



STATE OF OKLAHOMA
Board of Examiners of Psychologists

**The Procedure for Filing and Investigating
a Request for Inquiry Concerning a Licensed Psychologist**

The Oklahoma State Board of Examiners of Psychologists has the responsibility for enforcing the Laws and Rules governing psychologists found in the Psychologists Licensing Act (Title 59, O.S. 1998, Sections 1351-1376) and in the Rules of the Board. The investigation of a request for inquiry concerning a licensed psychologist may be initiated only when the request for inquiry is in writing, is signed and notarized, and filed with the Board. The notarized request for inquiry must contain a brief statement setting forth the allegations of fact and naming the licensee or licensees it concerns. The request for inquiry then provides the basis for the Chair or Vice-Chair of the Board to request an informal meeting with the licensee, whose participation is voluntary, and/or to appoint an investigator. Investigators are chosen from a pool of licensed psychologists trained specifically for this purpose. Please note that the Board provides copies of the request for inquiry, i.e., all information received by the Board, to the psychologist about whom the request for inquiry is made. The Board shall have the power and duty to suspend, place on probation, require remediation, or revoke any license to practice psychology, or to take any other action specified in the rules and regulations, whenever the Board shall find by clear and convincing evidence that the psychologist has engaged in unethical or illegal behavior. Important aspects of this process are outlined below for your consideration.

1. The process can be long, detailed, and careful with certain delays to be expected.
2. The Chair or Vice-Chair of the Board has the authority to call an informal meeting with the psychologist to discuss the request for inquiry or to assign an investigator. An informal meeting with the psychologist may result in a decision to recommend to the Board that the request for inquiry be dismissed or that an investigator be assigned. Either of those outcomes will be communicated to the requesting party.
3. If an investigator is assigned, the requesting party will be informed about who will be conducting the investigation. That person will contact you to clarify the information that you have provided, and he or she may seek additional information from you.
4. The investigator's role is to gather information to assist the Board in its disposition of requests for inquiry. That individual will not offer any opinions to the requesting party or to the psychologist.

5. The investigator submits a written report to the Board office. Once that report is submitted, a Probable Cause Committee meeting is scheduled. At the Probable Cause Committee meeting, the investigator presents the findings of his or her report to the committee. That committee typically consists of a current Board member, a past Board member, and a representative of the Attorney General's office.

6. The Probable Cause Committee submits a recommendation to the full Board either to dismiss the request for inquiry or to file a formal Board complaint. Both the requesting party and the psychologist are notified of the date and time when the recommendation of the Probable Cause Committee will be presented to the Board in an open meeting of the Board. While both the requesting party and the psychologist are invited to attend the Board meeting, no questions will be posed by or to the requesting party or the psychologist at that meeting. However, questions may be submitted in writing to the representative from the Attorney General's office following the Board meeting.

7. In those cases in which an investigation indicates that a violation has occurred and formal action is required, the Board may seek to reach a settlement with the psychologist. Such a settlement is usually documented by means of a "Consent Agreement". That agreement must be approved both by the psychologist and by the Board at an open Board meeting. A Consent Agreement lists the findings of fact, applicable regulatory language, and any disciplinary, remedial, or rehabilitative measures to be imposed.

8. When a serious or significant violation is believed to have occurred and no settlement is reached with the psychologist, the Board shall file a complaint and the matter may be set for a formal hearing.

9. A formal hearing is conducted by the Board Chair and is similar to a court proceeding. The requesting party will be subpoenaed as a witness to provide testimony. The Assistant Attorney General assigned to the Board will assist and guide the preparation of witness testimony and the presentation of documents. The psychologist or psychologist's attorney has the right to ask questions of the witnesses, to call witnesses, and to present evidence.

10. As a result of the hearing, the Board may find that a single violation has occurred, that multiple violations have occurred, or that no violation has occurred. If the Board determines that no violation has occurred, the complaint will be dismissed. If the Board determines that a violation has occurred, the Board will impose specific sanctions. The psychologist has the right to appeal the Board's decision through the court system, which may delay a ruling.

11. **Please note:** If there is a formal hearing, the psychologist has the right to present a defense to the charges of the Board. That defense may well include part or all of your confidential clinical record and in that case, the parts presented in the hearing process would become public record.

If you have any questions, please feel free to contact the Board office at 405-522-1333. Thank you for your interest and cooperation.

3. Names and phone numbers of persons who may provide additional information.

4. List any materials or documents that you have included relevant to your request for inquiry.

5. Have you sought mediation or any other avenue for resolution? If so, please describe:

6. What action would you like the Psychology Board to take?

8. Are you willing to give a sworn statement concerning the request for inquiry or testify at a Board Hearing in Oklahoma City? Yes No

I certify that all information which I have given herein to be true, correct, and complete to the best of my knowledge.

I understand that the Oklahoma Board of Examiners of Psychologists provides copies of the request for inquiry to the individual(s) inquired about and I authorize the Board to give copies of this information to anyone who submits a public records request pursuant to Oklahoma Statute.

Signature

Date

STATE OF
COUNTY OF

Before me, the undersigned authority personally appeared _____ who, after being duly sworn, deposes and says that the foregoing (and any attached statement) is true and correct to the best of his/her knowledge and belief.

Seal

NOTARY PUBLIC

DATE