

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

3
4 In the Matter of)
5 Young B. Lee, Ph.D.)
6 Holder of License No. 1134)
7 for the Practice of Psychology)
8 in the State of Arizona)

Case No. 01-11

**RELEASE FROM AMENDED
CONSENT AGREEMENT AND
ORDER FOR PROBATION**


9 The Board of Psychologist Examiners (“Board”) received a request from Young B. Lee,
10 Ph.D., to release him from the terms and conditions of the above-referenced Amended Consent
11 Agreement and Order for Probation, dated June, 28, 2011.

12 Dr. Lee provided documentation supporting his release from the terms and conditions of
13 the Amended Consent Agreement and Order. The Board, at its meeting of August 9, 2013,
14 approved Dr. Lee’s request. Dr. Lee has complied with all of the terms and conditions of the
15 Amended Consent Agreement and Order.

16
17 **ORDER**

18 IT IS THEREFORE ORDERED that Dr. Young B. Lee is hereby released from all
19 terms and conditions of the Consent Agreement and Order dated June 28, 2013.

20
21 DATED this 16th day of August, 2013.

22
23 
24 _____
25 Cindy Olvey, Psy.D.
26 Executive Director
27
28

1 **ORIGINAL** of the foregoing filed this
2 16th day of August, 2013, with:
3 The Arizona State Board of Psychologist Examiners
4 1400 West Washington, Suite 235
5 Phoenix, Arizona 85007

6 **COPY** of the foregoing mailed this
7 16th day of August, 2013, to:

8 Larry Cohen, Esq.
9 The Cohen Law Firm
10 P.O. Box 10056
11 Phoenix, AZ 85064

12 **COPY** of the foregoing mailed this
13 16th day of August, 2013, to:

14 Young B. Lee, Ph.D.
15 Address of Record

16 **COPY** of the foregoing mailed by interagency mail
17 this 16th day of August, 2013, with:

18 Jeanne Galvin, Esq.
19 Office of the Attorney General
20 1275 West Washington, CIV/LES
21 Phoenix, Arizona 85007

22 By: 

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

3
4 **In the Matter of :**

5 **Young B. Lee, Ph.D.**

6 **Holder of License No. 1134**
7 **for the Practice of Psychology**
8 **in the State of Arizona**

Case No. 10-11

**AMENDED CONSENT
AGREEMENT, ORDER OF
PROBATION AND PRACTICE
MONITOR**

9
10 On April 29, 2011 the Arizona Board of Psychologist Examiners (“Board”) discussed
11 Case No. 10-11 regarding Young B. Lee Ph.D. (“Licensee”). Dr. Lee and his attorney, Larry
12 Cohen, Esq., were present at the proceedings and made a presentation to the Board. Dr. Lee’s
13 Practice Monitor/Supervisor, Dr. Mathilda Cantor, was also present and made a statement to
14 the Board. After reviewing the information presented, the Board voted to offer Licensee this
15 Amended Consent Agreement for Order of Probation and Practice Monitor.

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.*

19 2. Licensee is the holder of license number 1134 for the practice of psychology in
20 the State of Arizona.

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

23 **RECITALS**

24 Licensee understands and agrees that:

25 4. The Board and Licensee enter into this Amended Consent Agreement to
26 promptly and judiciously resolve this matter, consistent with the public interest and the
27 statutory requirements of the Board.

28 5. The Board has jurisdiction over Licensee and the subject matter pursuant to
A.R.S. § 32-2061 *et seq.*

1 6. Licensee has the right to consult with an attorney prior to entering into this
2 Consent Agreement.

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

6 8. Licensee irrevocably waives any right to rehearing or review or to any judicial
7 review or any other appeal of this matter.

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

16 10. The Amended Consent Agreement, once approved by the Board and signed by
17 the Licensee, shall constitute a public record which may be disseminated as a formal action of
18 the Board.
19

20 **FINDINGS OF FACT**

21 11. On or about March 8, 2011, the Board and the Licensee entered into a Consent
22 Agreement and Order of Probation and Practice Monitor relating to Case No. 10-11.

23 12. Pursuant to the terms of the Consent Agreement, Dr. Lee's license to practice
24 psychology was placed on probation for a minimum period of twelve months (12) and he was
25 required to obtain a Practice Monitor and a Supervisor to assist Licensee with certain issues
26 related to his private psychology practice. The issues of concern to the Board were
27 recordkeeping, privacy issues, forensic psychology and transference issues. Pursuant to the
28 terms of the Consent Agreement, the Practice Monitor and Supervisor could be the same
licensed psychologist.

