BEFORE THE BOARD OF PSYCHOLOGIST EXAMINERS

STATE OF IDAHO

ORIGINAL

In the Matter of the License of:	)	
	)	
JACK W. WRIGHT, Ph.D.,	)	Case No. PSY-P3-01-02-077
License No. PSY-90,	)	
	)	**STIPULATION AND**
Respondent.	)	**AND FINAL ORDER**
	)	

WHEREAS, information having been received by the Idaho State Board of Psychologist Examiners (hereinafter the "Board") which constitutes sufficient grounds for the initiation of an administrative action against Jack Wright, Ph.D. (hereinafter "Respondent"); and

WHEREAS, the parties mutually agree to settle the matter pending administrative Board action in an expeditious manner; now, therefore,

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

A.

1. The Board may regulate the practice of psychology in the State of Idaho in accordance with title 54, chapter 23, Idaho Code.

2. Respondent is a licensee of the Idaho State Board of Psychologist Examiners and holds License No. PSY-90 to practice psychology in the State of Idaho. Respondent's license is subject to the provisions of title 54, chapter 23, Idaho Code.

Count I

3. In the Summer of 2001 Gayle Bell, a service extender for Respondent was contacted by a prospective client regarding testing for an untimed SAT test. The service extender did not advise the client that she was performing as a service extender for Respondent and written notice was not signed. The client never met with Respondent

during the course of the services. Respondent had allowed the service extender to bill in her own name on a previous occasion and she assumed it was acceptable to do this again. Respondent did not properly supervise the service extender while she was performing the service in question.

4. During the course of the investigation by the Bureau of Occupational Licenses, Respondent admitted that his name did not appear on the bill, that there is no documentation in the client file of the service extender's status as a service extender for Respondent and that he did not meet with the client. This conduct is in violation of IDAPA 24.12.01.450.03.c, .d, .e and .f, and American Psychological Association Ethical Standards 1.22.b and 1.25.a.

Count II

5. Respondent also admitted to the investigator that he practices under and is commonly known by a name other than his legal name and the name in which his license to practice is issued. There is no such fictitious name on file with the appropriate governmental entities. This is in violation of American Psychological Association Ethical Standard 3.03(a).

6. Respondent, in lieu of proceeding with a formal disciplinary action to adjudicate the allegations as set forth in paragraphs A 3-5 above, hereby admits the violations and agrees to the discipline against his license as set forth in section C below.

B.

I, Dr. Jack Wright, by affixing my signature hereto, acknowledge that:

1. I have read and admit the allegations pending before the Board, as stated above in section A. I further understand that these allegations constitute cause for disciplinary action upon my license to practice psychology in the State of Idaho.

2. I understand that I have the right to a full and complete hearing; the right to confront and cross-examine witnesses; the right to present evidence or to call witnesses, or to so testify myself; the right to reconsideration; the right to appeal; and all rights

accorded by the Administrative Procedure Act of the State of Idaho and the laws and rules governing the practice of psychology in the State of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this stipulation as a resolution of the pending allegations.

3. I understand that in signing this Stipulation and Final Order I am enabling the Board to impose disciplinary action upon my license without further process.

C.

Based upon the foregoing stipulation, it is agreed that the Board may issue a decision and order upon this stipulation whereby:

1. Respondent shall pay a fine of five hundred dollars ($500.00) within thirty days of the entry of the Board's order.

2. Respondent shall reimburse the Board for its investigative costs of five hundred thirty dollars ($530.00) and attorney's fees of five hundred dollars ($500.00) within thirty (30) days of the entry of the Board's order.

3. Respondent shall attend six (6) hours of continuing education on ethical standards. The course or courses must be approved by the APA or the ABPP. The six (6) hours of continuing education shall be in addition to any other continuing education required to maintain licensure. The course or courses must be completed within six (6) months of the date the Board executes an order adopting this Stipulation, and proof of completion shall be mailed to the Bureau of Occupational Licenses, 1109 Main Street, Owyhee Plaza, Suite 220, Boise, Idaho 83702-5642, no later than thirty (30) days after completion of such course.

