

MISSOURI STATE COMMITTEE OF PSYCHOLOGISTS

MISSOURI STATE COMMITTEE)
OF PSYCHOLOGISTS,)
)
 Petitioner,)
 v.) **Case No. PS-15-05**
)
 VALERIE RICHARDS, Ph.D.,)
)
 Respondent.)

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

At its regularly scheduled meeting on March 31, 2016 at approximately 1:35 p.m. at the Embassy Suites Hotel, Two Convention Center Plaza, St. Charles, Missouri, and pursuant to notice described in the Findings of Fact, the Missouri State Committee for Psychologists (Committee) took up the probation violation complaint alleging that Valerie Richards, Ph.D., (Richards) has failed to comply with the terms of her probation.

The Committee appeared through Assistant Attorney General Ronald Q. Smith. Neither Richards nor any representative appeared. Division of Professional Registration Chief Legal Counsel Sarah Ledgerwood served as the Committee's legal advisor at the hearing, during deliberations, and in the preparation of this order.

Findings of Fact

1. The State Committee of Psychologists (“Committee”) is an agency of the State of Missouri created and established pursuant to § 332.021, RSMo¹, for the purpose of executing and enforcing the provisions of Sections 337.010 through 337.345, RSMo.

2. The Committee licensed Richards as a psychologist, license number 1999140704 on December 4, 1999. On or about March 22, 2012, at Richards’ request, the Committee placed Richards’ license on inactive status. Richards’ license lapsed on January 31, 2014 when she failed to renew it.

3. Richards and the Committee entered into a Joint Motion for Consent Order, Joint Stipulation of Facts, Waiver of Hearings Before the Administrative Hearing Commission and State Committee of Psychologists, and Disciplinary Order with Joint Proposed Findings of Fact and Conclusions of Law (“Joint Stipulation”). The Joint Stipulation was made effective pursuant to a Consent Order entered on or about February 24, 2010. The Joint Stipulation placed Richards’ license on probation for a period of five years for conduct arising out of multiple drug-related convictions.

4. The Joint Stipulation, paragraph IV.D., page 14, required Richards to “comply with all ... state and federal criminal laws” and “comply with all provisions of Chapter 337 RSMo.” The Joint Stipulation, paragraph IV.C., page

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

13, required Richards to “pay to the [Committee], in a timely fashion all requisite fees required by law to renew and keep current her psychology license.”

5. On or about June 16, 2010, Richards was arrested for violation of § 195.202, RSMo, Possession of a Controlled Substance Except 35 Grams or Less of Marijuana, a Class D felony, in the Circuit Court of Greene County, Missouri, case number 1131-CR01712-01.

5. On or about February 11, 2014, Richards pled guilty to violation of § 195.202, RSMo, Possession of a Controlled Substance Except 35 Grams or Less of Marijuana, a Class D felony, in the Circuit Court of Greene County, Missouri, case number 1131-CR01712-01.

6. Division of Professional Registration, Central Investigative Unit Chief Investigator Don Eggen personally served Richards with a copy of the Probation Violation Complaint and Notice of Hearing on or about March 18, 2016 at NE Correctional Center, Chillicothe, Missouri. Despite being personally served neither Richards nor counsel for Richards appeared at the hearing.

7. At the March 31, 2016 hearing, the Committee heard testimony from Executive Director Pam Groose on behalf of the Committee and accepted exhibits 1-6 on behalf of the Committee.

Conclusions of Law

8. The Committee has jurisdiction in this proceeding, pursuant to the Joint Stipulation and § 324.042, RSMo, to determine whether Richards has violated the terms and conditions of the Joint Stipulation.

9. Section 324.042, RSMo, states, in relevant part:

Any Committee . . . within the division of professional registration may impose additional discipline when it finds after hearing that a licensee . . . has violated any disciplinary terms previously imposed or agreed to pursuant to settlement. The Committee . . . may impose as additional discipline, any discipline it would be authorized to impose in an initial disciplinary hearing.

10. Richards' violation of § 195.202, RSMo, violates the requirements of paragraph IV.D. of the Joint Stipulation and constitutes cause to take additional discipline against her license.

