STATE OF OREGON
BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS

In the Matter of the Professional Counselor License of	))	FINAL ORDER SUSPENSION OF LICENSE WITH STAY TO JANUARY 10, 1998

Mary Kathleen DeMeyer
1735 Springtime Ct
Keizer, OR 97303

After notice, a hearing before a majority of the Board on the matter of the proposed revocation of the professional counselor license, C0914, of Mary Kathleen DeMeyer was held on October 18, 1996. Ms. DeMeyer was present and represented by attorney Leslie Tidball. The Board was not represented by legal counsel. Following deliberation, the Board makes the following disposition:

FINDINGS OF FACT

(1) Licensee signed a stipulated final order agreeing to a two year probation. Stipulation was signed on July 27, 1995.

(2) Licensee violated the terms of the stipulated agreement as follows:

(A) Licensee did not undergo clinical supervision at least once quarterly during the year following stipulation, nor year following selection of a supervisor.

(B) Licensee did not seek approval for two training programs in client-related ethics issues during the year following stipulation, nor did licensee provide proof of attendance at programs.

(3) Licensee did not notify Board of any problems or seek Board resolution of problems relating to fulfillment of the provisions of the stipulated agreement.

(4) During the year following stipulation, Licensee was the subject of a lawsuit, family member's suicide, husband who had to be out of town for periods of time, difficulties on the job, and depression.

(5) Licensee wants to fulfill the terms of her agreement.

(6) Licensee completed a continuing education program entitled "Child Custody and Visitation in Oregon" on February 29, 1996 without Board prior approval because she did not have time to obtain approval and register for the workshop.

(7) Licensee has offered a continuing education program entitled "Psychological Ethics and Clinical Practice" for prior approval.

(8) Licensee has been on probation since July 27, 1995.

ULTIMATE FINDINGS OF FACT

Mary Kathleen DeMeyer failed to obtain at least four hours of supervision, one hour quarterly, from a licensed counselor or licensed marriage and family therapist selected by the Board, and failed to document two training sessions as continuing education in the area of clients and ethics following pre-approval of the training by the Board.

CONCLUSIONS OF LAW

Mary Kathleen DeMeyer materially violated the terms of the stipulated probation as set forth in the Stipulated Final Order of Two-Years Probation signed on July 27, 1995.

OPINION

Mary Kathleen DeMeyer made a commitment to the Board by way of a stipulated agreement. The complaint, investigation, and proposed disciplinary action that was concluded by the stipulation are no longer at issue. At issue is whether Ms. DeMeyer discharged her obligations. She admits that she was fully aware of the conditions set forth in that agreement; therefore, the Board believes she did not discharge her obligations.

Looking at the file introduced into evidence, the Board noted that Ms. DeMeyer's original agreement required her to propose three supervisors who were licensees of the Board and who would not be entering into a dual relationship. Ms. DeMeyer was informed that she had not met the conditions -- one name belonged to her therapist, one was not a licensee, but the Board approved the third individual named. After being notified that she was in violation and the Board was taking disciplinary action, she tried to proceed as if nothing happened. At the hearing, she pointed out she had submitted three more names of potential supervisors, but the Board found that none of the persons listed: Carol Hendrix, Micki Turner, and Michelle Lecher were licensees of the Board. The Board is concerned that Ms. DeMeyer is still not taking it upon herself to pay attention to her specific obligations.

The Board believes that right after entering into the agreement, Ms. DeMeyer suffered a great deal of stress as a result of happenings in her private life. The Board does not believe this excuses Ms. DeMeyer from her obligations, but indicates that she may not have purposefully ignored her commitment.

The Board believes that Ms. DeMeyer's admission that she violated the terms of her agreement constitute grounds for disciplinary action. Because of the extenuating circumstances, the Board believes suspension of licensure, rather than revocation is the appropriate sanction.

