

BEFORE THE  
BOARD OF LICENSED COUNSELORS AND THERAPISTS  
STATE OF OREGON

In the Matter of the License to )  
Practice as a Professional Counselor of )  
PAT O'SHEA )  
1435 SW Harrison )  
Portland, OR 97201 )

STIPULATED  
FINAL ORDER

Pursuant to ORS 675.785 and 675.745, the above-entitled matter came before the Board of Licensed professional Counselors and Therapists (Board) on the complaint of a citizen who did not wish to be identified.

Pursuant to ORS 183.415(5) and OAR 833-50-030, in order to informally dispose of and settle this matter, Pat O'Shea (O'Shea), and the Board by and through its Administrator, Carol Fleming, make the following statements:

1.

O'Shea admits and stipulates that she has been advised of her right to request a hearing in this matter pursuant to ORS 183.415(2)(a) and to be represented at a hearing pursuant to ORS 183.415(3).

2.

O'Shea waives her right to request such a hearing in this matter and waives the right to be represented by an attorney at a hearing.

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3.

The Board and O'Shea stipulate to the following: That the following allegations, if proven, would be sufficient to support a finding by the Board that O'Shea has violated one or more of the statutes and rules of the Board, specifically ORS 675.745(1)(d), OAR 833-60-001(1)(g), OAR 833-60-001(2)(a), OAR 833-60-001(2)(d), and OAR 833-60-001(2)(e), and that O'Shea may be disciplined under the provisions of ORS 675.745(1).

4.

O'Shea does not contest the following:

(a) O'Shea entered into a client provider contract with an adult male client (Client) on April 27, 1988. Individual therapy was provided by O'Shea to Client on a weekly basis. In February of 1991, in the course of formal therapy, O'Shea informed Client of her feelings of love for him. O'Shea ceased to provide counseling on weekly basis to Client on February 27, 1991.

(b) After February 27, 1991, O'Shea and Client became romantically involved. In April of 1991, O'Shea and Client engaged in sexual intercourse.

5.

The Board contends that O'Shea's actions, as detailed above, constitute improper techniques or exercises in the therapeutic relationship and violate one or more of the rules of the Board pertaining to the certification or licensing in that:

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- 1 (a) O'Shea, when her objectivity was impaired, did not  
2 immediately notify the client orally, or in writing, that  
3 she could no longer see the client professionally;  
4 (b) O'Shea did not make every effort to avoid a dual  
5 relationship with a client;  
6 (c) O'Shea used the counseling relationship to further her  
7 personal and sexual interests in a client;

8 6.

9 The Board and O'Shea stipulate and agree that this disci-  
10 plinary action may be concluded by the entry of this Stipulation  
11 on the following terms:

- 12 (a) O'Shea shall undergo supervision by a licensed  
13 professional counselor approved by the Board. The  
14 supervisor will be chosen by the Board from a list of  
15 three created by O'Shea. The names submitted by O'Shea  
16 to the Board shall be supervisors who have expertise in  
17 dual relationships, have no dual relationships with  
18 O'Shea, and be willing to supervise O'Shea. Selection  
19 of the supervisor shall be completed 45 days from entry  
20 of this order. The supervision shall specifically  
21 address, but is not limited to, client-related ethics  
22 issues. For the first year, the supervision shall occur  
23 at least twice a month and for at least one hour each  
24 session, for a total of 40 hours in the first year.
- 25 (b) At the supervisor's request, O'Shea will audiotape  
26 sessions with 30% of her clients, contingent upon  
consent of the clients. The clients and sessions to be  
taped is at the discretion of the supervisor. Any  
dispute between O'Shea and the supervisor concerning  
the taping of clients and sessions will be resolved by  
the Board at their regular scheduled monthly meeting,  
in an informal binding hearing, with testimony limited  
to the supervisor and O'Shea. All costs of supervision,  
including audio-recording, will be borne entirely by  
O'Shea;
- (c) The necessity, frequency and amount of supervision for  
the second year will be at the discretion of the Board,  
not to exceed 40 hours in 12 months.