11. Possession of a Controlled Substance other than 35 Grams or Less of Marijuana, a class D felony, is a crime of moral turpitude and constitutes cause to take additional discipline against Richards' license.

12. Possession of a Controlled Substance other than 35 Grams or Less of Marijuana, a class D felony, in combination with multiple prior guilty pleas to violations of § 195.202, 195.233 and 577.010, RSMo, constitutes a crime of moral turpitude and constitutes cause to take additional discipline against Richards' license.

13. Richards' guilty plea to violation of § 195.202, RSMo, Possession of a Controlled Substance Except 35 Grams or Less of Marijuana, a Class D felony, in the Circuit Court of Greene County, Missouri, case number 1131-CR01712-01, violates § 337.035, RSMo, which states in part:

...

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 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 the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

...

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence has been imposed[.]

14. Richards' violation of § 337.035.2(2), RSMo, violates the requirements of the Joint Stipulation and therefore constitutes cause to take additional discipline against Richards' license.

15. Richards' failure to renew her license is a violation of the requirements of the Joint Stipulation and therefore constitutes cause to take additional discipline against Richards' license.

16. Richards' violations, as described in paragraphs 3 through 15 above, gives cause for the Committee to impose further discipline upon Richards' license pursuant to the Joint Stipulation and § 324.042, RSMo.

Decision and Order

17. It is the decision of the Missouri State Committee of Psychologists that Richards has violated the terms of the Joint Stipulation, and that her license is, therefore, subject to further disciplinary action.

18. The Missouri State Committee of Psychologists orders that the psychology license of Valerie Richards, Ph.D., license number 1999140704, be and is hereby **REVOKED**. Richards shall immediately return all indicia of licensure to the Committee.

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

Entered this 31st day of May, 2016.

MISSOURI STATE COMMITTEE OF PSYCHOLOGISTS

Pamela Groose

Pamela Groose
Executive Director



Before the
Administrative Hearing Commission
State of Missouri



STATE COMMITTEE OF PSYCHOLOGISTS,)

Petitioner,)

vs.)

VALERIE A. RICHARDS,)

Respondent.)

No. 09-1673 PS

CONSENT ORDER

The licensing authority filed a complaint. Section 621.045, RSMo Supp. 2009, gives us jurisdiction.

On February 19, 2010, the parties filed a "Joint Motion for Consent Order, Joint Stipulation of Facts, Waiver of Hearings Before the Administrative Hearing Commission and State Committee of Psychologists, and Disciplinary Order With Joint Proposed Findings of Fact and Conclusions of Law." Our review of the document shows that the parties have stipulated to certain facts and waived their right to a hearing before us. Because the parties have agreed to these facts, we incorporate them into this order and adopt them as stipulated. *Buckner v. Buckner*, 912 S.W. 2d 65, 70 (Mo. App., W.D. 1995). We conclude that the licensee is subject to discipline under § 337.035.2(2), RSMo. We incorporate the parties' proposed findings of fact and conclusions of law into this Consent Order. We certify the record to the licensing agency under § 621.110, RSMo Supp. 2009.

The only issue before this Commission is whether the stipulated conduct constitutes cause to discipline the license. The appropriate disciplinary action is not within our power to decide; that is subject to the licensing authority's decision or the parties' agreement. Section 621.110, RSMo Supp. 2009.

No statute authorizes us to determine whether the agency has complied with the provisions of § 621.045.4, RSMo Supp. 2009. We have no power to superintend agency compliance with statutory procedures. *Missouri Health Facilities Review Comm. v. Administrative Hearing Comm'n*, 700 S.W. 2d 445, 450 (Mo. banc 1985). Therefore, we do not determine whether the agency complied with such procedures.

SO ORDERED on February 24, 2010.



JOHN J. KOPP
Commissioner

BEFORE THE
ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI

FILED

STATE COMMITTEE OF
PSYCHOLOGISTS,

Petitioner,

v.

VALERIE A. RICHARDS,

Respondent.