4. Respondent must use his true legal name in all publications and representations to the public.

3. Respondent shall have no service extenders for a period of five (5) years.

4. At the conclusion of the five-year restricted practice period, Respondent may request from the Board termination of the restrictions placed upon License No. PSY-

90. Any request for termination of restrictions must be accompanied by written proof of compliance with the terms of this Stipulation. The Board shall terminate the restrictions provided Respondent has complied with this Stipulation.

7. All costs associated with compliance with the terms of this stipulation are the sole responsibility of Respondent.

8. The violation of any of the terms of this Stipulation by Respondent will warrant further Board action. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation.

D.

1. It is hereby agreed between the parties that this Stipulation shall be presented to the Board with a recommendation for approval from the Deputy Attorney General responsible for prosecution before the Board at the next regularly scheduled meeting of the Board.

2. Respondent understands that the Board is free to accept, modify with Respondent's approval, or reject this Stipulation, and if rejected by the Board, a formal complaint may be filed against Respondent. Respondent hereby agrees to waive any right Respondent may have to challenge the impartiality of the Board to hear the disciplinary complaint if, after review by the Board, this Stipulation is rejected.

3. If the Stipulation is not accepted by the Board, it shall be regarded as null and void. Admissions by Respondent in the Stipulation will not be regarded as evidence against Respondent at the subsequent disciplinary hearing.

4. The Stipulation and Final Order shall not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.

5. Any failure on the part of Respondent to timely and completely comply with any term or condition herein shall be deemed a default.

6. Any default of this Stipulation and Final Order shall be considered a violation of Idaho Code § 54-2309. If Respondent violates or fails to comply with this Stipulation and Final Order, the Board may impose additional discipline pursuant to the following procedure:

a. The Chief of the Bureau of Occupational Licenses shall schedule a hearing before the Board. Within twenty-one (21) days after the notice of hearing and charges is served, Respondent shall submit a response to the allegations. If Respondent does not submit a timely response to the Board, the allegations will be deemed admitted.

b. At the hearing before the Board upon default, the Board and Respondent may submit affidavits made on personal knowledge and argument based upon the record in support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Final Order. Respondent waives a hearing before the Board on the facts and substantive matters related to the violations described in Section A, and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, which may include conditions or limitations upon Respondent's practice or suspension or revocation of Respondent's license.

7. The Board shall have the right to make full disclosure of this Stipulation and Final Order and the underlying facts relating hereto to any state, agency or individual requesting information subject to any applicable provisions of the Idaho Public Records Act, Idaho Code §§ 9-337 to 9-350.

8. This Stipulation and Final Order contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

I have read the above stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I will be waiving certain rights accorded me under Idaho law. I understand that the Board may either approve this stipulation as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as proposed, the Board will issue an Order on this stipulation according to the aforementioned terms, and I hereby agree to the above stipulation for settlement. I understand that if the Board approves this stipulation subject to changes, and the changes are acceptable to me, the stipulation will take effect and an order modifying the terms of the stipulation will be issued. If the changes are unacceptable to me or the Board rejects this stipulation, it will be of no effect.

DATED this 31st day of May, 2003.

I hereby agree to the above Stipulation and Final Order.

Dr. Jack Wright
Respondent

I concur in this Stipulation and Final Order.

DATED this 3rd day of June, 2003.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By Cheri L. Bush
Cheri L. Bush
Deputy Attorney General

ORDER

Pursuant to Idaho Code § 54-2305, the foregoing is adopted as the decision of the Board of Psychologist Examiners in this matter and shall be effective on the 17th day of June, 2003. **IT IS SO ORDERED.**

IDAHO STATE BOARD
OF PSYCHOLOGIST EXAMINERS

By Julie Parsons, Chair
Julie Parsons, Chair

Anne Marie Nelson, Past Chair

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June, 2003, I caused to be served a true and correct copy of the foregoing by the following method to:

Dr. Jack Wright
819 Dover Hwy, Ste. 214
Sandpoint, Idaho 83864

- [X] U.S. Mail
- [ ] Hand Delivery
- [X] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile: _____
- [ ] Statehouse Mail

Cheri L. Bush
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- [X] U.S. Mail
- [ ] Hand Delivery
- [ ] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile: _____
- [ ] Statehouse Mail

Rayola Jacobson
Rayola Jacobson, Chief
Bureau of Occupational Licenses