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BEFORE THE  
BOARD OF PSYCHOLOGY  
STATE OF OREGON

In the Matter of ) Agency Case No. 2022-027  
Adam Heifetz )  
Unlicensed ) NOTICE OF PROPOSED DISCIPLINARY  
ACTION

1.

The Board of Psychology (Board) is the state agency responsible for licensing and disciplining psychologists, and for regulating the practice of psychology in the State of Oregon. Adam Heifetz (Respondent) is an individual subject to the Board's jurisdiction when practicing psychology or representing himself as a psychologist in Oregon pursuant to ORS 675.020(1).

2.

The Board proposes to sanction Respondent by imposing a civil penalty of \$1,000 pursuant to ORS 675.070(2)(e), (h), ORS 675.020(1) and ORS 675.070(3)(b)(E).

3.

The Board's proposal to sanction Respondent is based on the following alleged facts:

3.1 Respondent owns and operates Threshold Counseling in Portland, Oregon, a business he incorporated in Oregon as a domestic limited liability company on April 7, 2020. Respondent also registered the website "threshold-counseling.com" (website).

3.2 According to the website, two "counselors" provide services at Threshold Counseling: Respondent and his wife, Sonja Heifetz, a Licensed Professional Counselor licensed by the Oregon Board of Licensed Professional Counselors and Therapists.

3.3 Respondent is not licensed by the Board or any other professional board in Oregon.

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1           3.4     The website describes the services provided by Threshold Counseling.  
2     Respondent's profile on the website states that, as a therapist, he relies upon a variety of  
3     "psychologies": "transpersonal, integral, Jungian, psychosynthesis, humanistic, existential,  
4     mediation/mindfulness, cognitive, psychodynamic, and gestalt." The website states that  
5     Respondent provides Transpersonal Counseling, Dream Analysis ("rooted in 'Jungian Depth  
6     Psychology'"), and, as a separate practice area, Spiritual Guidance, which the website  
7     distinguishes from other forms of services Respondent offers ("the focus here is not on solving  
8     emotional or psychological problems...").

9           3.5     In or around March 2022, Individual A, an adult, contacted Respondent about the  
10    possibility that he would provide counseling services to her for depression related to past trauma.

11          3.6     Respondent sent Individual A forms to complete prior to conferring about the  
12    possibility that he would counsel her: "Counseling Informed Consent" and "Client Intake Form."

13          3.7     The "Counseling Informed Consent" form represented, among other things, that  
14    Respondent could share information from the sessions (keeping Individual A's name  
15    confidential) with "other counselors or mental health professionals for the purposes of  
16    consultation or supervision," even though as an unlicensed individual, Respondent was not  
17    supervised by anyone. The form distinguished between the counseling services that Respondent  
18    proposed to provide and services "requiring psychiatric, or other specific expertise," but did not  
19    distinguish between his services and psychological services. The form made no mention of  
20    spiritual or religious counseling services and did not disclose that Respondent was unlicensed.

21          3.8     The "Client Intake Form" requested a variety of information from prospective  
22    clients, including a detailed medical history which asked about prior hospitalizations/  
23    institutionalizations, substance use, prescription medications, and reproductive health history.  
24    The form asked for demographic information including housing (type and ownership/rental) and  
25    intimate partnership arrangements. The form did not ask any questions about a prospective  
26    client's spiritual or religious identification or beliefs. The Client Intake Form further asked

prospective clients to disclose their “symptomology” including symptoms such as: self-harm, thoughts of suicide, attempted suicide, depression, anxiety, panic attacks, delusions, obsessive thoughts, attention problems, hoarding, behaviors associated with eating disorders (gorging, binge eating, induced vomiting, food restriction), and physical symptoms that could indicate neurological injury (dizziness, head injury, headaches, chronic pain).

3.9 When Individual A learned independently that Respondent was not licensed by the Board or any regulatory agency in Oregon, she expressed concern to Respondent. Respondent informed Individual A that she could “lodge a complaint” against him with Spiritual Directors International since he was not licensed by any Oregon board.

3.10 Spiritual Directors International is a corporation. Spiritual Directors International's Chief Operating Officer informed the Board's investigator that Spiritual Directors International is not a religious organization and that it does not have authority to regulate individuals, such as Respondent, who have registered as members.