FEB 19 2010

ADMINISTRATIVE HEARING
COMMISSION

No. 09-1673 PS

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

Pursuant to the rules governing practice and procedure before the Administrative Hearing Commission ("the AHC"), Regulation 1 C.S.R. 15-3.446, and pursuant to the terms of § 536.060, RSMo,¹ as it is made applicable to the AHC by § 621.135, RSMo, Valerie A. Richards ("Richards") and the State Committee of Psychologists ("the Committee") hereby waive the right to a hearing of the above-styled case before the AHC and, additionally, the right to a disciplinary hearing before the Committee pursuant to § 621.110, RSMo, (Cum. Supp. 2009) and jointly stipulate to the facts and consent to the imposition of disciplinary action against Richards' psychologist license for violations of statutes and lawful rules and regulations set forth below.

¹ Statutory references are to Missouri Revised Statutes 2000, unless otherwise indicated.

Richards acknowledges that she has received and reviewed a copy of the Complaint filed by the Committee in this case, and the parties submit to the jurisdiction of the AHC.

Richards 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 a copy of the Complaint served upon Richards by the AHC prior to the entering of its Order; the right to have all charges against Richards proven upon the record by competent and substantial evidence; the right to cross-examine any witness appearing at the hearing against Richards; the right to present evidence on Richards' own behalf at the hearing; the right to a decision upon the record of the hearing by a fair and impartial Commissioner concerning the complaint pending against Richards; and the right to a ruling on questions of law by a Commissioner. Being aware of these rights provided Richards by operation of law, Richards knowingly and voluntarily waives each and every one of these rights and freely enters into this Joint Motion for Consent Order, Joint Stipulation of Facts, Waiver of Hearings Before the Administrative Hearing Commission and State Committee of Psychologists, and Disciplinary Order with Joint Proposed Findings of Fact and Conclusions of Law ("Joint Stipulation") and agrees to abide by the terms of this document as they pertain to Richards.

Based upon the foregoing, the Committee and Richards jointly stipulate to the following and request that the AHC adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law as the AHC's Findings of Fact and Conclusions of Law:

JOINT PROPOSED FINDINGS OF FACT

1. The Committee is an agency of the State of Missouri created and established pursuant to § 337.050, RSMo, for the purpose of executing and enforcing the provisions of Chapter 337, RSMo, as amended, pertaining to psychologists.

2. Richards is licensed by the Committee as a psychologist, license number 1999140704 ("License"). Richards' License was issued on or about December 4, 1999. Although Richards' licensure status changed to inactive on or about February 5, 2008, it was at all times relevant herein, current and active.

3. At no time relevant herein did Richards practice the profession of psychology.

4. On or about March 6, 2005, Richards was arrested by the Ozark Police Department for the class C felony of possession of methamphetamine, a controlled substance, knowing of its presence and illegal nature, in violation of § 195.202, RSMo, in cause number 05N8-CR00817-01, *State of Missouri v. Valerie A. Richards* ("the 2005 Case").

5. On or about February 4, 2006, Richards was arrested by the Ozark Police Department for the class C felony of possession of methamphetamine, a controlled substance, knowing of its presence and illegal nature, in violation of § 195.202, RSMo, in cause number 06N8-CR00398-01, *State of Missouri v. Valerie A. Richards* ("the 2006 Case").

6. On or about October 6, 2006, in the Circuit Court of Christian County, Richards entered an Alford plea of guilty in the 2005 Case and a guilty plea in the 2006 Case.

7. The Circuit Court of Christian County accepted Richards' guilty pleas on October 6, 2006.

8. On or about December 15, 2006, Richards was formally sentenced in the 2005 and 2006 Cases. Richards' sentence of five (5) years' incarceration was suspended, she was placed on probation and ordered to complete one-hundred (100) hours of community service for her offenses.

9. On or about January 3, 2007, Richards was arrested by the Missouri Highway Patrol for the class C felony of possession of methamphetamine, a controlled substance, knowing of its presence and illegal nature, in violation of § 195.202, RSMo, in cause number 07A1-CR00005-01, *State of Missouri v. Valerie A. Richards* ("2007 Case 1").

