

BEFORE THE ARKANSAS PSYCHOLOGY BOARD

IN THE MATTER OF:

**STANLEY REST, Ph.D.
RESPONDENT**

CASE # 05-10

CONSENT ORDER & RESOLUTION AGREEMENT

Comes the Arkansas Psychology Board ("APB"), in agreement with Stanley Rest, Ph.D. ("Respondent"), and states as grounds for this Consent Order as follows:

HISTORY OF CASE

1. Respondent is a psychologist licensed by APB and therefore is subject to APB's licensing law and regulations (including the *Ethical Principles of Psychologists and Code of Conduct*) and its jurisdiction.
2. Respondent has been practicing at Ozark Guidance Center ("OGC"). As part of that practice, he was assigned to provide therapeutic services to a female clerical employee under OGC's Employee Assistance Program in 2004. During the provision of those services over time, he eventually engaged in inappropriate behavior that involved atypically intense hugging and attempted kissing of the client, causing that client consternation and resulting in her complaint to APB and OGC.
3. Respondent acknowledged his transgressions to OGC as the mutual employer of both parties and suggested a multifaceted plan of remediation. OGC adopted many of the plan's suggestions and expanded on them, including probation, continuing education, professional supervision of Respondent's practice, and therapy involving transgression issues. It has been verified that Respondent successfully completed all elements of that remediation plan as of June 2006

FINDINGS OF FACT and CONCLUSIONS OF LAW

1. Respondent has admitted to APB that he engaged in the referenced behavior as alleged by the co-worker Complainant.
2. There is probable cause to believe that Respondent's behavior constituted violations of the following provisions of the aforementioned *Ethical Principles of Psychologists and Code of Conduct*:
 - A. Standard 3.02 Sexual Harassment;
 - B. Standard 3.04 Avoiding Harm; and
 - C. Standard 3.05(a) Multiple Relationships

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3. Respondent would be entitled to an adjudicatory hearing in this matter. Nevertheless, the parties herein have deemed it appropriate to resolve this case without a hearing while still serving APB's goals of ensuring ethical practice by its licensees and protection of the public

ORDER

Respondent admits, through his entering of this Consent Order, that he has violated the ethical provisions referenced hereinabove. For the found violations, the following are the agreed sanctions to be applied:

1. Due to the character and comprehensiveness of the employer-imposed remediation plan, APB deems that plan to be a sufficient set of terms and conditions to foster adequate rehabilitation of the Respondent considering the degree of his violations. Respondent's verified recent successful completion of that remediation plan in all regards shall constitute a sufficient sanction for the violations. This level of sanction does not automatically prompt an APB report to a national disciplinary databank.

2. A copy of this Consent Order & Resolution Agreement shall be placed in Respondent's general licensure file, as well as the maintained specific complaint file, and it is noted that both files are subject to the Arkansas Freedom of Information Act. Furthermore, this Consent Order & Resolution Agreement may be considered as part of any ethical complaint file that might be subsequently opened, no matter when the alleged activities or behavior involved in such a subsequent complaint might have occurred.

3 The effective date of this Order shall be the latter date by which both signatories have executed it.

RESPONDENT:

ARKANSAS PSYCHOLOGY BOARD:

Stanley Rest, PhD
Stanley Rest, Ph.D.

BY: James L. Gullb
Executive Director

08/29/06
DATED

9/18/06
DATED

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