3.11 Respondent is listed in the Psychology Today provider index, reporting that he provides services for a variety of issues, including anxiety and depression, and that his treatment approaches include Jungian, psychodynamic, and positive psychology therapies.

3.12 On a public website (“counseling.com”) there is a therapist profile for Respondent which identifies his educational background and lists “License: Oregon/C4458.” “C4458” is the number of the license previously issued to Benjamin Heifetz by the Oregon Board of Licensed Professional Counselors and Therapists to practice as a Licensed Professional Counselor in Oregon.

4.

The Board alleges that the acts and conduct of Respondent described above constitute violations of the following statutes:

4.1 ORS 675.020(1)(a) *unlicensed practice of psychology* in that Respondent offered to provide psychological services to Individual A and other individuals who viewed his website

1 and online profiles for the purpose of treating, improving or alleviating their behavioral,  
2 emotional or mental disorders, such as those enumerated in his advertising and intake  
3 questionnaire. *See* ORS 675.010(4), OAR 858-010-0001(27). Further, to the extent that  
4 Respondent actually provided the offered services to any individual, he violated the statute.

5 4.2 ORS 675.020(1)(b) *representing oneself as a psychologist without first being*  
6 *licensed* in that Respondent offered to provide psychological services to Individual A and any  
7 other individual who reviewed his website or online advertising for the purpose of treating,  
8 improving or alleviating their behavioral, emotional or mental disorders, such as those  
9 enumerated in his advertising and intake questionnaire. *See* ORS 675.020(2), ORS 675.010(4),  
10 OAR 858-010-0001(27). Respondent independently violated this statute by offering to provide  
11 “positive psychology” therapy in his Psychology Today profile and by offering various  
12 “psychology” services on the Threshold Counseling website.

13 5.

14 The Board has authority to investigate complaints and alleged violations under  
15 ORS 675.110(9). The Board has authority to require payment of a civil penalty pursuant to ORS  
16 675.070(1)(g), (2)(e) and (h), (3)(b)(E), and ORS 675.110(5) and (11). The Board reserves the  
17 right to amend this Notice and impose additional sanctions as allowed under the Board’s  
18 authority.

19 6.

20 **NOTICE OF RIGHT TO REQUEST HEARING**

21 Respondent has the right, if Respondent requests, to have a formal contested case hearing  
22 before an Administrative Law Judge to contest the matter set out above, as provided by Oregon  
23 Revised Statutes 183.310 to 183.550. At the hearing, Respondent may be represented by an  
24 attorney and subpoena and cross-examine witnesses. If Respondent requests a hearing, the  
25 request must be made in writing to the Board, must be received by the Board within thirty (30)  
26 days from the mailing of this notice. Before commencement of the hearing, Respondent will be

1 given information on the procedures, right of representation and other rights of parties relating to  
2 the conduct of the hearing as required under ORS 183.413-415. Hearing requests may be mailed  
3 to:

4 Oregon Board of Psychology  
5 3218 Pringle Road SE, Suite 120  
6 Salem, OR 97302-6312

7 7.

8 **NOTICE TO ACTIVE DUTY SERVICEMEMBERS:** Active Duty Servicemembers  
9 have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For  
10 more information contact the Oregon State Bar at 800-452-8260, the Oregon Military  
11 Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office  
12 through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll-  
13 free telephone number.

14 8.

15 **NOTICE OF CONSEQUENCES OF FAILURE TO REQUEST HEARING**

16 If Respondent fails to request a hearing within 30 days, withdraws a timely request for a  
17 hearing, notifies the Board or the Administrative Law Judge assigned to this matter that  
18 Respondent does not intend to appear for the hearing, or fails to appear at the hearing as  
19 scheduled, the Board may issue a final order by default and impose the proposed sanctions and  
20 terms of supervision against Respondent. Respondent's submissions to the Board to date  
21 regarding the subject of this disciplinary case and all information in the Board's files relevant to  
22 the subject of this case automatically become part of the evidentiary record of this disciplinary

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1 action upon default for the purpose of proving a *prima facie* case. ORS 183.417(4).

2 DATED this 19<sup>th</sup> day of July, 2022.

3 BOARD OF PSYCHOLOGY  
4 State of Oregon

5   
6 Charles Hill ✓  
7 Executive Director  
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