BEFORE THE BOARD OF PSYCHOLOGIST EXAMINERS FOR THE STATE OF ARIZONA

IN THE MATTER OF:

BRET RINGDAHL, PH.D.

Holder of License No. PSY-005542 for the Practice of Psychology in the State of Arizona,

Respondent.

Case No: 24-17

INTERIM CONSENT AGREEMENT AND ORDER FOR EVALUATION AND PRACTICE RESTRICTION

In the interest of a prompt and judicious settlement of the above-captioned matter before the Arizona Board of Psychologist Examiners ("Board") and consistent with public interest, statutory requirements and responsibilities of the Board, and pursuant to A.R.S.§ 32-2061 et seq. and A.R.S. §41-1092.07(F)(5), Bret Ringdahl ("Respondent"), holder of license number PSY-005542, and the Board enter into this Interim Consent Agreement and Order for Evaluation and Practice Restriction ("Interim Consent Agreement") as an interim resolution of this matter until such time a final order is entered by the Board.

JURISDICTION

1. The Board is the state agency authorized pursuant to Arizona Revised Statute ("A.R.S.") § 32-2061 *et. seq.*, and the rules promulgated thereunder in the Arizona Administrative Code ("A.A.C." or "rules") at R4-26-101 *et seq.*, to regulate and control the licensing of psychologists in the State of Arizona.

2. Respondent is the holder of license number PSY-005542 for the practice of psychology in the State of Arizona

3. The Board has personal and subject-matter jurisdiction over Respondent pursuant to A.R.S. § 32-2061 *et seq.*, and the rules at A.A.C. R4-26-101, *et seq.*

INTERIM CONSENT AGREEMENT

Respondent understands and agrees that:

1. The Board has jurisdiction over Respondent and the subject matter pursuant to A.R.S. § 1 2 32-2061 et seq.

2. Respondent has the right to consult with an attorney prior to entering into this Interim Consent Agreement. 4

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5 3. Respondent has a right to a public hearing concerning this case. He further acknowledges that at such formal hearing he could present evidence and cross-examine witnesses. 6 7 Respondent irrevocably waives his right to such a hearing as it relates to matters concerning the 8 Interim Consent Agreement.

9 4. Respondent further does not relinquish Respondent's rights to an administrative 10 hearing, rehearing, review, reconsideration, judicial review or any other administrative and/or 11 judicial action, concerning the matters related to a final disposition of this matter, unless 12 Respondent affirmatively does so as part of the final resolution of this matter.

13 5. This Interim Consent Agreement shall be subject to the approval of the Board and shall 14 be effective only when signed by the Executive Director. In the event that the Board does not 15 approve this Interim Consent Agreement, it is withdrawn and shall be of no evidentiary value and 16 shall not be relied upon nor introduced in any action by any party, except that the parties agree 17 that should the Board reject this Interim Consent Agreement and this case proceeds to hearing, 18 Respondent shall assert no claim that the Board was prejudiced by its review and discussion of 19 this document or any records relating thereto.

20 6. The Interim Consent Agreement, once approved by the Board and signed by the 21 Respondent, shall constitute a public record which may be disseminated as a formal action of the 22 Board and shall be reported to the National Practitioner Data Bank.

23 7. The following Interim Findings of Fact are no more and no less than allegations which 24 have not been proven. By signing this Interim Consent Agreement, Respondent has not admitted 25 to the allegations but does acknowledge that if this matter were to proceed to a formal hearing the 26 Board would offer evidence to the trier of fact in support of the allegations.

INTERIM FINDINGS OF FACT

1. Respondent is a licensed psychologist in the State of Arizona, license number 5542. He has been licensed in Arizona since September 2, 2022. Respondent previously held a Supervised Temporary Psychologist license, no. PSY-T-000047, from November 12, 2021 – September 2, 2022.

2. On November 7, 2023, the Board received a complaint against Respondent from 6 7 his employer. The information received could demonstrate that Respondent may have a health 8 condition that, if true, could place patients and the public at risk. The specifics of this allegation 9 are contained in the Board's files.

INTERIM CONCLUSIONS OF LAW

11 The Board has personal and subject matter jurisdiction in this case under A.R.S. § 32-12 2061 et seq., and is authorized to rehabilitate or discipline licensees who engage in 13 unprofessional conduct (A.R.S. §§32-2063-2081) and to require a licensee to undergo any 14 combination of mental, physical or psychological competence examinations at the licensee's 15 expense and shall conduct investigations necessary to determine the competence and conduct of 16 the licensee pursuant to A.R.S. §32-2081(G).