10. In addition, on or about January 3, 2007, Richards was arrested by the Missouri Highway Patrol for the class B misdemeanor of driving while intoxicated - drug intoxication, in violation of § 577.010, RSMo; the class A misdemeanor of possession of up to 35 grams of marijuana, in violation of § 195.202, RSMo; the class A misdemeanor of unlawful use of drug paraphernalia, in violation of § 195.233, RSMo; and the class A misdemeanor of failing to drive on the right half of the roadway when the roadway was of sufficient width, resulting in an accident, in violation of § 304.015, RSMo, in cause number 07A1-CR00122-01, *State of Missouri v. Valerie A. Richards* ("2007 Case 2").

11. On or about March 16, 2007, Richards' probation for the 2005 and 2006 Cases was revoked, and she was sentenced to three (3) years' incarceration with the Department of Corrections.

12. On or about April 6, 2007 in the Circuit Court of Montgomery County, Richards entered guilty pleas to one (1) felony and four (4) misdemeanor charges in the 2007 Cases.

13. On or about April 6, 2007, the Circuit Court of Montgomery County sentenced Richards to five (5) years' incarceration with the Department of Corrections for the felony charge in 2007 Case 1, and to incarceration in county jail ranging from thirty (30) to ninety (90) days for each of the misdemeanor charges in 2007 Case 2.

14. From October 18, 2007 to April 3, 2008, Richards participated in and successfully completed the outpatient substance abuse treatment program run by Dismas House of Kansas City, Inc., located at 207 West Linwood Boulevard, Kansas City, Missouri 64111.

15. Richards is now paroled following incarceration for her offenses.

JOINT PROPOSED CONCLUSIONS OF LAW

16. Jurisdiction and venue are proper before the Administrative Hearing Commission pursuant to §§ 621.045, RSMo (Cum. Supp. 2009) and 337.035.2, RSMo.

17. Section 195.202, RSMo, possession or control of a controlled substance, provides:

1. Except as authorized by sections 195.005 to 195.425, it is unlawful for any person to possess or have under his control a controlled substance.

2. Any person who violates this section with respect to any controlled substance except thirty-five grams or less of marijuana is guilty of a class C felony.

3. Any person who violates this section with respect to not more than thirty-five grams of marijuana is guilty of a class A misdemeanor.

18. Section 195.233, RSMo, unlawful use of drug paraphernalia, provides:

1. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance in violation of sections 195.005 to 195.425.

2. A person who violates this section is guilty of a class A misdemeanor, unless the person uses, or possesses with intent to use, the paraphernalia in combination with each other to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues in which case the violation of this section is a class D felony.

19. Section 304.015, RSMo, drive on right of highway, provides in pertinent part:

2. Upon all public roads or highways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows

...

7. Violation of this section shall be deemed an infraction . . . unless an accident results from such violation, in which case such violation shall be deemed a class A misdemeanor.

20. Section 577.010, RSMo, driving while intoxicated, provides in pertinent part:

“1. A person commits the crime of “driving while intoxicated” if he operates a motor vehicle while in an intoxicated or drugged condition. 2. Driving while intoxicated is for the first offense, a class B misdemeanor. . . .”

21. At the times of Richards' arrests for the 2005, 2006 and 2007 Cases, methamphetamine was classified as a Schedule II controlled substance, pursuant to § 195.017.4(3)(b), RSMo (Cum. Supp. 2007).

22. At the time of Richards' arrest for the 2007 Cases, marijuana was classified as a Schedule I controlled substance, pursuant to § 195.017.2(4)(u), RSMo (Cum. Supp. 2007).

23. Richards' entry of guilty pleas to three (3) felony charges and four (4) misdemeanor charges in criminal prosecutions under the laws of any state or of the United States, constitute violations of § 337.035.2(2), RSMo.

24. Richards' entry of guilty pleas to three (3) felony charges and four (4) misdemeanor charges for criminal offenses involving moral turpitude, constitute violations of § 337.035.2(2), RSMo.