Because Ms. DeMeyer has completed one year under probationary status, completed one continuing education course although she failed to seek prior approval, and has enrolled in a second course meeting the requirements for the stipulation, the Board is willing to stay enforcement of the suspension in order to give Ms. DeMeyer one final opportunity to discharge the terms of the original stipulation. In addition, the Board, as Ms. DeMeyer requested, will provide detailed suggestions on how Ms. DeMeyer may proceed to fulfill those obligations.

ORDER

IT IS SO ORDERED that the professional counselor license of Mary Kathleen DeMeyer be suspended. It is further ordered that the suspension be stayed and not go into effect until January 10, 1998 to provide Mary Kathleen DeMeyer an opportunity to discharge her obligations under the July 27, 1995 stipulated final order and then petition the Board to modify this order of suspension.

At the time of petition, the Board will consider whether Mary Kathleen DeMeyer has provided sufficient proof that she has discharged her obligations in good faith. If so, the Board may modify this order, reversing the suspension before it takes effect.

Proof of discharging her obligations may take the following form:

(1) Within 15 to 20 days of service of this order, Ms. DeMeyer submits a written list with no less than three names of either Oregon licensed professional counselors and/or Oregon licensed marriage and family therapists who have agreed to provide licensee with clinical supervision. Accompanying the list should be a document prepared by each candidate that includes the following information: practice address and phone number; LPC/LMFT license number and first issue date; summary of training and experience in providing clinical supervision to mental health professionals; statement summarizing his/her understanding of the situation and how he/she believes he/she will be able to assist DeMeyer and the Board under the terms; assurance that he/she is not involved in a dual relationship with DeMeyer, e.g., close friend, personal therapist, family member, business partner, etc.; and that both parties have agreed to terms for a contract that will take effect upon signature following selection by the Board.

(2) Within 10 to 15 days after written notice of the Board's selection of a supervisor, Ms. DeMeyer submits a copy of the supervision contract signed by licensee and supervisor. Contract terms should include:

(A) that supervision is to be for at least one hour each calendar quarter of 1997: 1st quarter: January - March, Second quarter April - June, third quarter July - September, fourth quarter October - December;

(B) that the supervisor will file a written report to the Board detailing DeMeyer's progress on the first two sessions no later than the June 30, 1997, and the last two sessions no later than December 30, 1997;

(C) that licensee consents to the supervisor contacting the Board if he/she believes there is a risk to the public through continued practice;

(D) that clinical supervision includes an examination of the licensee's counseling activities or work with clients, discussion based on casenotes, charts, records, and, if available, audio or visual tapes; evaluation of the appropriateness of assessments and treatment plans, the licensee's therapeutic skills, and how to avoid or capitalize past performance in professional situations.

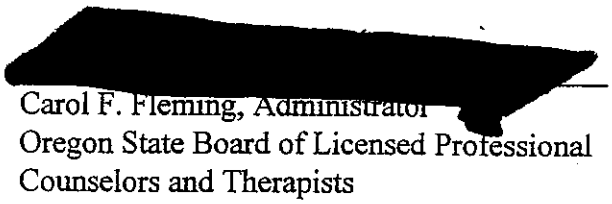
(3) Ms. DeMeyer submits proof of attendance and completion of the "Psychological Ethics and Clinical Practice" workshop no later than December 30, 1997.

(4) Ms. DeMeyer identifies and submits for prior approval before October 1997, a third workshop or seminar in counseling/client ethics for attendance by licensee.

(5) Ms. DeMeyer submits proof of attendance at the third prior-approved workshop or seminary in counseling/client ethics to the Board before December 31, 1997.

(6) On or before December 31, 1997, Ms. DeMeyer submits a written petition to the Board to have the suspension set aside because she has met each of the criteria set forth above. Petition will enumerate the criteria and summarize how each obligation was met, when it was met, and when documentation showing discharge of the obligation was submitted to and/or accepted by the Board.

Dated this 5th day of November 1996



Carol F. Fleming, Administrator
Oregon State Board of Licensed Professional
Counselors and Therapists

Served by Certified Mail No. P 298 595 551 on November 5, 1996
& P 035 083 215 on November 26, 1996

NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.

cc: Leslie Tidball
4035 12th St SE Suite 160
Salem, OR 97302