BEFORE THE

BOARD OF PSYCHOLOGIST EXAMINERS

STATE OF OREGON

In the Matter of the Conduct of:	) AGENCY NO: OBPE #2016-025
RONALD FRITZ	) DEFAULT ORDER
Respondent	)

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. Ronald Fritz (Respondent) is not licensed by the Board to practice psychology in the State of Oregon.

2.

On September 26, 2016, the Board issued and on September 27, 2016, sent to Respondent by regular and certified mail a Notice of Intent to Impose a Civil Penalty of $5,000 against Respondent, pursuant to ORS 675.010(4); ORS 675.020(1) and (2), ORS 675.070(1)(g) and ORS 675.070(3)(b)(E), for engaging in conduct that constitutes the unlicensed practice of psychology. This Notice informed Respondent that if he failed to request for hearing within thirty (30) day or failed to appear at a scheduled hearing, the Board may issue a final order by default. Respondent did not submit a request for hearing. As a result, Respondent has waived his right to a hearing and now stands in default. The Board elects in this case to designate the record of proceedings to date, which consists of Respondent's file with the Board as the record for purposes of proving a prima facie case, pursuant to ORS 183.417(4).

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

3.

FINDINGS OF FACT

Respondent's acts and conduct that constituted the unlicensed practice of psychology are more particularly described below:

3.1 Respondent is the owner of the New Phoenix Counseling, in Dallas, Oregon. Client A and his wife, Client B, were referred to Respondent for marriage counseling in March of 2014. They subsequently met with Respondent for counseling sessions, both individually, and as a couple. During a counseling session, Respondent states that he was informed that Client A had been diagnosed with depression and had been prescribed anti-depressants, but had discontinued treatment. Respondent states that he encouraged Client A to see a psychiatrist about his depression, but that Client A was resistant to his recommendations. Respondent diagnosed Client A with "Major Depressive Affective Disorder." Respondent met with Client B for multiple individual sessions, and noted on June 17, 2014, that she exhibited many symptoms consistent with "Battered Woman Syndrome." Diagnosing a behavioral, emotional or mental disorder constitutes the practice of psychology. Clients A and B paid cash for their appointments with Respondent.

3.2 Respondent submitted 13 bills to Blue Cross of Idaho for reimbursement. One bill reflected a CPT description of "Psychiatric Disorder Evaluation" with a diagnostic description of "Major Depressive Affective Disorder, Recurrent Episode, Severe Degree, Without Mention of Psychotic Behavior," with a charge of $175.00. The other 12 bills reflect a CPT description of "Psychotherapy, 60 Minutes with Patient And/or Family Member," with a charge of $100.00 for each session, for a sum total charge of $1,200.00. (The total of charges submitted was $1,375.00.) Idaho Blue Cross paid $476.58 on these charges, in the form of reimbursement to Client A.

4.

CONCLUSIONS OF LAW

The acts and conduct of Respondent described above constituted the unlicensed practice of psychology, which violated ORS 675.020(1) and (2), ORS 675.070(1)(g) and ORS 675.070(3)(b)(E), by practicing psychology without a license or representing that he is a psychologist or offered services included in the practice of psychology without having a license to practice psychology.

5.

ORDER

IT IS HEREBY ORDERED THAT Respondent Ronald A. Fritz must pay a civil penalty of $5,000 within 60 days from the signing of this Order.

DATED this 16th day of January, 2017.

BOARD OF PSYCHOLOGIST EXAMINERS
State of Oregon

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Clifford Johannsen, Ph.D.
Board Chair

Right to Judicial Review

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

BEFORE THE

BOARD OF PSYCHOLOGIST EXAMINERS

STATE OF OREGON

In the Matter of the Conduct of:	) AGENCY NO: OBPE #2016-025
	)
RON FRITZ	) NOTICE OF INTENT TO IMPOSE CIVIL
	) PENALTY
Respondent	)

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. Ron Fritz (Respondent) is not licensed by the Board to practice psychology in the state of Oregon.

2.

The Board proposes to impose a civil penalty of $5,000 against Respondent, pursuant to ORS 675.010(4); ORS 675.020(1) and (2), ORS 675.070(1)(g) and ORS 675.070(3)(b)(E), for engaging in conduct that constitutes the unlicensed practice of psychology.

3.

Respondent's acts and conduct that constituted the unlicensed practice of psychology are more particularly described below:

3.1 Respondent is the owner of the New Phoenix Counseling, in Dallas, Oregon. Client A and his wife, Client B, were referred to Respondent for marriage counseling in March of 2014. They subsequently met with Respondent for counseling sessions, both individually, and as a couple. During a counseling session, Respondent states that he was informed that Client A had been diagnosed with depression and had been prescribed anti-depressants, but had

discontinued treatment. Respondent states that he encouraged Client A to see a psychiatrist about his depression, but that Client A was resistant to his recommendations. Respondent diagnosed Client A with "Major Depressive Affective Disorder." Respondent met with Client B for multiple individual sessions, and noted on June 17, 2014, that she exhibited many symptoms consistent with "Battered Woman Syndrome." Diagnosing a behavioral, emotional or mental disorder constitutes the practice of psychology. Clients A and B paid cash for their appointments with Respondent. Respondent's conduct constitutes the unlicensed practice of psychology, in violation of ORS 675.020(1) and (2).

3.2 Respondent submitted 13 bills to Blue Cross of Idaho for reimbursement. One bill reflected a CPT description of "Psychiatric Disorder Evaluation" with a diagnostic description of "Major Depressive Affective Disorder, Recurrent Episode, Severe Degree, Without Mention of Psychotic Behavior," with a charge of $175.00. The other 12 bills reflect a CPT description of "Psychotherapy, 60 Minutes with Patient And/or Family Member," with a charge of $100.00 for each session, for a sum total charge of $1,200.00. (The total of charges submitted was $1,375.00.) Idaho Blue Cross paid $476.58 on these charges, in the form of reimbursement to Client A. Respondent's conduct constitutes the unlicensed practice of psychology, in violation of ORS 675.020(1) and (2).

4.

The Board has authority to a civil penalty of up to $10,000 against Respondent for practicing psychology without a license or representing that he is a psychologist or offered services included in the practice of psychology without having a license to practice psychology, pursuant to ORS 675.020(1) and (2), ORS 675.070(1)(g), and ORS 675.070(3)(b)(E).

5.

Respondent has the right, if Respondent requests, 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, Respondent may be represented by an attorney and subpoena and cross-examine witnesses.

6.

If Respondent requests 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, Respondent 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.

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

8.

If Respondent fails to request a hearing within 30 days, or fails to appear at the hearing as scheduled, the Board may issue a final order by default and impose the above sanctions against Respondent. Respondent's 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 26th day of SEPTEMBER, 2016.

BOARD OF PSYCHOLOGIST EXAMINERS
State of Oregon

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Charles Hill
Executive Director