25. Cause exists for the Committee to discipline Richards' psychologist license pursuant to § 337.035, RSMo, which states, in pertinent part:

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 the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

...

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal

prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

....

JOINT AGREED DISCIPLINARY ORDER

Based on the foregoing, the parties mutually agree and stipulate that the following shall constitute the Disciplinary Order entered by the Committee in this matter under the authority of § 621.110, RSMo, (Cum. Supp. 2009):

I. DISCIPLINE IMPOSED

A. By agreement of the parties, Richards' license as a licensed psychologist, license number 1999140704, is immediately placed on PROBATION for a period to last five (5) years ("the Probationary Period"). During the Probationary Period Richards must adhere to the following terms and conditions:

II. REQUIREMENTS REGARDING PSYCHOLOGICAL EVALUATION

A. At Richards' expense, Richards must undergo an evaluation to assess current functioning and effects of such functioning on Richards' ability to practice, conducted by a licensed and/or board certified psychologist approved by the Committee. Within twenty (20) business days of the effective date of this Joint Stipulation, Richards shall submit a list of no less than five (5) proposed

psychologists to conduct this evaluation. The Committee may approve a psychologist from this list, or may require a second list of five (5) psychologists which Richards shall submit within twenty (20) business days of the Committee's request. Richards must begin the evaluation within thirty (30) days of the Committee's approval. Richards must immediately notify the Committee, in writing, of the start date of the evaluation.

- B. The written evaluation must be submitted by the evaluating psychologist to the Committee within thirty (30) days of the evaluation being initiated. It shall be Richards' responsibility to ensure that the evaluation is submitted by the evaluating psychologist to the Committee.
- C. The evaluating psychologist 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 Richards will pay for the evaluation, the evaluating psychologist will work on behalf of the Committee.
- D. Richards shall abide by the recommendations of the evaluating psychologist set forth in the psychological evaluation. Richards shall engage in all psychological testing, evaluation, supervision, therapy or other treatment recommended. If therapy is deemed appropriate, the treating health care provider must be different from the professional performing the evaluation and must be approved by the Committee. Richards shall commence any

recommended therapy or treatment within twenty (20) days of the evaluation completion date.

E. 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.

F. In the event the treating psychologist becomes unable or decides not to continue serving in his capacity as a treating psychologist during the Probationary Period, then Richards shall:

1. 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 Committee in writing that she needs to secure a treating psychologist and the reasons for such change; and
2. 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 Joint

Stipulation.

- G. Richards must give the Committee, or its representative, permission to review Richards' personal treatment or medical records.
- H. Richards' treating psychologist must report at least once every three (3) months to the Committee on Richards' progress. Reports must be received before March 1, June 1, September 1, and December 1 of each year. It is Richards' responsibility to ensure that these reports are provided in a timely manner.

III. REQUIREMENTS REGARDING SUPERVISION

- A. Richards' practice as a professional psychologist shall be supervised on a weekly basis by a psychologist approved by the Committee. Within twenty (20) business days of the effective date of this Joint Stipulation, Richards shall submit a list of no less than five (5) proposed psychologists to provide this supervision. The Committee may approve a psychologist from this list, or may require a second list of five (5) psychologists which Richards shall submit within twenty (20) business days of the Committee's request. Richards must begin the supervision within thirty (30) days of the Committee's approval. Richards must immediately notify the Committee, in writing, of the start date of the evaluation.
- B. If Richards has failed to secure a supervisor within twenty (20) business days from the start of the Probationary Period, Richards shall cease practicing

psychology until a supervisor is secured. Richards shall be responsible for any payment associated with the supervision. Supervision includes, but is not limited to, on-site face-to-face review of cases, 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 capacity as a supervising psychologist or otherwise ceases to serve as a supervising psychologist during the Probationary Period, then Richards shall:

1. 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 Committee in writing that she needs to secure a supervising psychologist and the reasons for such change; and
2. 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 Joint Stipulation. After twenty (20) business days, Richards shall not

practice if she has not secured a supervisor.

