

**BEFORE THE BOARD OF LICENSED
PROFESSIONAL COUNSELORS AND THERAPISTS
FOR THE STATE OF OREGON**

In the Matter of)	Case No. BCT 2001 0007
)	FINAL ORDER BY DEFAULT
KEITH A. REBER)	OF LICENSE REVOCATION
)	
)	

The Oregon Board of Licensed Professional Counselors and Therapists (Board) is the state agency responsible for licensing, regulating and disciplining Licensed Professional Counselors and Licensed Marriage and Family Therapists in the State of Oregon.

Procedural Summary

1. On July 12, 2001, Keith A. Reber was served with a Notice of Proposed license revocation. On October 1, 2002 the First Amended Notice of Proposed License Revocation was served. On December 30 2002, the Second Amended Notice of Proposed License Revocation was served. On February 13, 2003, the Third Amended Notice of Proposed License Revocation was served. Mr. Reber through his attorney requested a hearing on this matter and the matter was referred to the Hearing Panel. The contested case in this matter was set for July 14 and 15, 2003. On July 9, 2003, Keith Reber withdrew his request for hearing on this matter. The referral of this matter was withdrawn by the Board on July 10, 2003.

2. On January 10, 2003, July 2, 2003, and July 14, 2003, the Board submitted their Exhibit Index with Exhibits A 1 through A 21.

3. In the Third Amended Notice of License Revocation, the Board informed Mr. that the file will become part of the contested case record upon default for the purpose of providing a prima facie case. The Board may issue a final order by default pursuant to OAR 137-003-0075 when the Licensee withdraws the request for hearing.

Summary of Facts

4. Licensee (#T0368) has been licensed as a marriage and family therapist in the State of Oregon, under ORS 675.726, since August 9, 1999. Licensee practiced at Mountain Valley Mental Health Clinic in Baker City, Oregon and had a private practice in LaGrande, Oregon. Since becoming a Licensed Marriage and Family Therapist, Licensee has committed the following acts.

5. Licensee agreed to refrain from practicing holding therapy with children referred or sent to him by the State Office of Services to Children and Families (SCF). (Exhibit A17) After agreeing not to use holding therapy on SCF children, Licensee performed holding therapy on three different children temporarily placed in the home of foster parents and/or potential adoptive parents. (Exhibits A5, A7, A14, A15, A16, A18)

6. Licensee used holding therapy including wrapping a boy client (JH) in a blue sheet, laying on top of JH, and pushing fingers into JH's chest so hard Licensee's knuckles were white, and at the end of the session making a fist and pushing it hard up between JH's rib cage. (Exhibits A5, A7, A 14, A 15, A 16, A 18)

7. Licensee treated a client, MO, for anxiety, stress management, sexual abuse, mental anguish, and panic attacks by wrapping her in a blanket, touching her and laying across her. When MO asked Licensee to stop, he refused. (Exhibits A19)

8. Licensee treated SM and VM (from approximately 1999 through 2000) and used holding therapy including wrapping them in a sheet and blanket, laying with his body on top of the children, pushing his elbow into their abdomen and/or stomach area so hard at times causing vomiting, and occasionally required the children to try to gain freedom from the blanket wrapping themselves, despite the fact that they were wrapped tightly. (Exhibits A14, A15, A16, A18)

9. Licensee did not stop the holding therapy when patients protested or fought to get free. Licensee would also confront the patients by berating them, and raising his voice near the patient's head. Holding therapy is a recognized form of practice, however, current practice does not include poking clients, pushing hard enough to cause vomiting, and screaming in their faces. (Exhibits A2, A3, A5, A7, A14, A15, A16, A18)

10. Licensee treated a minor, OD with holding therapy, for fire starting behavior and suggested that he receive holding therapy for approximately 8 treatments. The parent was provided with a treatment protocol which included allowing the minor to repeatedly light matches. The use of holding therapy for the specific fire starting behavior was not done with a thorough assessment, treatment plan or informed consent. (Exhibit A13)

11. Licensee misrepresented facts about his Oregon license while applying for licensure before the Utah Board of Marriage and Family Therapists. Licensee represented that his discipline matter in Oregon was resolved when it was not and misrepresented that he had not sent a letter to the Oregon board when he had. These misrepresentations were not in accordance with the highest standards of the professional integrity and competence required of a therapist. (Exhibit A4, A11, A20)

12. In Exhibit A3, Dr. Dave Ziegler, Ph.D., L.P.C., L.M.F.T., licensed psychologist, reviewed the agency file. The board finds Dr. Ziegler's report reliable and credible. Based on that representation, the Board finds that Licensee did not meet the generally accepted professional standards of mental health practice in treating JH, in that

there was no comprehensive mental health assessment, there was no treatment plan, no informed consent, insufficient detail in the case notes and insufficient information as to what therapy was done on JH. Dr. Ziegler pointed out that several techniques that were used, as described by JH, were physically intrusive, controversial and not recognized in the professional community, and that there was a complete absence in Licensee's file of any documentation on the use of such techniques.

