

1 **BEFORE THE BOARD OF PSYCHOLOGIST EXAMINERS**
2 **FOR THE STATE OF ARIZONA**

3 In the Matter of:

Case No. 13-10

4 **MICHAEL J. COHN, Ed.D.**

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND CONSENT
AGREEMENT FOR SURRENDER OF
PSYCHOLOGIST LICENSE**

5 Holder of License No. 1219
6 For the Practice Psychology
7 In the State of Arizona

Licensee

8 In the interest of prompt and judicious settlement of the above-captioned matter before the
9 Arizona Board of Psychologist Examiners (“Board”) and consistent with public interest,
10 statutory requirements and responsibilities of the Board, and pursuant to A.R.S. § 32-2061 et seq.
11 and A.R.S. § 41-1092.07(F)(5), Michael J. Cohn, Ed.D., (“Respondent”) holder of License No.
12 1219 for the practice of psychology in the State of Arizona and the Board to enter into this
13 Consent Agreement for Voluntary Surrender (“Consent Agreement”) as the final disposition of
14 this matter.

15 **JURISDICTION**

16 1. The Board is authorized to regulate the practice of psychology in the State of
17 Arizona pursuant to A.R.S. §§ 32-2061, *et seq.*, and the rules promulgated thereunder, found in
18 Arizona Administrative Code (“A.A.C.” or “rules) at R4-26-101 *et seq.*

19 2. Licensee is the holder of license number 1219 for the practice of psychology in
20 Arizona. His license is currently suspended pursuant to a Consent Agreement and Interim Order
21 for Suspension of License entered into with this Board executed May 23, 2013.

22 3. The Board has personal and subject matter jurisdiction over Licensee pursuant to
23 A.R.S. § 32-2061 *et seq.*

24 ...

1 **FINDINGS OF FACT**

2 4. On March 27, 2013, Respondent was arrested and charged with first-degree
3 murder in connection with the death of his wife, Linda Cohn.

4 5. While incarcerated and awaiting his trial in Maricopa County, Respondent signed
5 a Consent Agreement and Interim Order for Suspension of License. Based upon evidence of
6 danger to the public health and safety pursuant to A.R.S. § 32-2081(G) and 41-1092.11(B), the
7 fully executed Interim Order was effective May 23, 2013.

8 6. On November 25, 2013, Respondent plead Guilty to Second Degree Murder a
9 Class 1 felony and Domestic Violence Offense (A.R.S. § 13-1104, 3601, 701, 702, 710, 801) in
10 the death of his wife, Linda Cohn, on or about March 27, 2013.

11 7. On February 21, 2014, Respondent was sentenced to 15 years imprisonment with
12 the Arizona Department of Corrections.

13 **CONCLUSIONS OF LAW**

14 8. The Board of Psychologist Examiners of the State of Arizona possesses
15 jurisdiction over the subject matter hereof and Michael J. Cohn, Ed.D.

16 9. The conduct and circumstances described above constitute a violation of A.R.S. §
17 32-2061(i) – for “commission of felony, whether or not involving moral turpitude, or a
18 misdemeanor involving moral turpitude. In either case, conviction by a court of competent
19 jurisdiction or a plea of no contest is conclusive evidence of the commission.”

20 **CONSENT AGREEMENT**

21 **Respondent understands and agrees that:**

22 10. The Board has jurisdiction over the Respondent and the subject matter pursuant
23 to A.R.S. § 32-2061 *et seq.*

1 **in the State of Arizona or hold himself out as a licensed psychologist in the State of**
2 **Arizona.** The effective date of this Consent Agreement for Voluntary Surrender is the date the
3 Consent Agreement for Voluntary Surrender is accepted by the Board as evidenced by the
4 signature of the Board's Executive Director.

5 16. Respondent has read and understands this Consent Agreement for Voluntary
6 Surrender as set forth herein, and has had the opportunity to discuss this Consent Agreement for
7 Voluntary Surrender with an attorney or has waived the opportunity to discuss this Consent
8 Agreement for Voluntary Surrender for the purpose of avoiding the expense and uncertainty of
9 an administrative hearing.

10 17. Respondent understands that he has the right to a public administrative hearing
11 concerning each and every allegation set forth in the above-captioned matter, at which
12 administrative hearing he could present evidence and cross-examine witnesses. By entering into
13 this Consent Agreement for Voluntary Surrender, Respondent freely and voluntarily relinquishes
14 all rights to such administrative hearing, as well as all rights of rehearing, review,
15 reconsideration, appeal, judicial review or any other administrative and/or judicial action,
16 concerning the matters set forth herein. Respondent affirmatively agrees that this Consent
17 Agreement for Voluntary Surrender shall be irrevocable.

18 18. Respondent understands that this Consent Agreement for Voluntary Surrender, or
19 any part thereof, may be considered in any future disciplinary action against him or in any future
20 decision regarding re-licensure.

21 19. The parties agree that this Consent Agreement for Voluntary Surrender does not
22 constitute a dismissal or resolution of other matters currently pending before the Board, if any,
23 and does not constitute any waiver, expressed or implied, of the Board's statutory authority or
24 jurisdiction regarding any other pending or future investigation, action or proceeding.

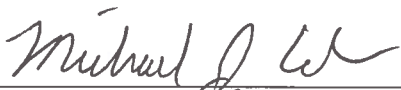
1 Respondent also understands that acceptance of the Consent Agreement for Voluntary Surrender
2 does not preclude any other agency, subdivision or officer of this state from instituting other civil
3 or criminal proceedings with respect to the conduct that is subject of this Consent Agreement for
4 Voluntary Surrender.


5 20. Respondent understands that the foregoing Consent Agreement for Voluntary
6 Surrender shall not become effective unless and until adopted by the Board of Psychology and
7 executed on behalf of the Board. Any modification to this original document is ineffective and
8 void unless mutually approved by both parties in writing.

9 21. Respondent understands that this Consent Agreement for Voluntary Surrender is a
10 public record and may be publicly disseminated as a formal action of the Board.

11
12 DATED this 8th day of August, 2014.

13 ARIZONA BOARD OF
14 PSYCHOLOGIST EXAMINERS

15 
16 Michael J. Cohn, Ed.D.
17 Licensee


18 Cindy Olvey, Psy.D.
19 Executive Director

20 **ORIGINAL** of the foregoing filed this
21 8th day of August, 2014, with:

22 The Arizona State Board of Psychologist Examiners
23 1400 West Washington, Suite 235
24 Phoenix, Arizona 85007

COPY of the foregoing mailed by Certified mail
25 No. 7009 2250 0002 7170 7452
26 this ___ day of _____ 2014 to:

27 Michael J. Cohn, Ed.D..
28 Address of record
29 _____

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COPY of the foregoing sent by interagency/regular mail
this 8th day of August, 2014 to:

Jeanne M. Galvin, Assistant Attorney General
Office of the Attorney General, Civil/LES
1275 West Washington
Phoenix, Arizona 85007

By: 