

Office of Attorney General Enforces Law Prohibiting Renewal of License for Individual with Child Support Delinquency

For several years Chapter 232 of the Texas Family Code has allowed the Office of Attorney General (OAG) to suspend a license due to failure to pay child support. Board rule 469.12 provides information on this law and how the Board must work with the OAG to implement it.

This Board rule also notes that in compliance with this state law, if the Board is notified of a licensee's failure to pay child support, he or she will be prevented from renewing the license. To date the OAG has not implemented this section of the law. However, that is soon about to change.

The OAG is now working with all state licensing entities to obtain interface with their various database systems. The OAG will alert the licensing entities about any of their licensees who have child support irregularities that prevent them from renewing their license.

The OAG will also notify the licensee that they will not be allowed to renew their license until they have worked out their child support irregularities with the OAG.

Once the licensee has worked out a satisfactory plan with the OAG, the OAG will first notify the licensing entity to remove the restriction on renewal and then notify the licensee that they are eligible to renew.

It is important to note that at TSBEP renewals are staggered by birthday month. Therefore, it is most likely that a licensee will be notified by the OAG of any problems at some time during the renewal year, so that they will have plenty of time to work out a plan with the OAG, thus avoiding any delay in the renewal of their license. However, there is the possibility that the OAG would notify a licensee of a child support irregularity late in the renewal year thereby leaving little time for the licensee to create an acceptable payment of child support plan with OAG and to timely renew their license with the Board.

**Disciplinary Actions:
May 2010 Board Meeting**

Linda Cameron, Ph.D., Licensed Psychologist

(Rowlett)

Complaint: Respondent did not update informed consent during the course of providing psychological services in transition from individual to group therapy; one-time breach of patient confidentiality in an email.

Sanction: Respondent was assessed an administrative penalty of \$1,000.00 and must complete nine (9) hours of continuing education in ethics.

**Mercy Chieza, Psy.D., Licensed Psychologist and Licensed Specialist
in School Psychology**

(Waco)

Complaint: Respondent was convicted of health care fraud and one count of money laundering and was sentenced to serve 37 months in prison.

Sanction: Respondent's license was revoked.

Matthew H. Leddy, Ph.D., Licensed Psychologist

(The Woodlands)

Complaint: Respondent entered a guilty plea to Medicaid fraud and aggregate theft, and received a deferred finding of guilt with ten years of community supervision, conditioned on payment of \$228,747.81 restitution, serve 30 days in jail, and other penalties.

Sanction: Respondent's license was revoked.

Nilsa S. Colon Ortiz, Ph.D., Licensed Psychologist

(Rio Piedras, PR)

Complaint: Respondent failed to provide the Board with timely proof that she obtained the minimum 12 hours of continuing education in psychology for the preceding year in which she was licensed; third offense.

Sanction: Respondent was assessed an administrative penalty of \$1,000.00.

Joseph M. Peraino, Ph.D., Licensed Psychologist

(Houston)

Complaint: Respondent failed to timely respond to a written request for records and failed to maintain records for services.

Sanction: Respondent's license was reprimanded, he must retake and pass the jurisprudence examination, he was assessed an administrative penalty of \$1,500.00 and must obtain three (3) hours of additional continuing education in record keeping.

Heather L. Queener, Ph. D., Licensed Psychologist

(Bartonville)

Complaint: Respondent failed to report a legal action to the Board.

Sanction: Respondent was assessed an administrative penalty of \$500.00.

Quentin I. Yancey, M.A., Licensed Specialist in School Psychology

(Cuero)

Complaint: Respondent pled guilty to an intoxication offense.

Sanction: Respondent's license was reprimanded, he was assessed an administrative penalty of \$1,000.00 and must obtain six (6) hours of additional continuing education relating to substance abuse.

Resignations in Lieu of Adjudication (CE Complaints)

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|-----------------------------|-----------------|
| 1) Linzy N. Messerly, Ph.D. | (Wimberley) |
| 2) Frances E. Ruben, M.S. | (Marshall) |
| 3) Brenda M. Vardy, M.A. | (Wichita Falls) |

**Disciplinary Actions:
August 2010 Board Meeting**

Stanley Brein, M.S., Licensed Specialist in School Psychology (Red Oak)

Complaint: Respondent exceeded the scope of licensed practice by conducting an administrative review of a co-worker without the person's knowledge or consent, and offered recommendations in a report signed as an LSSP.

Sanction: Respondent was assessed an administrative penalty of \$2,000.00 and must complete fifteen (15) hours of additional continuing education in ethics and psychological services in the schools.

Harvey G. Davisson, Ph. D., Licensed Psychologist (Dallas)

Complaint: Respondent failed to report a civil legal action to the Board.

Sanction: Respondent was assessed an administrative penalty of \$500.00.

Robert Marr Dunson III, Ph.D., Licensed Psychologist and Licensed Specialist in School Psychology (Conroe)

Complaint: Respondent violated multiple rules of the Board, including failure to report a felony indictment and other legal actions, and failed to respond to notices of administrative actions including hearing at the State Office of Administrative Hearings.

Sanction: Respondent's license was revoked.

Melody M. Potter, Ph.D., Licensed Psychologist (Weatherford)

Complaint: Respondent's forensic testimony at trial in a child custody case contained insufficiently substantiated opinions.

Sanction: Respondent was assessed an administrative penalty of \$3,000.00 and must complete 12 hours additional continuing education, 3 hours in forensic psychological services, 3 hours in evidence-based decision making and 6 hours in ethics.

Jeffrey Siegel, Ph.D., Licensed Psychologist

(Dallas)

Complaint: Respondent's forensic report omitted a statement of limitation regarding unavailable records and inability to schedule interviews due to court order.

Sanction: Respondent was assessed an administrative penalty of \$1,000.00.

Richard Trent, Ph.D., Licensed Psychologist

(Rusk)

Complaint: Respondent failed to report a legal action to the Board and failed to state that he had been arrested on his annual renewal application form.

Sanction: Respondent's license was reprimanded and he was assessed an administrative penalty of \$750.00.

Lourene Williams-Medlow, M.A., Licensed Psychological Associate and Licensed Specialist in School Psychology

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Complaint: Respondent advertised psychological services on a web site that did not identify a supervisor for her practice as a Licensed Psychological Associate

Sanction: Respondent was assessed an administrative penalty of \$150.00.

Resignations in Lieu of Adjudication (CE Complaints)

1) Susan E. Hofkamp, Ph.D.

(Round Rock)

2) Shirley A. Winslow, M.A.

(Blanco)