

BEFORE THE ARKANSAS PSYCHOLOGY BOARD

**IN THE MATTER OF
Mike Parker, Ph.D.
License # 93-10P**

RESPONDENT

Case # 09-05 and Case #09-06

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

On Friday, September 17, 2010, the Arkansas Psychology (hereinafter "Board") conducted an evidentiary hearing on allegations set out in the Notice of Hearings dated August 17, 2010. Mike Parker, Ph.D. (hereinafter "Respondent") appeared without counsel. The Board heard sworn testimony from James Ammel, Board Investigator, and the Respondent in case #09-05. The complainant, [REDACTED], DMV, (#09-05) was not available for the hearing due to a death in his family. The Board also heard testimony from [REDACTED] Board Investigator; [REDACTED] Complainant; and the Respondent in case #09-06. After reviewing documents received in evidence and considering the testimony of witnesses, the Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

Case # 09-05

F1. Respondent is a licensed Psychologist in the State of Arkansas and holds license number 93-10P.

F2. During the fall of 2006 to present, Complainant, [REDACTED], engaged the services of Respondent to conduct testing on LJD, a minor, for learning difficulties in school.

F3. Respondent provided testing services over multiple sessions. Complainant signed release forms for the report to be sent to the minor's school and to the Complainant. Following the completion of the testing, Complainant made several attempts, by phone and in person, to

contact Respondent and obtain the report. As of the filing of this complaint on September 29, 2009, neither the school nor the Complainant had received any reports.

F4. As of the date of this hearing, complainant, _____, has not received a copy of the report.

Case #09-06

F1. Respondent is a licensed Psychologist in the State of Arkansas and holds license number 93-10P.

F2. During the spring of 2006 to present, Complainant, _____, engaged the services of Respondent to provided testing for _____, a minor, on behalf of _____, to diagnose ADD/ADHD or other learning difficulties.

F3. Respondent provided the requested testing services but failed to provide the test report with interpretations to the Complainant or the minor's school.

F4. Respondent's failure to provide test results impacted the minor's receipt of educational accommodations.

F5. Complainant received a copy of the report only after the filing of this complaint.

APPLICABLE LAW AND REGULATIONS

L1. All persons licensed by the Board are required to conform their practice to the requirements of Ark. Code. Ann. § 17-97-101, *et. seq.* and the ethical Standards of the American Psychological Association.

L2. A licensed psychologist is required to comply with the American Psychological Association's *Ethical Principles of Psychologists and Code of Conduct*, 2002 Ed., and more specifically the following:

- (a) Standard 3.04 Avoiding Harm: Psychologists take reasonable steps to avoid harming their clients/patients, students, supervisees, research

participants, organizational clients, and others with whom they work, and to minimize harm where it is foreseeable and unavoidable.

- (b) Standard 6.01 Documentation of Professional and Scientific Work and Maintenance of Records: Psychologists create, and to the extent the records are under their control, maintain, disseminate, store, retain, and dispose of records and data relating to their professional and scientific work in order to (1) facilitate provision of services later by them or by other professionals, (2) allow for replication of research design and analyses, (3) meet institutional requirements, (4) ensure accuracy of billing and payments, and (5) ensure compliance with law.
- (c) Standard 9.10 Explaining Assessment Results: Regardless of whether the scoring and interpretation are done by psychologists, by employees or assistants, or by automated or other outside services, psychologists take reasonable steps to ensure that explanations of results are given to the individual or designated representative unless the nature of the relationship precludes provision of an explanation of results (such as in some organizational consulting, preemployment or security screenings, and forensic evaluations), and this fact has been clearly explained to the person being assessed in advance.

L3. Pursuant to Ark. Code Ann. §17-97-310(a)(8) the Arkansas Psychology Board may refuse to grant a certificate or may suspend or revoke any license for a period to be determined by the board, may impose a fine of up to five thousand dollars (\$5,000), may issue a letter of reprimand, and may require additional hours of education of a licensee for violation of any rule or regulation of the board or the rules of ethics as adopted by the board.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact the Board makes the following Conclusions of Law:

C1. In case #09-06, Respondent violated Standard 6.04 Avoiding Harm by his failure to provide the results of testing which was necessary for the school's determination of accommodations for the educational plan for a minor.

C2. In case #09-05 and #09-06, Respondent violated Standard 6.01 Documentation of Professional and Scientific Work and Maintenance of Records of the American Psychological Association's *Ethical Principles of Psychologists and Code of Conduct* by failing to maintain, disseminate, store, and/or retain copies of the results related to services provided to [redacted], a minor, on behalf of [redacted] (case #09-05) and to [redacted], a minor, on behalf of [redacted] (case #09-06).

C3. In case #09-06, Respondent violated Standard 9.10 Explaining Assessment Results of the American Psychological Association's *Ethical Principles of Psychologists and Code of Conduct* by failing to take reasonable steps to ensure that explanations of results were given to the Complainant or designated representative of the results related to services provided to [redacted] a minor, on behalf of [redacted] (case #09-06). There was no testimony on this issue in case #09-05 and the Board finds the Respondent not guilty of this charge in case #09-05.