- D. The supervising psychologist shall be vested with administrative authority over all matters affecting the provision of psychological health services provided by Richards so that the ultimate responsibility for the welfare of every client is maintained by the supervising psychologist.
- E. Richards' supervisor must report at least once every three (3) months on Richards' compliance with this Joint Stipulation. Reports must be received before March 1, June 1, September 1, and December 1 of each year. It is Richards' responsibility to ensure that these reports are provided in a timely manner.

IV. GENERAL REQUIREMENTS

- A. Richards 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.
- B. Richards must keep the State Committee of Psychologists apprised at all times, in writing, of her current home and work addresses and telephone numbers.
- C. Richards 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 her psychology license in Missouri.

- D. Richards 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.
- E. Richards must provide periodic reports of her compliance with this Joint Stipulation every three (3) months. These reports shall be due by March 1, June 1, September 1 and December 1 each year during the Probationary Period.
- F. At her own expense, Richards must agree to meet with the State Committee of Psychologists at reasonable intervals designated by the Committee.
- G. Upon the expiration of the Probationary Period, Richards' license as a psychologist in Missouri shall be fully restored, provided all provisions of this Joint Stipulation and all other requirements of law have been satisfied.
- H. If the State Committee of Psychologists determines that Richards has violated a term or condition of her discipline, or has otherwise failed to comply with the provisions of Chapter 337, RSMo, which violation would be actionable in a proceeding before the State Committee of Psychologists, 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 Joint Stipulation and its selection of remedies concerning such violation.

- I. Richards hereby waives and releases the State Committee of Psychologists, 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 Title 42 U.S.C. § 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.
- J. The parties to this Joint Stipulation understand that the State Committee of Psychologists will maintain this Joint Stipulation as an open record of the Committee as provided in Chapters 337, 610 and 620, RSMo.
- K. This Disciplinary Order will become effective immediately upon the issuance of the Consent Order of the AHC in this matter, without further action by either party.

V. ADDITIONAL REQUIREMENTS

- A. Richards must inform Richards' employers, and all hospitals, institutions, and managed health care organizations with which Richards is affiliated, that

Richards' work as a professional psychologist is under probation by the Committee. Richards must obtain written verification that each patient/client that Richards treats, evaluates, or consults has been so informed.

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

VI. REQUIREMENTS REGARDING CRIMINAL PROBATION OR PAROLE

- A. Richards shall fully and completely abide by all the terms and conditions of her criminal probation or parole.
- B. Richards shall cause a copy of any violation report to be delivered to the Committee within ten (10) days of its receipt.
- C. The determination by a court that a violation has occurred is not a prerequisite for the Committee's action on an allegation of a violation of the terms of Richards' criminal probation or parole.
- D. Richards shall cause a letter from her criminal probation or parole officer (or other suitable official, including the drug court commissioner) to be submitted to the Committee prior to the conclusion of each year of the Probationary Period beginning the effective date of this Joint Stipulation.
 - 1. The letter shall indicate Richards' progress and compliance status with regard to the terms of her criminal probation or parole, to include the results of any random drug screens; and

2. The letter shall be sent by the criminal probation or parole officer addressed to: Missouri State Committee for Professional Counselors, Post Office Box 1335, Jefferson City, Missouri 65102.

E. If Richards successfully completes the period of criminal probation or parole, Richards shall cause the criminal probation or parole officer to submit a letter to the Committee stating that Richards has successfully completed the period of criminal probation or parole.

In consideration of the foregoing, the parties consent to the entry of record and approval of this Joint Motion for Consent Order, Joint Stipulation of Facts, Waiver of Hearings Before the Administrative Hearing Commission and State Committee of Psychologists, and Disciplinary Order and to the termination of any further proceedings before the Administrative Hearing Commission based upon the Complaint filed by Petitioner in the above-styled action.

LICENSEE

COMMITTEE

Valerie A. Richards

Valerie A. Richards
License Number 1999140704

Pamela Groose

Pamela Groose
Executive Director
State Committee of Psychologists

Date: 2-5-10

Date: 2-11-2010

Complaint No. PY-08-05

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