.
- W. Licensee is required to pay to the State Committee of Psychologists, in a timely fashion, all requisite fees required by law to renew and keep current Licensee's psychology license in Missouri.
- X. 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.
- Y. Licensee must provide periodic reports of Licensee's compliance with this Order every six (6) months.
- Z. At Licensee's expense, Licensee must agree to meet with the State Committee of Psychologists at reasonable intervals designated by the Committee.
- AA. Upon the expiration of the disciplinary period, the Licensee'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.
- BB. If the State Committee of Psychologists determines that the Licensee 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.

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

IT IS SO ORDERED, effective this 21 day of July, 19 95.

STATE COMMITTEE OF PSYCHOLOGISTS



Mildred Robertson
Executive Director

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