



1 have waived their right to a hearing and now stand in default. The Board elects in this case to  
2 designate the record of proceeding to date, which consists of Respondents' file with the Board as  
3 the record for purposes of proving a prima facie case, pursuant to ORS 183.417(4).

4 NOW THEREFORE, after considering the Board's file relating to this matter, the Board  
5 enters the following Order.

6 3.

7 FINDINGS OF FACT

8 Respondents' acts and conduct that constituted the unlicensed practice of psychology, to  
9 include representing themselves to be psychologists by offering or rendering services included in  
10 the practice of psychology, and violated ORS 675.020(1)(a) and (b), ORS 675.070(1)(g) and  
11 ORS 675.070(3)(b)(E) are more particularly described below:

12 3.1 Respondents represented to the public that they were the executive directors of  
13 "Dayspring Recovery Ministries." They have placed advertisements and websites online, in  
14 which at least one website (dated in 2012) used the term "psychotherapist" and represented that  
15 "they bring to their work, as psychotherapists, the unique position of personally understanding  
16 the grief and struggles clients face." On the same website, they represented to the public that  
17 Dayspring has additional staff who counsel in many areas, to include anger management, sexual  
18 addiction, depression, anxiety/panic disorders, and codependency. In a letter dated March 11,  
19 2013, Allan Faatz acknowledged that he used the term "Psychotherapist" in a website in 2002 in  
20 connection with Dayspring, and that the website continued to display that term until December  
21 2012. Allan Faatz has represented that he subsequently took down that website.

22 3.2 Respondents have never been trained or licensed to practice psychology.

23 4.

24 CONCLUSIONS OF LAW

25 The acts and conduct of Respondents described above constituted the unlicensed practice  
26 of psychology as well as representing themselves to be psychologists by offering or rendering

1 services included in the practice of psychology, in violation of ORS 675.020(1)(a) and (b), ORS  
2 675.070(1)(g) and ORS 675.070(3)(b)(E).

3 5.

4 ORDER

5 IT IS HEREBY ORDERED THAT Allan Faatz and Pamela Faatz, Respondents, each  
6 pay a civil penalty of \$1,500 within 30 days from the date this Order is signed by the Executive  
7 Director.

8 DATED this 3<sup>rd</sup> day of October 2013.

9 BOARD OF PSYCHOLOGIST EXAMINERS  
10 State of Oregon

11 Redacted

12 Becky Eklund  
13 Interim Executive Director

14 Right to Judicial Review

15 **NOTICE:** You are entitled to judicial review of this Order. Judicial review may be obtained by  
16 filing a petition for review with the Oregon Court of Appeals within 60 days after the final order  
17 is served upon you. See ORS 183.482. If this Order was personally delivered to you, the date of  
18 service is the day it was mailed, not the day you received it. If you do not file a petition for  
19 judicial review within the 60 days time period, you will lose your right to appeal.

20  
21 **NOTICE TO ACTIVE DUTY SERVICEMEMBERS:** Active duty servicemembers  
22 have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For  
23 more information contact the Oregon State Bar at 800-452-8260, the Oregon Military  
24 Department at 800-452-7500 or the nearest United States Armed Forces Legal Assistance Office  
25 through <http://legalassistance.law.af.mil>.

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BEFORE THE  
BOARD OF PSYCHOLOGIST EXAMINERS  
STATE OF OREGON

In the Matter of the Conduct of: ) AGENCY NO: OBPE #2012-067, 2012-068  
ALLAN FAATZ & PAMELA FAATZ )  
Respondents ) NOTICE OF INTENT TO IMPOSE CIVIL  
PENALTY

1.

The Board of Psychologist Examiners (Board) is the state agency responsible for licensing and disciplining psychologists, and for regulating the practice of psychology in the State of Oregon. The Board is also responsible for enforcing the laws against the unlicensed practice of psychology in the state of Oregon. Allan Faatz and Pamela Faatz (Respondents) are married, and are not licensed by the Board to practice psychology in the state of Oregon.

2.

The Board opened an investigation in regard to allegations that Respondents were engaged in the unlicensed practice of psychology in Oregon. The Board sent a letter, dated November 27, 2012, to each Respondent stating that the Board had opened a complaint file alleging that they had engaged in the unlicensed practice of psychology and had made representations to the public that they were psychologists. The Board now proposes to impose a civil penalty of \$1,500 against Allan Faatz and a civil penalty of \$1,500 against Pamela Faatz, pursuant to ORS 675.020(1)(a) and (b), ORS 675.070(1)(g) and ORS 675.070(3)(b)(E), for engaging in the unlicensed practice of psychology and by representing himself and herself to be a psychologist.

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3.

Respondent's acts and conduct that violated ORS 675.020(1)(a) and (b), ORS 675.070(1)(g) and ORS 675.070(3)(b)(E) are more particularly described below:

3.1 Respondents represent to the public that they are the executive directors of "Dayspring Recovery Ministries." They have placed advertisements and websites online, in which at least one website (dated in 2012) used the term "psychotherapist" and represented that "they bring to their work, as psychotherapists, the unique position of personally understanding the grief and struggles clients face." On the same website, they represented to the public that Dayspring has additional staff who counsel in many areas, to include anger management, sexual addiction, depression, anxiety/panic disorders, and codependency. In a letter dated March 11, 2013, Allan Faatz acknowledged that he used the term "Psychotherapist" in a website in 2002 in connection with Dayspring, and that the website continued to display that term until December 2012.

3.3 Respondents have never been trained or licensed to practice psychology.

4.

The Board has authority to a civil penalty of up to \$10,000 against Respondents for practicing psychology without a license or representing that he or she are a psychologist or offered services included in the practice of psychology, to include psychotherapy or offer consultation or therapy services for the purpose of diagnosing or treating behavioral, emotional or mental disorders without having a license to practice psychology, pursuant to ORS 675.020(1)(a), (b) and (2), ORS 675.070(1)(g), and ORS 675.070(3)(b)(E).

5.

Respondents have the right, if Respondents request, to have a formal contested case hearing before an Administrative Law Judge to contest the matter set out above, as provided by Oregon Revised Statutes 183.310 to 183.497. At the hearing, Respondents may be represented by an attorney and subpoena and cross-examine witnesses.

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6.

If Respondents request a hearing, the request must be made in writing to the Board, must be received by the Board within thirty (30) days from the mailing of this notice, and must be accompanied by a written answer to the charges contained in this notice. Before commencement of the hearing, Respondents will be given information on the procedures, right of representation and other rights of parties relating to the conduct of the hearing as required under ORS 183.413-415.

7.

If Respondents fail to request a hearing within 30 days, or fail to appear at the hearing as scheduled, the Board may issue a final order by default and impose the above sanctions against Respondents. Respondents' submissions to the Board to-date regarding the subject of this disciplinary case and all information in the Board's files relevant to the subject of this case automatically become part of the evidentiary record of this disciplinary action upon default for the purpose of proving a *prima facie* case. ORS 183.417(4).

DATED this 12 day of June, 2013.

BOARD OF PSYCHOLOGIST EXAMINERS  
State of Oregon

Redacted

Becky Eklund  
Interim Executive Director