The Board finds the techniques used with JH are physically intrusive and do not meet with generally acceptable standards of practice and are not sanctioned by any recognized national professional associations of psychiatrists, psychologists, counselors, social workers or psychiatric nurses. These techniques are not sanctioned by the ATTACH group of therapists who support "holding therapy". These techniques cause physical and emotional damage to children with traumatic histories.

The Board finds that Licensee acted contrary to the Licensee's own standards of practice because Licensee stated that the sorts of intrusive physical interventions used by Licensee are as a final recourse "only used after all other forms of therapy have been exhausted and only in severe cases." The Board finds that JH's case was complex, but does not appear to be a severe case, as there is no indication in the clinical file that other forms of therapy were exhausted.

The Board finds Licensee's theoretical orientation concerning. Licensee admits that many individuals find this therapy "emotionally and physically abusive" but to Licensee justified the therapy in stating that it is the last recourse for the child and the family. This theoretical orientation to helping children is not sanctioned by any recognized professional organization. The Board finds that Licensee's clinical beliefs are a danger to the public.

The Board finds that from Dr. Ziegler's review and the Board review of Licensee's training and education, no mention is made of training in the credentials relating to psychodrama as a technique of therapy. The Board notes that psychodrama is an intensive and volatile technique that requires training and supervision and Licensee did not evidence that training.

The Board finds that the techniques used by Licensee are in violation of OAR 833-060-0001 and were intended to cause psychological and physical pain, did not advance the welfare and best interests of the client, and do not respect the rights of the clients.

The Board finds that Licensee was deceitful and misrepresented himself to SCF when he agreed to stop holding therapy, yet did not. The Board finds that when Licensee represented himself to the Board in Utah, his representations conflicted with documentation in the file.

Conclusions of Law

Pursuant to ORS 675.745(1)(c) and 675.745(1)(d), the Board finds that Keith A. Reber (Licensee) acted with gross negligence in the practice of marriage and family therapy by his failure to act within the standards of the profession and his failure to act with the highest standards of professional integrity. For this conduct, the Board revokes the marriage and family therapist license of Keith A. Reber.

The Board finds that by failing to stop holding therapy on children that were under SCF care after agreeing to do so, Licensee violated OAR 833-060-0001(2) and OAR 833-060-0001(2) and (4)(a) and (g). The Board finds that by misrepresenting facts of his status in Oregon to the Utah Board, Licensee violated OAR 833-060-0001(2) and OAR 833-060-0001(2) and (4)(a) and (g).

The Board finds that the above-described conduct by Licensee involving patients JH, SM, VM, MO and OD constitutes violations of OAR 833-060-0001(1) because Licensee used a therapeutic technique that violated Licensee's responsibility to make every effort to advance the welfare and best interest of his clients and respect the rights of those clients.

The above-described incidents with patients JH, SM, VM, MO and OD, constitute violations of OAR 833-060-0001(4)(g) by providing treatment that is considered inappropriate, unnecessary or inadequate. In addition, under OAR 833-060-0001(4)(g) a licensee must not perform any professional services beyond the licensee's field of competence. The use of the technique psychodrama which requires specific training and supervision, was not demonstrated by Licensee in the treatment of the above mentioned patients.

The above-described incidents constitute gross negligence under ORS 675.745(1)(c) and are punishable by revocation.

The Board finds that a revocation is warranted. The Board considers the violations in this matter so egregious and reprehensible that to allow Licensee to practice in the State of Oregon would be an abrogation of the Board's responsibility to regulate

the practice of counseling and therapy and would not protect the public.

THE BOARD HEREBY ORDERS:

That Keith A. Reber shall be revoked from the practice of therapy as a licensed marriage and family therapist in the State of Oregon. The revocation will commence on the date this order is signed by the Board vice-chair.

IT IS SO ORDERED this 22nd day of July, 2003.

BOARD OF LICENSED PROFESSIONAL COUNSELORS
AND THERAPISTS, STATE OF OREGON

By: _____

Christine M.F Turner, LPC Vice Chair

A party is entitled to judicial review of the Final Order. Judicial review is by the Oregon Court of Appeals pursuant to the provisions of ORS 183.482. Judicial review may be obtained by filing a petition for review with the Office of State Court Administrator, Supreme Court Building, Salem, Oregon 97310. ORS 183.482 requires that an appeal is requested by filing a petition in the Court of Appeals within 60 days following the date the order upon which the petition is based is served.

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