

BEFORE THE BOARD OF PSYCHOLOGIST EXAMINERS
FOR THE STATE OF ARIZONA

4 In the Matter of) 5 Kimi J. Wright, Ph.D.) 6 Holder of License No. 3737) 7 for the Practice of Psychology) in the State of Arizona)	Case No. 09-31 CONSENT AGREEMENT, FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR DECREE OF CENSURE
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10 On February 5, 2010, the Arizona Board of Psychologist Examiners (“Board”) met to discuss
11 Case No. 09-31 regarding Kimi J. Wright, Ph.D. (“Licensee”). Dr. Wright was present at the
12 proceedings with her attorney, Ms. Debra Hill. In lieu of further administrative proceedings, the parties
13 enter into this Consent Agreement, Findings of Fact, Conclusions of Law, and Order for a Decree of
14 Censure.

JURISDICTION

- 15 1. The Board is authorized to regulate the practice of psychology in Arizona pursuant to
16 A.R.S. § 32-2061, et seq.
- 17 2. Licensee is the holder of license number 3737 for the practice of psychology in
18 Arizona.
- 19 3. The Board has personal and subject matter jurisdiction over Licensee pursuant to
20 A.R.S. § 32-2061, et seq.

RECITALS

- 22 4. The Board and Licensee enter into this Consent Agreement in order to promptly and
23 judiciously resolve this matter, consistent with the public interest and the statutory requirements of the
24 Board.
- 25 5. The Board adopts the Findings of Fact, Conclusions of Law and Order set forth below.
- 26 6. Licensee has the right to consult with an attorney prior to entering into this Consent
27 Agreement. Licensee has read and understands the Consent Agreement, Findings of Fact, Conclusions
28 of Law, and Order, and makes this agreement freely and voluntarily. By entering into this Consent
Agreement, Licensee voluntarily relinquishes any rights to an informal interview, a hearing, rehearing,

1 or judicial review.

2 7. This Consent Agreement is effective when signed by the Board's Executive Director.
3 Licensee understands that once the Board approves and signs this Consent Agreement, it is a public
4 record that may be publicly disseminated as a formal action of the Board, and that it shall be reported as
5 required by law to the National Practitioner Databank and the Healthcare Integrity and Protection
6 Databank.

7 **FINDINGS OF FACT**

8 **Failure to Disclose Arrest:**

9 1. Licensee is the holder of License No. 3737 to practice psychology in Arizona.

10 2. On August 21, 2008, Dr. Wright was stopped by local police officers for driving
11 erratically. Police performed a breathalyzer test wherein Dr. Wright blew a 0.000. Upon search of the
12 car the police found a pill vial with several pills in it. Police arrested Dr. Wright for A.R.S. §28-
13 1381.A.1 DUI and A.R.S. §13-3406.A.1 possession of prescription only drug without proof of
14 prescription.

15 3. Dr. Wright was transported by police to Knutson Station where a blood sample was
16 drawn and analyzed. Dr. Wright was then released and cited for A.R.S. §28-1381.A.1 DUI and A.R.S.
17 §13-3406.A.1 possession of prescription only drug without proof of prescription

18 4. In December 2009, Dr. Wright submitted her proof of prescriptions to the court at a
19 hearing wherein the DUI and possession charges were plead down to minor traffic violations with civil
20 penalties and completion of defensive driver's education courses. Dr. Wright satisfied all the terms and
21 conditions therein and the case was closed.

22 5. On April 30, 2009, Dr. Wright submitted her 2009-2011 Application for License
23 Renewal to the Board. Dr. Wright answered "no" on question #10 "Since May 1, 2007, have you been
24 charged with or convicted of a felony or a misdemeanor other than a minor traffic offense in any state
25 or country?" Dr. Wright did not report her arrest on her renewal application.

26
27 **Maintaining an Inappropriate Multiple-Therapeutic Relationship and Providing**

28 **Psychological Opinions Without Prior Evaluation:**

6. In November 2008, Licensee began providing psychological services to daughter K.H.
("Daughter") at the request of father C.H. ("Father"). Father and mother M.H. ("Mother") are divorced

1 and, at the time, had joint custody of Daughter.

2 7. Prior to November 2008, Dr. Wright was providing therapy to the Stepbrother of
3 Daughter. Dr. Wright entered into therapy with Daughter and simultaneously provided therapy to
4 Stepbrother of same family.

5 8. In January 2009, the parenting coordinator ("PC") in the case requested the Licensee
6 provide information to her concerning the interactions of Mother and Daughter, and whether the
7 Licensee believed that Daughter should maintain contact with Mother outside of therapeutic visits.

8 9. On January 31, 2009, Licensee provided a letter to the PC wherein she opined that
9 Mother was "personality disordered" due to the way Mother handled her interactions with Licensee.
10 Licensee also stated that she believed Mother had an "axis one diagnosis and could benefit from a
11 psychiatric evaluation and medication if indicated as a result of the evaluation." Licensee had not
12 performed an evaluation of Mother at the time she made the observations.

