

NOW THEREFORE, after considering ALJ Whitaker's proposed Order, the Board enters the following Order:

EVIDENTIARY RULING

Exhibits A1 through A28, offered by the Board, were admitted into the record without objection. Respondent withdrew all exhibits previously offered into evidence.

FINDINGS OF FACT

1. Respondent does not hold a license to practice psychology in the State of Oregon. (Test. of Orman McHugh.)

2. Respondent holds a Doctor of Science in Clinical Psychology from Rochville University. (Ex. A1 at 1.) Respondent also holds a Doctorate in Communications from Concordia College and University. (Ex. A7 at 2.) Rochville and Concordia are unaccredited, are not approved by the Office of Degree Authorization (ODA) for the State of Oregon, and are not approved to issue degrees from any state in the U.S. (Ex. A8.)

3. On an unspecified date, the ODA issued a Cease and Desist Warning Letter to Respondent.¹ The letter explained that only the use of degrees from institutions accredited by an agency recognized by the U.S. Department of Education, and those approved by the ODA, could be used in Oregon. (Ex. A8 at 1.) In its letter, the ODA provided Respondent with two options: 1) voluntarily agree to cease using an invalid degree in Oregon; or 2) have Rochville, or other entities from which Respondent holds degrees, apply for ODA approval. (*Id.* at 2.)

4. In a document dated May 10, 2007 and entitled "Domestic Relations Mediator Profile," Respondent stated, "I have been a psychotherapist for over 12 years now and have also been a corporate mediator for much of that time[.]" (Ex. A7 at 2.) Respondent's Mediator Profile also stated that he held a "Doctorate in Science of Clinical Psychology" from Rochville and a "Doctorate in Communications" from Concordia College and University. (*Id.*)

5. By letter dated August 13, 2007, Respondent corresponded with individuals involved in a custody and parenting time evaluation to which Respondent was assigned by the Marion County Circuit Court. (Ex. A9.) Respondent's correspondence contained the following letterhead, in part:

Allen E. Patterson, PhD., DSc., MBA., MDIV., MA, CHt.
Doctor of Clinical Psychology/Psychotherapist

(*Id.*)

¹ The letter is undated, but is date stamped as received by the Board on March 6, 2007. (Ex. A8 at 1.)

1 (1) To safeguard the people of the State of Oregon from the dangers of
2 unqualified and improper practice of psychology, no person shall, unless
3 exempted from the provisions of ORS 675.010 to 675.150 by ORS
4 675.090:

5 (a) Practice psychology in this state without first being licensed under
6 ORS 675.010 to 675.150.

7 (b) Represent oneself to be a psychologist without first being licensed
8 under ORS 675.010 to 675.150

9 (2) As used in subsection (1)(b) of this section, “represent oneself to be a
10 psychologist” means to use any title or description of services
11 incorporating the words “psychology,” “psychological,” “psychotherapy”
12 or “psychologist,” or to offer or render to individuals or to groups of
13 individuals services included in the practice of psychology.

14 The “practice of psychology” is defined in ORS 675.010(4), which provides:

15 “Practice of psychology” means rendering or offering to render
16 supervision, consultation, evaluation or therapy services to individuals,
17 groups or organizations for the purpose of diagnosing or treating
18 behavioral, emotional or mental disorders. “Practice of psychology” also
19 includes delegating the administration and scoring of tests to technicians
20 qualified by and under the direct supervision of a licensed psychologist.

21 The findings of fact established that in or about March 2007, Respondent received a
22 Cease and Desist Warning Letter from the ODA, informing Respondent that his degrees from
23 Rochville University and Concordia University could not legally be used as credentials in
24 Oregon. Nevertheless, in a May 2007 Domestic Relations Mediator Profile, Respondent stated
25 that he was a psychotherapist for more than 12 years. In August 2007, Respondent represented
26 himself as a Doctor of Clinical Psychology/Psychotherapist to individuals to whom he was
assigned as a custody evaluator. On September 11, 2007, Respondent’s website stated, among
other things, that Respondent held a Doctorate in Clinical Psychology and a Doctorate in
Communications.

27 Through his letterhead, website, and Mediator Profile, Respondent represented himself to
28 be a psychologist, as defined in ORS 675.020(1)(b) and (2). In addition, Respondent engaged in
29 the practice of psychology when he rendered services as a court-approved custody evaluator after
30 holding himself out to the court and to mediation clients as a psychotherapist. Respondent was
31 never licensed to practice psychology in Oregon. Therefore, Respondent violated the provisions
32 of ORS 675.020(1)(a) and (b).

33 The Board proposed a civil penalty in the amount of \$1,000 for the aforementioned
34 violations.

1 Conduct custody and visitation studies. Mediation of child custody and time-sharing.
2 Court approved Domestic Relations Custody and Parenting Time Mediator.

3
4 6.

5 **ORDER**

6 IT IS HEREBY ORDERED THAT Allen E. Patterson, Respondent, pay the assessed
7 \$1,000 civil penalty within 30 days from the date this Order is signed by the Executive Director.

8 DATED this 21 day of September, 2009.

9 BOARD OF PSYCHOLOGIST EXAMINERS
10 State of Oregon

11 Redacted

12 DEBRA MCHUGH
13 EXECUTIVE DIRECTOR

14
15
16 **Right to Judicial Review**

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

1
2 BEFORE THE
3 BOARD OF PSYCHOLOGIST EXAMINERS
4 STATE OF OREGON

5 In the Matter of the conduct of)
6 Allen E. Patterson)
7 Respondent.)
8 _____)

AGENCY NO: OBPE 2007-036
NOTICE OF INTENT TO IMPOSE
CIVIL PENALTY

9 TO: Allen E. Patterson
10

11 The Board of Psychologist Examiners (Board) is the state agency responsible for
12 licensing and disciplining psychologists, and for regulating the practice of psychology in the
13 State of Oregon. The Board is also responsible for enforcing the laws against the unlicensed
14 practice of psychology in the State of Oregon.

15 1.

16 The Board proposes to impose civil penalties totaling \$1000.00 against Allen E. Patterson
17 (Respondent) pursuant to ORS 675.020(1) and ORS 675.070(1)(g). Respondent's violation of
18 this statute is more particularly described below.

19 2.

20 2.1 From approximately January 2007 to September 2007 Respondent worked as a
21 Marion County Circuit Court approved custody evaluator representing himself as a
22 "psychotherapist" in-person to mediation clients, on his business web site, on his business
23 letterhead, on his payment and billing policy statement and on his resume.

24 2.2 From approximately January 2007 to September 2007 Respondent represented
25 himself as a "psychotherapist" to the community on his business web site, on his business
26 letterhead and on his resume.

