

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

3 In the Matter of:
4 Don Axsom, Psy.D.,
5 Holder of License No. PSY-004676
6 For the Practice of Psychology
7 In the State of Arizona.

Case No. 21-10

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

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9 In the interest of a prompt and judicious settlement of the above-captioned matter before
10 the Arizona Board of Psychologist Examiners (“Board”) and consistent with public interest,
11 statutory requirements and responsibilities of the Board and pursuant to A.R.S. § 32-2061 *et seq.*,
12 and A.R.S. § 41-1092.07(F)(5), Don Axsom, Psy.D. (“Respondent”), holder of License No.
13 PSY-004676 and the Board enter into this Consent Agreement for Voluntary Surrender of
14 Psychologist License (“Consent Agreement”) as the final disposition of this matter.
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16 **JURISDICTION**

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

21 2. Respondent is the holder of license number PSY-004676 for the practice of
22 psychology in the State of Arizona.

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

25 **RECITALS**

26 Respondent understands and agrees that:

27 4. The Board and Respondent enter into this Consent Agreement to promptly and
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1 judiciously resolve this matter, consistent with the public interest and the statutory requirements
2 of the Board.

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

5 6. Respondent has a right to a public hearing concerning this case. He further
6 acknowledges that at such formal hearing he could present evidence and cross-examine witnesses.
7 Respondent irrevocably waives his right to such a hearing.

8 7. Respondent irrevocably waives any right to rehearing or review or to any judicial
9 review or any other appeal to this matter.

10 8. Respondent acknowledges and agrees that the acceptance of this Consent
11 Agreement is solely to settle this Board matter and does not preclude the Board from instituting
12 other proceedings as may be appropriate now or in the future.

13 9. Respondent understands that this Consent Agreement does not constitute a
14 dismissal or resolution of any other matters currently pending before the Board, if any, and does
15 not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction
16 regarding any other pending or future investigation, action or proceeding.

17 10. Furthermore, and notwithstanding any language in this Consent Agreement, this
18 Consent Agreement does not preclude in any way any other state agency or officer or political
19 subdivision of this state from instituting proceedings, investigating claims, or taking legal action
20 as may be appropriate now or in the future relating to this matter other matters concerning
21 Respondent, including violations of the Arizona's Consumer Fraud Act. Respondent
22 acknowledges that, other than with respect to the Board, this Consent Agreement makes no
23 representations, implied or otherwise, about the views or intended actions of any other state
24 agency or officer or political subdivision of the state relating to this matter or other matters
25 concerning Respondent.
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1 private practice in Tucson, Arizona.

2 3. On or about December 22, 2020, the Board received a Disciplinary Data Report
3 from the Association of State and Provincial Psychology Boards (“ASPPB”) that shows
4 Respondent was disciplined by the State of Missouri for misconduct involving a patient.

5 4. Specifically, in May of 2020, Respondent entered into a Settlement Agreement with
6 the State of Missouri in which he agreed to voluntarily surrender his psychologist license.

7 CONCLUSIONS OF LAW

8 The conduct and circumstances alleged above constitute unprofessional conduct pursuant
9 to A.R.S. § 32-2061(n), which is unprofessional conduct in another jurisdiction that resulted in
10 censure, probation or a civil penalty or in the denial, suspension, restriction or revocation of a
11 certificate or license to practice as a psychologist.

12 ORDER

13 Pursuant to A.R.S. §32-2081(S), the Board has determined that the Respondent’s conduct
14 in Complaint No. 21-10 warrants disciplinary action. Based upon the foregoing Findings of Fact
15 and Conclusions of Law, the parties agree to the provisions and penalties imposed as follows:

16 1. Upon the effective date of this Consent Agreement, Respondent’s license number
17 PSY-004676 for the practice of psychology in the State of Arizona **shall be surrendered,**
18 **effective April 1, 2021,** so to allow Respondent sufficient time to transition his clients. Once the
19 surrender is effectuated, **Respondent shall not practice psychology in the State of Arizona or**
20 **hold himself out as a licensed psychologist in the State of Arizona.** The effective date of this
21 Consent Agreement is the date the Consent Agreement is accepted by the Board as evidenced by
22 the signature of the Board’s Executive Director.

23 2. Respondent has read and understands this Consent Agreement as set forth herein,
24 and has had the opportunity to discuss this Consent Agreement with an attorney or has waived the
25 opportunity to discuss this Consent Agreement for the purpose of avoiding the expense and
26 opportunity to discuss this Consent Agreement for the purpose of avoiding the expense and
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1 uncertainty of an administrative hearing.

2 3. Respondent understands that this Consent Agreement, or any part thereof, may be
3 considered in any future disciplinary action against him or in any future decision regarding re-
4 licensure.

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

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10 **12**
11 DATED this ~~11~~ day of March, 2021.

12
13
14 Don Axsom, PsyD
15 Don Axsom, Psy.D.
16 Respondent

Arizona Board of
Psychologist Examiners
Heidi Herbst Paakkonen
Heidi Herbst Paakkonen
Executive Director

17 **ORIGINAL** electronically filed
18 This **12** day of **March**, 2021 with:
19 Arizona State Board of Psychologist Examiners
20 1740 W. Adams St., Suite 3403
21 Phoenix, Arizona 85007

22 **COPY** of the foregoing mailed by Certified Mail No. 948900900027615508133
23 This **12** day of **March**, 2021 to:
24 Don Axsom, Psy.D.
25 Address on Record
Respondent

26 **COPY** of the foregoing mailed by USPS regular mail
27 This **12** day of **March**, 2021 to:
28 Mandi Karvis, Esq.

1 Wicker, Smith, O'Hara, McCoy & Ford, PA
2 One N. Central Avenue, Suite 885
3 Phoenix, Arizona 85004
4 Attorney for Applicant

5 **COPY** of the foregoing via email (jeanne.galvin@azag.gov)
6 This **12** day of **March**, 2021 to:

7 Jeanne M. Galvin
8 Assistant Attorney General
9 2005 North Central Ave. SGD/LES
10 Phoenix, Arizona 85004
11 Jeanne.galvin@azag.gov
12 Attorney for the State of Arizona

13 By: Jennifer Michaelson

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