13 10. In a February 7, 2009 letter to the court, the PC advised the Court that both Mother and
14 Father dually requested psychological evaluations of each other. The PC further advised the Court that
15 she concurred that both parents should be ordered to undergo a Psychological Evaluation in order to
16 assist the Court in reaching a determination dispositive of the issues in this case.

17 11. On March 30, 2009, the Court held a hearing wherein sole custody of Daughter was
18 awarded to Father. At the same hearing, Father requested the Court order Mother to undergo a
19 Psychological Evaluation. The Court declined Fathers request citing the evidence surrounding that
20 issue was ambiguous.

21 12. The standard of care requires that a psychologist may provide opinions of the
22 psychological characteristics of individuals only after the psychologist has conducted an examination
23 of the individual adequate to support the psychologist's statements or conclusions.

24 13. The Licensee in this matter deviated from the accepted standard of care due to the fact
25 that she did not perform an evaluation of Mother prior to making the assessments contained in her
26 January 31, 2009 letter to the PC in the case.

27 CONCLUSIONS OF LAW

28 14. The conduct and circumstances described above constitute unprofessional conduct
pursuant to A.R.S. § 32-2061(A)(13)(o) – Providing services that are unnecessary or unsafe or
otherwise engaging in activities as a psychologist that are unprofessional by current standards of

1 practice and A.R.S. §32-2061(A)(13)(dd) – violating an ethical standard adopted by this Board,
2 pursuant to the A.P.A Ethics and Psychologist Code of Conduct 9.01(a) - Psychologists base the
3 opinions contained in their recommendations, reports, and diagnostic or evaluative statements,
4 including forensic testimony, on information and techniques sufficient to substantiate their findings.

5
6 **ORDER FOR DECREE OF CENSURE**

7 Based upon the foregoing Findings of Fact and Conclusions of Law, the parties agree as follows:

8 1. Licensee is hereby issued a **Letter of Concern** regarding her failure to report a DUI and
9 arrest on her 2009-2011 Application for License Renewal and for knowingly entering into a therapeutic
10 relationship with the Daughter when she was already providing therapy services for the Stepbrother of
11 the same family. Pursuant to A.R.S. §32-2061(7), a letter of concern is an advisory letter to notify the
12 psychologist that certain practices should be modified or eliminated. The continuation of those
13 practices may result in action against the psychologist license.

14 2. Licensee is hereby issued a **Decree of Censure** regarding the violation of A.R.S. § 32-
15 2061(A)(13)(o) and A.R.S. §32-2061(A)(13)(dd) pursuant to A.P.A Ethics and Code of Conduct
16 9.01(a).

17 3. **Continuing Education:** Licensee shall complete eight (8) hours of Continuing Education
18 in the area of Ethics. This continuing education is in addition to the statutory requirements for renewal of
19 her Arizona license. The licensee has submitted to the Board a certificate of completion of a course
20 entitled, "Ethics in Counseling and Psychotherapy: Standards, Research, and Emerging issues." The Board
21 accepts licensee's completion of this course in full satisfaction of the educational requirements of this
22 paragraph.

23 4. **Costs:** All costs associated with compliance with this Order are the responsibility of Licensee.

24 5. **Failure to Comply:** Licensee shall sign and return this agreement within thirty (30) days or
25 the matter may proceed to formal hearing. If the Licensee does not complete any of the requirements of the
26 Order for Decree of Censure and Consent Agreement within the designated time-frames, disciplinary
27 action may be taken against the Licensee after notice and an opportunity to be heard pursuant to A.R.S.
28 §32-2061(A)(13)(aa).

1 DATED this 24 day of May, 2010.

3 STATE OF ARIZONA BOARD OF
4 PSYCHOLOGIST EXAMINERS

4 Kimi J. Wright
5 Kimi J. Wright, Ph.D.

5 BY: Cindy Olvey
6 Dr. Cindy Olvey
7 Executive Director

7 5-19-10
8 Date

7 May 24, 2010
8 Date

9 ORIGINAL of the foregoing filed this

10 24 day of May, 2010, with:

11 The Arizona State Board of Psychologist Examiners
12 1400 West Washington, Suite 235
13 Phoenix, Arizona 85007

14 COPY mailed by Certified Mail

15 No. ~~7008 0150 0001 3510 1646~~ 7009 2250 0001 1198 9302
16 this 24 day of May, 2010, to:

17 Kimi J. Wright, Ph.D.
18 Address of Record

19 COPY of the foregoing mailed by regular mail
20 this 24 day of May, 2010, to:

21 Debra Hill, Esq.
22 Osborn Maledon
23 P. O. Box 36379
24 Phoenix, AZ 85067-6379

25 COPY of the foregoing mailed by interagency
26 this 24 day of May, 2010, to:

27 Jeanne Galvin, Esq.
28 Office of the Attorney General
1275 West Washington, CIV/LES
Phoenix, Arizona 85007

By: Heather Derezinski, Administrative Assistant