



1 Law, and Order, and makes this agreement freely and voluntarily. He irrevocably waives his right to  
2 a hearing, rehearing, or judicial review.

3  
4 7. The Consent Agreement and Order will be effective when signed by the Board's  
5 Executive Director. The Consent Agreement, Findings of Fact, Conclusions of Law, and Order are a  
6 public record, but does not constitute disciplinary action.

7 **FINDINGS OF FACT**

8 8. Although Licensee has never practiced psychology in the State of Arizona and his  
9 license has been on inactive status since 1993, he meets the definition of a "health care professional"  
10 under A.R.S. § 32-3201(2).

11 9. On August, 2006, the Board opened an investigation based on information it received  
12 that Licensee had been involved in a DUI arrest in May of 2005.

13 10. On November 7, 2006, Licensee pled no contest to *One Count of Endangerment*, a  
14 Class 6 Undesignated Felony, *One Count of Extreme DUI*, a Class 1 Misdemeanor, and *One Count*  
15 *of Leaving the Scene of an Injury Accident*, a Class 6 Undesignated Felony related to Licensee's DUI  
16 arrest in May, 2005.

17 11. Although Licensee who is a practicing attorney in Arizona, timely self reported the  
18 DUI incident to his professional regulatory agency, *the State Bar of Arizona*, and his license to  
19 practice law is unaffected, Licensee failed to notify the Board of Psychologist Examiners regarding  
20 this matter.

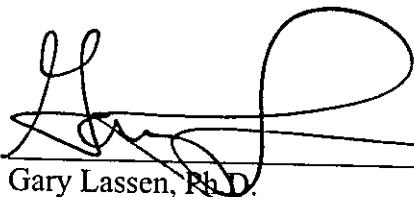
21 **CONCLUSIONS OF LAW**

22 12. The Board believes that the conduct and circumstances described above constitute a  
23 violation of A.R.S. § 32-3208(A) – *A health professional who has been charged with a misdemeanor*  
24 *involving conduct that may affect patient safety or a felony after receiving or renewing a license or*  
25 *certificate must notify the health professional's regulatory board in writing within ten working days*  
26 *after the charge is filed;*

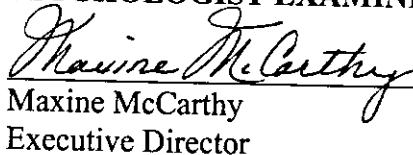
27 13. The Respondent disagrees that any violation occurred, but agrees not to renew his  
28 license in March, 2007. By agreeing to waive his right to renewal, Respondent understands that he

1 is waiving the right to be "grandfathered in" under prior licensing requirements existing at the time  
2 of his original license application and agrees that any future application would be subject to the then  
3 existing statutory requirements.

4 14. To avoid the time and expense of continued litigation, the parties agree to resolve the  
5 matter by way of a stipulation to dismiss subject to the terms and conditions identified below.  
6

7  
8   
9  
10 Gary Lassen, Ph.D.

ARIZONA BOARD OF  
PSYCHOLOGIST EXAMINERS

11   
12 Maxine McCarthy  
13 Executive Director

14 Feb 17, 2007  
15 Date

16 February 6, 2007  
17 Date

18 **STIPULATION TO DISMISS WITH A LETTER OF CONCERN**

19 Based on the foregoing Findings of Fact, and Conclusions of Law, the parties agree that  
20 Complaint No. 2006-035 is hereby dismissed according to the following terms:

21 15. License shall not seek renewal of his inactive licensee in the March, 2007 renewal  
22 cycle.

23 16. Any reapplication for licensure would be subject to the then existing licensing  
24 requirements which would include the requirement that Licensee submit proof that matters resulting  
25 in his DUI arrest had been resolved.

26 17. Licensee will be issued a Letter of Concern (see Exhibit "A" attached hereto).

27 DATED this 14<sup>th</sup> day of February, 2007.  
28

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ARIZONA BOARD OF  
PSYCHOLOGIST EXAMINERS

By Maxine M. McCarthy  
Maxine McCarthy  
Executive Director  
1400 West Washington Street, Suite 235  
Phoenix, Arizona 85007  
(602) 542-8162

**ORIGINAL** of the foregoing filed this  
14<sup>th</sup> day of February, 2007 with:  
The Arizona Board of Psychologist Examiners  
1400 West Washington, Suite 235  
Phoenix, Arizona 85007

**COPY** of the foregoing mailed certified mail  
No. 7000 1670 0009 3607 8516  
this 14<sup>th</sup> day of February, 2007, to:

Gary Lassen, Ph.D.  
Address of record

**COPY** of the foregoing sent by interagency/regular mail  
this 14<sup>th</sup> day of February, 2007 to:

Keely Verstegen, Assistant Attorney General  
Office of the Attorney General, Civil/LES  
1275 West Washington  
Phoenix, Arizona 85007

By Shari S. Courtney

Consent Agreement/Lassen 06-35