 13. At the time of the April 29, 2011, Board meeting, Dr. Lee had met with his

1 Practice Monitor/Supervisor in accordance with the terms of the Consent Agreement and
2 Order.

3 14. Subsequent to these initial meetings with his Practice Monitor/Supervisor, Dr.
4 Lee concluded, and the Board agreed, that Dr. Lee shall discontinue his private psychology
5 practice. Dr. Lee shall permanently refrain from providing psychological services to all paying
6 or pro-bono private patients. This restriction of Licensee's practice does not limit Dr. Lee's
7 ability to continue his work as an employee of Valley Hope (Chandler).

8 **CONCLUSIONS OF LAW**

9 15. The conduct and circumstances described above and as set forth in the March 8,
10 2011, Consent Agreement and Order for Discipline constitute unprofessional conduct pursuant
11 to A.R.S. § 32-2061(A)(13)(h) – failing to maintain and retain adequate business, financial or
12 professional records, for failing to safely secure client records prior to the renovation of
13 Licensee's office which led to the possible destruction and/or misplacement of client records.

14 16. The conduct and circumstances described above constitutes unprofessional
15 conduct pursuant to A.R.S. § 32-2061(A)(13)(o) – Providing services that are unnecessary or
16 unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current
17 standards of practice for the manner in which Licensee provided services beyond the scope of
18 his expertise by conducting an evaluation and making a custody recommendation without
19 interviewing all parties involved.

20
21 **ORDER FOR PROBATION AND PRACTICE MONITOR**

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

24 17. **PROBATION:** Licensee's license as a Psychologist remains on probation as set
25 forth in the March 8, 2011, Consent Agreement and Order at least until March 8, 2012.

26 18. **PRACTICE RESTRICTION:** Licensee shall terminate and discontinue his
27 private practice. Dr. Lee shall permanently refrain from providing psychological services to all
28 paying or pro-bono private patients. Licensee shall immediately begin the process of closing his
private practice but in no event shall he provide psychological services to private patients forty-
five (45) days after the effective date of this Amended Consent Agreement and Order. The

1 effective date of this Amended Consent Agreement and Order is the date that Agreement is
2 signed by the Executive Director on behalf of the Board. This restriction of Licensee's practice
3 does not limit Dr. Lee's ability to continue his work as an employee of Valley Hope
4 (Chandler).

5 19. **PRACTICE MONITOR/SUPERVISOR:** Licensee shall continue to employ a
6 Practice Monitor for the purpose of assisting Licensee with the closure and discontinuation of
7 his private practice. Licensee shall employ a Practice Monitor until such time Dr. Lee, in
8 conjunction with the Practice Monitor, successfully and appropriately closes his private
9 practice, secures all records and accomplishes the appropriate and necessary referrals. The
10 requirement that Licensee secure a Supervisor is terminated.

11 20. **REPORTS:** The Practice Monitor shall provide a final written report to the
12 Board within two weeks of the closure of Dr. Lee's private practice. The report shall set forth a
13 summary of the steps taken to ensure that Dr. Lee's private practice was closed appropriately,
14 the date the practice was closed, with proper notice going to all of his private patients, that all
15 records are properly secured and that all necessary referrals are made.

16 21. **COSTS:** The Licensee shall be responsible for all costs incurred as a result of
17 his compliance with this Order.

18 22. **TERMINATION OF PROBATION:** At the end of 12 months from the
19 effective date of the first Consent Agreement and Order (March 8, 2011), unless otherwise
20 ordered by the Board, Licensee shall petition the Board, in writing, and request termination
21 from probation. If the Board determines that Licensee has not complied with all the
22 requirements of this Amended Consent Agreement, the Board may either (a) continue the
23 probation, including practice monitoring or (b) institute proceedings for noncompliance with
24 this Amended Consent Agreement, which may result in the suspension, revocation or other
25 disciplinary and/or remedial action.

26 23. **CONTINUED APPLICATION OF TERMS:** If, between the effective date of
27 this Amended Consent Agreement and the termination of Licensee's probation by the Board,
28 Licensee fails to renew his license while under this Amended Consent Agreement and
subsequently applies for a license, the remaining terms of this Amended Consent Agreement,
including probation, shall be imposed if the application for licensure is granted.