17 Pursuant to A.R.S. § 32-2081(K)(5) the Board has the authority to "[e]nter into an 18 agreement with the licensee to restrict or limit the licensee's practice or activities in order to 19 rehabilitate the psychologist, protect the public and ensure the psychologist's ability to safely 20 engage in the practice of psychology."

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ORDER FOR EVALUATION AND PRACTICE RESTRICTION

Based upon the foregoing Findings of Fact and Conclusions of Law, the parties agree to 23 the following Order:

24 1. During the pendency of this Interim Consent Agreement, Respondent's License to practice psychology, license no. 5542 IS SUSPENDED. Because this is an Interim Consent 25 26 Agreement and not a final decision by the Board regarding the pending investigation, it is subject

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to further consideration by the Board. Once the investigation is complete, it will be promptly
 provided to the Board for its review and appropriate action.

2. During the period of suspension, Respondent shall not practice psychology as defined
in A.R.S. §32-2061(9) or hold himself out as a practicing psychologist or in any way convey to
the public that he holds an active license to practice psychology.

3. The suspension of Respondent's license shall continue until such time the Board enters a final order with respect to this matter after a formal hearing or acceptance of a Consent Agreement and Order as a final resolution of the matter.

9 4. Prior to the lifting of the suspension, Respondent shall complete a comprehensive 10 psychological evaluation with a Board-approved provider that includes a substance use 11 component to assess whether Respondent has substance use/dependence issues, involving 12 alcohol or drugs. As part of the evaluation, the provider shall opine on Respondent's fitness for 13 duty and his ability to safely and competently practice psychology at the present time. Within 14 sixty (60) days of the effective date of this Interim Consent Agreement and Order, Respondent 15 shall schedule an appointment with one of the Board-approved providers listed below for an 16 evaluation. The evaluation shall be completed within one hundred twenty (120) days of the 17 effective date of this Interim Consent Agreement and Order unless otherwise extended one time 18 by the Executive Director upon showing of good cause. Within five (5) days of scheduling of the 19 evaluation, Respondent shall notify the Board in writing of the name of the evaluator and the 20 date/time of the evaluation. The effective date of this Interim Consent Agreement and Order is 21 the date it is signed by the Board's Executive Director. FAILURE TO COMPLY WITH ONE 22 OR MORE OF THESE TERMS SHALL BE CONSIDERED A VIOLATION OF A 23 BOARD ORDER AND MAY RESULT IN THE REVOCATION OF RESPONDENT'S 24 LICENSE.

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25 26 a. Nicole Lazorwitz, Psy.D.
 3507 N Central Ave, Suite 101, Phoenix, AZ 85012
 Phone: 520-428-4528

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Eric Lott, M.D. Community Bridges Inc. 1855 W. Baseline Rd, Suite 101, Mesa, AZ 85202 Phone: 480-343-2158

5. Respondent shall ensure that the evaluator submits their final report to the Board
office as soon as it is complete, but no more than 30 days from the date the evaluation.
Respondent shall present this Interim Consent Agreement and Order to the evaluator prior to the
date of the evaluation, or at the time of the evaluation, as directed by the evaluator.

6. COMMUNICATION WITH EVALUATOR: Because Respondent is undergoing the evaluation pursuant to a Board Order, he shall instruct any attorney retained on his behalf not to contact the evaluator. Any questions or concerns must be addressed to Board staff.

7. CLIENT: The evaluator is conducting an evaluation solely for the benefit of the
Board and is not treating Respondent as a client or patient. There is no doctor/patient relationship
between the evaluator and Respondent.

8. COSTS: All costs associated with the compliance with this Interim Consent
Agreement and completion of the evaluation is the sole responsibility of Respondent, pursuant to
A.R.S. §32-2081(G).

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9. RELEASES: Respondent shall sign, authorize and complete any and all releases
18 necessary as requested by the evaluator to help ensure a complete and thorough evaluation and to
19 ensure the report is properly released to the Board as set forth above.

10. FINAL WRITTEN REPORT: The Board authorizes the Executive Director to
contact the evaluator to request the final report in writing for the Board's review. All results of
the evaluation are the sole property of the Board.

11. FAILURE TO COMPLY: Failure to timely comply with this Interim Consent
Agreement constitutes unprofessional conduct and may result in disciplinary action against
Respondent by the Board.

