



STATE OF ARIZONA
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DOUGLAS A. DUCEY
Governor

HEIDI HERBST PAAKKONEN
Executive Director

Complaint Screening Committee REGULAR SESSION MINUTES

July 21, 2022

Held via Zoom

1. CALL TO ORDER

The regular session of the Arizona Board of Psychologist Examiners Complaint Screening Committee was called to order by Chairman Dynar at 8:31 a.m. on July 21, 2022. No executive sessions were held.

2. ROLL CALL

Committee Members Present

Aditya Dynar, Esq. – Chair
Diana Davis-Wilson, DBH, BCBA
Ramona N. Mellott, Ph.D.

Attorney General's Office

Jeanne Galvin, Assistant Attorney General

Staff Present

Heidi Herbst Paakkonen, Executive Director
Jennifer Michaelsen, Deputy Director

3. APPROVAL OF MINUTES

- June 15, 2022 Regular and Executive Session Minutes

Mr. Dynar made a motion, seconded by Dr. Davis-Wilson, to approve the regular and executive session minutes as drafted. The motion carried unanimously (3-0), by a voice vote.

4. CASE DISCUSSION/DECISION

a. Neal Olshan, Ph.D., Complaint No. 22-30

Dr. Davis-Wilson summarized the case, including salient points of the investigation and pertinent records. The Complainant participated, made a statement, and answered questions from the Committee. Dr. Olshan participated telephonically on his own behalf, made a statement, and answered questions from the Committee.

The Committee expressed concern with several aspects of this case to include that:

- There is no documentation in the clinical record supplied by Dr. Olshan to reflect that he attempted to contact the Complainant regarding the child's therapy, despite indicating so in his written response and in response to questions from the Committee. Furthermore, no attempt was made by Dr. Olshan to obtain written consent from the Complainant;
- Dr. Olshan indicated that he did not conduct a custody evaluation, but the investigative record indicates he made recommendations related to custody and parenting time in his 3-page letter/report;
- The report was labeled as a "Psychological Evaluation". However, Dr. Olshan relayed that he did not complete a psychological evaluation and that the document was mislabeled;
- A proper assessment was not completed to make custody recommendations and Dr. Olshan failed to reference in his report the information he reviewed from DCS regarding the family;
- Dr. Olshan's custody recommendations appear to be outside of his scope and expertise;
- Dr. Olshan did not refer the mother to another professional when she requested him to provide custody recommendations, even though he does not have previous experience or training with completing custody evaluations;
- Although Dr. Olshan represents that he verbally told the mother that his report and recommendations should not be used in the family court proceedings, his report does not include any disclaimer that the information is not intended for court or legal purposes;
- Dr. Olshan did not interview both parents despite making a custody recommendation and the information contained in his report concerning the Complainant appear to be based on judgements from a news article that the other parent provided and not necessarily fact. Furthermore, Dr. Olshan's opinions in the report do not appear to be objective and are one-sided;
- Dr. Olshan stated multiple times that he thought the child was in danger as it relates to his mental and emotional well-being but he did not report such concerns to the police or DCS, despite being a mandated reporter;
- Dr. Olshan terminated the child's treatment after the complaint was filed but there is no documentation to reflect that there were efforts made by Dr. Olshan to ensure a proper transition of care to another provider or that referrals were provided to the parent.

Dr. Davis-Wilson made a motion, seconded by Dr. Mellott, to forward Complaint No. 22-30 to the Board for further review regarding possible violations of A.R.S. § 32-2061(16)(c), making or using statements of a character tending to deceive or mislead; A.R.S. § 32-2061(16)(e), gross negligence in the practice of a psychologist; A.R.S. § 32-2061(16)(g), engaging or offering to engage as a psychologist in activities not congruent with the psychologist's professional education, training and experience; A.R.S. § 32-2061(16)(h), failing or refusing to maintain and retain adequate business, financial or professional records pertaining to the psychological services provided to a client or patient; A.R.S. § 32-2061(16)(o), providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of practice; A.R.S. § 32-2061(16)(v), abandoning or neglecting a client or patient in need of immediate care without making suitable arrangements for continuation of the care; and A.R.S. § 32-2061(16)(dd), violating an ethical standard adopted by the Board as it pertains to

sections 2.04 (Bases for Scientific and Professional Judgements) and 3.10 (Informed Consent) of the American Psychological Association's Ethical Principles of Psychologists and Code of Conduct. The motion carried unanimously (3-0), by a voice vote.

The Committee directed Dr. Olshan to submit documentation to Board staff regarding his efforts to contact the Complainant, as he indicated during today's meetings that attempts were made but the clinical record supplied did not contain any such information.

5. ADJOURN

There being no further business to come before the Committee, Mr. Dynar made a motion, seconded by Dr. Davis-Wilson, to adjourn the meeting. The motion carried (3-0) and the meeting was adjourned at 9:37 a.m.