ORDER

The Board determines under the facts of this case that the Respondent violated Standard 6.04 Avoiding Harm; Standard 6.01 Documentation of Professions and Scientific Work and Maintenance of Records; and Standard 9.10 Explaining Assessment Results, all part of the American Psychological Association's *Ethical Principles of Psychologists and Code of Conduct*. Appropriate sanctions for the violations found in case #09-05 and #09-06 are as follows:

1. Respondent shall pay a fine totaling \$3000.00 due and payable within thirty (30) days of entry of this order.
2. By June 30, 2011, Respondent shall have complete and provided proof of completion to the Board office of continuing education in the following areas:

BEFORE THE ARKANSAS PSYCHOLOGY BOARD

IN THE MATTER OF
Mike Parker, Ph.D.
License # 93-10P

RESPONDENT

Case # 09-05 and Case #09-06

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

On Friday, November 18, 2011, the Arkansas Psychology Board (hereinafter "Board") conducted a hearing pursuant to the authority of Ark. Code Ann. § 17-97-101, *et. seq.*, for the purpose of determining whether Mike Parker, Ph.D., ("Respondent") failed to obey the Order of this Board in the captioned disciplinary action entered on September 17, 2010, in violation of any Arkansas Law and Board Rule for which sanctions should be applied.

FINDINGS OF FACT

Upon admission by the Respondent, the Board finds the following factual allegations to be true.

1. On September 17, 2010, based upon a finding of violations of Standard 3.04 (Avoiding Harm); Standard 6.01 (Documentation of Professional and Scientific Work and Maintenance of Records), and Standard 9.10 (Explaining Assessment Results) of the American Psychological Association's *Ethical Principles of Psychologists and Code of Conduct*, the Arkansas Psychology Board imposed a fine of \$3000.00 upon the Respondent to be paid within 30 days of entry of the order and directed that by June 30, 2011, Respondent shall have completed, and provided proof of completion to the Board's office, of continuing education in the following areas:

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- a. Ethics – Course must be APA approved and shall consist of a one (1) hour university semester ethics course or ten (10) continuing education hours
- b. Risk Management – Course must be APA approved and consist of six (6) continuing education hours.

APPLICABLE LAW AND REGULATIONS

L1. All persons licensed by the Board are required to conform their practice to the requirements of Ark. Code. Ann. § 17-97-101, *et. seq.* and the ethical Standards of the American Psychological Association.

L2. Pursuant to Ark. Code Ann. §17-97-310(a)(8) and Board Rule 11.6.I, the Arkansas Psychology Board may refuse to grant a certificate or may suspend or revoke any license for a period to be determined by the board, may impose a fine of up to five thousand dollars (\$5,000), may issue a letter of reprimand, and may require additional hours of education of a licensee for violation of any rule or regulation of the board or the rules of ethics as adopted by the board.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Facts the Board makes the following Conclusions of Law:

1. Respondent did pay the imposed fine of \$3000.00 within the required timeframe.
2. Respondent failed to comply with the terms of the final disciplinary Order of this Board issued September 17, 2010, in that the Respondent failed to complete requirements of continuing education:

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- a. the continuing education activity submitted was not APA (American Psychology Association) approved, and
- b. the continuing education activity submitted failed to meet the requirements of the Board Order.

ORDER

The Board determines under the facts of this case that the Respondent violated the Order of the Board in the disciplinary order entered September 17, 2010. Pursuant to Ark. Code Ann. §17-97-310(a)(8) and Board Rule 11.6.I, the Board imposes the following:


1. Respondent shall pay a fine totaling \$1,000.00 due and payable within thirty (30) days of entry of this order.
2. Respondent's practice shall be under supervision for a period of one (1) year. Respondent shall submit within 30 days of entry of this order a Supervision Agreement and Plan for one hour per week face-to-face, individual, supervision within 30 days of entry of the Order. The Supervising Psychologist must be approved by the Board after signing and returning to the Board a copy of this Order indicating that the Order has been read and the supervisory responsibility is understood.
3. By June 30, 2012, Respondent shall have completed and provided proof of completion to the Board office of continuing education in the following areas:
 - a. Ethics – Course must be approved by the American Psychology Association (APA) and shall consist of a one (1) hour university semester ethics course or ten (10) hours of continuing education Hours.
 - b. Risk Management – Course must be approved by the APA and consist of six (6) continuing education hours.

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- a. Ethics – Course must be APA approved and shall consist of a one (1) hour university semester ethics course or ten (10) hours of Continuing Education Hours.
- b. Risk Management – Course must be APA approved and consist of six (6) continuing education hours.

This is a final order of the Arkansas Psychology Board and as such subject to judicial review in the Circuit Court of Pulaski County. Respondent is advised that if he desires to appeal he should immediately contact his attorney because there are strict timelines in which actions of the Board may be appealed.

ARKANSAS PSYCHOLOGY BOARD



DR. _____, BOARD MEMBER o/b/o
DR. _____, CHAIRMAN
ARKANSAS PSYCHOLOGY BOARD