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12. Respondent's license to practice psychology shall not be fully restored unless and

until the Board determines in its sole discretion that Respondent may safely engage in the
 practice of psychology. Respondent understands that should the Board lift the suspension of his
 license, the Board may order that he return to practice on a limited basis and/or under certain
 terms and conditions.

5 13. Respondent may request, in writing, release and/or modification of this Interim Consent Agreement. Respondent's request must be accompanied by information demonstrating 6 7 that Respondent is safe to practice psychology. All reasonable efforts shall be made to place 8 Respondent's request for release on the next regular Board agenda provided that the agenda can 9 accommodate the request and provided a complete submission is received by Board staff no less 10 than twenty-one (21) days prior to the Board meeting. Whether the submission is complete is 11 within the discretion of the Board staff. The Board has the discretion to determine whether it is 12 appropriate to modify or release Respondent from this Interim Consent Agreement, and may 13 require any combination of examinations, continuing education, and/or evaluations in order to 14 determine whether Respondent is safe to resume the practice or psychology.

15 14. Respondent's license to practice psychology expires on July 31, 2024. Pursuant to the terms of this Interim Consent Agreement, Respondent's license remains indefinitely 16 17 suspended unless and until otherwise ordered by this Board. In the unlikely event there is no 18 final order entered in this matter at the time Respondent's license expires and Respondent fails to 19 timely submit an application for renewal, his license remains suspended pursuant to the terms of 20 this Interim Consent Agreement. If Respondent seeks timely renewal of his license and the 21 Board grants his application for renewal, the license shall automatically be placed on indefinite 22 suspension or other restrictions until such time the Board orders otherwise. The Board reserves 23 the right to take other administrative action against Respondent's application for renewal, 24 including denial of the same, in the event circumstances arise that justify such denial.

15. Respondent has read and understands this Interim Consent Agreement as set forth
herein, and has had the opportunity to discuss this Interim Consent Agreement with an attorney.

1 16. Respondent understands that this Interim Consent Agreement or any part thereof,
 2 may be considered in any future disciplinary action against him.

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17. Time is of the essence with regard to this Interim Consent Agreement.

18. If Respondent fails to comply with the terms of this Interim Consent Agreement, the Board shall properly institute proceedings for noncompliance with this Interim Consent Agreement, which may result in suspension, revocation, or other disciplinary and/or remedial actions. Respondent agrees that any violation of this Interim Consent Agreement is a violation of A.R.S. § 32-2061(16)(aa), which is violating a formal board order or consent agreement.

19. Respondent understands that this Interim Consent Agreement does not constitute a final resolution of this or other matters currently pending before the Board, if any, and does not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction regarding any other pending or future investigation, action or proceeding. Respondent also understands that acceptance of this Interim Consent Agreement does not preclude any other agency, subdivision or officer of this state from instituting other civil or criminal proceedings with respect to the conduct that is the subject of this Interim Consent Agreement.

20. Respondent understands that the foregoing Interim Consent Agreement becomes effective upon signature of the Executive Director on behalf of the Board. Any modification to this original document is ineffective and void unless mutually approved by the parties in writing.

21. Respondent understands that this Interim Consent Agreement is a public record that may be publicly disseminated as a formal action of the Board and shall be reported to the National Practitioner Data Bank.

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DATED THIS 8 day of December , 2023.

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25 Bret Ringdahl, Ph.D

26 Bret Ringdahl, Ph.C Respondent

ARIZONA BOARD OF PSYCHOLOGIST EXAMINERS

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Heidi Herbst Paakkonen Executive Director

1 **ORIGINAL** filed electronically this 8 day of **December** , 2023 with: 2 Arizona State Board of Psychologist Examiners 3 1740 W. Adams St., Suite 3403 Phoenix, Arizona 85007 4 COPY of the foregoing sent electronically by email 5 this 8 day of December , 2023 to: 6 Bret Ringdahl, Ph.D. 7 Email Address on Record Respondent 8 **COPY** of the foregoing sent electronically by email (jeanne.galvin@azag.gov) 9 **December** , 2023 to: this 8 day of 10 Jeanne M. Galvin 11 Assistant Attorney General 2005 North Central Ave. SGD/LES 12 Phoenix, Arizona 85004 Attorney for the State of Arizona 13 14 By: <u>Jennifer Michaelsen</u> 15 16 17 18 19 20 21 22 23 24 25 26 8