

1 psychological tests to Client A, to include the Conners' Continuous Performance Test-II,
2 NCMI – III, WAIS-III, Wechsler Memory Test and the Design Fluency Test as well as an
3 adult ADHD structured interview. During the last session on July 12, 2005, Respondent
4 reviewed the evaluation results with Client A, noting that Client A had an above average
5 IQ, exhibited weakness in verbal recall, and showed some ADHD type symptoms.
6 Respondent billed the client \$1,135.04 for these services.

7 1.2 The services offered and rendered to Client A are services that are included in the
8 practice of psychology and are not exempt from the requirement to be licensed in this
9 state to practice psychology.

10 2.

11 2.1 The Board alleged that Respondent's acts and conduct described in paragraphs 1.1
12 and 1.2 above constitutes the unlicensed practice of psychology, in violation of ORS
13 675.020(1)(a) as the practice of psychology is defined under ORS 675.010(4) and OAR
14 858-010-0001.

15 2.2 The Board alleged Respondent's acts and conduct described in paragraphs 1.1 and
16 1.2 violated ORS 675.020(1), ORS 675.070(2)(f) and OAR 858-010-0036.

17 2.3 Based on a 1997 inquiry, the Board had concluded that Respondent was exempt
18 from the licensure requirement and Respondent therefore believed he was compliant with
19 ORS 675.020. But in an opinion letter dated May 17, 2006, the Attorney General's
20 Office determined that employees of Non-Inpatient Provider of Mental Health Services,
21 such as Respondent, are not exempt from the licensure requirements of ORS 675.020
22 even if they are otherwise a "Qualified Mental Health Professional" under Department of
23 Human Services Administrative Rules.

24 3.

25 Respondent and the Board desire to settle this matter by entry of this Stipulated Order.

26 Respondent understands that he has the right to a contested case hearing under the

1 Administrative Procedures Act (chapter 183), Oregon Revised Statutes. Respondent fully and
2 finally waives the right to a contested case hearing and any appeal there from by the signing of
3 and entry of this Order in the Board's records. The Board finds and Respondent does not contest
4 that he engaged in the conduct described in paragraph 1 and that this conduct violated the
5 following statutes and rules:

6 3.1 ORS 675.020(1)(a) as the practice of psychology is defined under ORS
7 675.010(4) and OAR 858-010-0001, by engaging in the unlicensed practice of
8 psychology and ORS 675.020(1), ORS 675.070(2)(f) and OAR 858-010-0036.

9 4.

10 Respondent and the Board agree to resolve this matter by entry of this Stipulated Order,
11 in which Respondent agrees to comply with the following terms:

12 4.1 Respondent will pay an \$800 civil penalty no later than 30 days after this Order is
13 signed by the Board's designee.

14 4.2 Respondent agrees to obey all federal and Oregon State laws and regulations
15 pertaining to the practice of psychology.

16 4.3 Respondent stipulates and agrees that any violation of the terms of this Order
17 shall be grounds for disciplinary action under ORS 675.070(2)(d).

18 IT IS SO STIPULATED this 20 day of September, 2007.

19 Redacted

20 Patrick Conway

21
22 IT IS SO ORDERED this 24 day of September, 2007.

23 BOARD OF PSYCHOLOGIST EXAMINERS
24 State of Oregon

25 Redacted

26 DEBRA ORMAN, Executive Director
Oregon Board of Psychologist Examiners