- 1 (d) The supervisor shall provide a quarterly formal report to  
2 the Board. Each formal report shall detail O'Shea's  
3 progress, determine whether O'Shea is participating in  
4 good faith, whether O'Shea is aware of the ethical rules  
5 breached which produced the complaint; whether O'Shea  
6 evidences adequate clinical skills; and O'Shea's practice  
7 meets the standards for practice in the state of Oregon.  
8 The third quarterly report shall indicate whether or not  
9 the supervisor intends to require a second year of  
10 supervision. The supervisor shall also produce a report  
11 at the conclusion of the supervision as detailed in (h).
- 12 (e) O'Shea agrees to attend therapy sessions with a  
13 therapist, or a mental health professional, licensed by  
14 the State of Oregon. The number of hours of therapy  
15 shall be determined by the therapist in consultation with  
16 O'Shea and the supervisor. Any dispute concerning the  
17 necessity or amount of therapy will be resolved by the  
18 Board at their regular scheduled monthly meeting, in an  
19 informal binding hearing, with testimony limited to the  
20 supervisor, the therapist and O'Shea. Any therapy shall  
21 be at the sole cost of O'Shea.
- 22 (f) O'Shea consents to the supervisor or therapist contacting  
23 the Board, if the supervisor or therapist believes there  
24 is a risk to the public by the continued practice of  
25 O'Shea as a professional counselor. Unless the  
26 therapist, supervisor, or Board perceives O'Shea's  
continued practice as a professional counselor is a risk  
to the public, the contents of, and communications made  
as a part of O'Shea's therapy shall remain confidential.
- (g) O'Shea consents to the above supervisor and/or therapist  
consulting with each other, or the Board, regarding  
O'Shea's performance.
- (h) At the end of the second year of supervision, if  
required, the supervisor shall, as part of the last  
formal report required by Section (d) above, provide a  
letter to the Board in which the supervisor states:  
(i) whether O'Shea is aware of the ethical issues  
breached that resulted in this complaint, (ii) whether  
O'Shea evidences adequate clinical skills, and (iii)  
whether O'Shea's practice meets the standards for  
practice of an licensed professional counselor in  
Oregon.
- (i) O'Shea shall attend 10 hours of training in the first  
year of supervision. The training shall consist of  
prior Board approved formal continuing education in the  
areas of ethical issues for counselors.

1 (j) The Board will publicize this Stipulated Final Order  
2 once by announcements appearing in the Oregon  
3 Counseling Association Newsletter, The Oregonian, the  
4 Board's own publication, and to the national licensing  
5 computer network. The Board reserves the right to  
6 print less than the text below:

7 Pat O'Shea, LPC #C0036

8 Complaint regarding impaired objectivity when  
9 counseling, allowing dual relationship, and using  
10 counseling relationship to further personal sexual  
11 interests resolved by entry into stipulated  
12 agreement. O'Shea accepted training, therapy,  
13 supervision in practice and 5 years probation.

14 (k) Until O'Shea fulfills all of the requirements of this  
15 stipulation and the supervisor formally concludes  
16 O'Shea's supervision, O'Shea may not supervise Licensed  
17 Professional Counselors, Licensed Marriage and Family  
18 Therapists or any person seeking licensure with the  
19 Board.

20 (l) O'Shea agrees to 5 years of probation, wherein a repeat  
21 offense of any of the above described rules or statutes  
22 constitutes grounds for revocation of O'Shea's license.

23 7.

24 If the Board finds, after a contested case hearing, that  
25 O'Shea has materially violated any of the terms of this  
26 Stipulation, that violation shall constitute grounds for  
27 revocation and O'Shea's license may be immediately revoked.

28 IT IS SO STIPULATED.

29   
30 PATRICK O'SHEA, (LPC #C0036)

31 2/10/93  
32 DATE

33   
34 CAROL FLEMING, ADMINISTRATOR  
35 BOARD OF LICENSED COUNSELORS AND THERAPISTS

36 2/18/93  
DATE

JKS:ros/JGG053FB