1 24. **VOLUNTARY ACCEPTANCE OF TERMS:** Licensee has read and
2 understands this Amended Consent Agreement as set forth herein and has had the opportunity
3 to discuss this Amended Consent Agreement with an attorney or has waived the opportunity to
4 discuss this Amended Consent Agreement with an attorney. Licensee voluntarily enters into
5 this Amended Consent Agreement for the purpose of avoiding the expense and uncertainty of
6 an administrative hearing.

7
8 25. **WAIVERS:** Licensee understands that he has a right to a public administrative
9 hearing concerning each and every allegation set forth in the above-captioned matter, at which
10 administrative hearing he could present evidence and cross-examine witnesses. By entering
11 into this Amended Consent Agreement, Licensee freely and voluntarily relinquishes all rights
12 to such an administrative hearing, as well as all rights of rehearing, review, reconsideration,
13 appeal, judicial review or any other administrative and/or judicial action, concerning the
14 matters set forth herein. Licensee affirmatively agrees that this Amended Consent Agreement
15 shall be irrevocable.

16
17 26. **CONSIDERATION IN FUTURE ACTIONS:** Licensee understands that
18 this Amended Consent Agreement, or any part thereof, may be considered in any future
19 disciplinary action against him.

20 27. **FINAL RESOLUTION:** The parties agree that this Amended Consent
21 Agreement constitutes final resolution of this disciplinary matter but further understands that
22 this Amended Consent Agreement does not constitute a dismissal or resolution of other matters
23 currently pending before the Board, if any, and does not constitute any waiver, expressed or
24 implied, of the Board's statutory authority or jurisdiction regarding any other pending or future
25 investigations, actions or proceedings. Licensee also understands that acceptance of this
26 Amended Consent Agreement does not preclude any other agency, subdivision or officer of this
27 state from instituting other civil or criminal proceedings with respect to the conduct that is the
28 subject of this Amended Consent Agreement.

 28. **TIME:** Time is of the essence with regard to this agreement.

1 29. **NON-COMPLIANCE:** If Licensee fails to comply with the terms of this
2 Amended Consent Agreement, the Board shall properly institute proceedings for
3 noncompliance with this Amended Consent Agreement, which may result in suspension,
4 revocation, or other disciplinary and/or remedial actions. Licensee agrees that any violation of
5 this Amended Consent Agreement is a violation of A.R.S. § 32-2061(13)(aa), which is
6 “violating a formal board order, consent agreement, term of probation or stipulated agreement.”
7

8 30. **ACCEPTANCE BY THE BOARD:** Licensee understands that the foregoing
9 Amended Consent Agreement shall not become effective unless and until adopted by the Board
10 of Psychologist Examiners and executed on behalf of the Board. Any modification to this
11 original document is ineffective and void unless mutually approved by the parties in writing.

12 31. **PUBLIC RECORD:** Licensee understands that this Amended Consent
13 Agreement is a public record that may be publicly disseminated as a formal action of the
14 Board.

15 32. **MARCH 8, 2011, CONSENT AGREEMENT:** All terms and conditions of
16 the March 8, 2011, Consent Agreement and Order which are not inconsistent with this
17 Amended Consent Agreement and Order remain in full force and effect as though contained
18 herein.
19

20
21 Dated this June day of 28th, 2011.

22
23 Young B. Lee Ph.D.
24 Young B. Lee, Ph.D.
25 Licensee

26 Cindy Olvey July 18, 2011
27 Cindy Olvey, Psy.D
28 Executive Director
 Board of Psychologist Examiners

29 ORIGINAL of the foregoing filed this
30 19th day of July, 2011, with:

31 The Arizona State Board of Psychologist Examiners
32 1400 West Washington, Suite 235
33 Phoenix, Arizona 85007

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COPY of the foregoing mailed by Certified Mail
No. ~~7009225000027704967~~ this 70092250000111488947

19th day of July, 2011, to:

Young B. Lee, Ph.D.
Address of Record

Copy of the foregoing mailed this
19th day of July, 2011, to:

Larry Cohen, Esq.
The Cohen Law Firm
P.O. Box 10056
Phoenix, AZ 85064

Copy of the foregoing mailed by interagency mail this
19th day of July, 2011, to:

Jeanne Galvin, Esq.
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1275 West Washington, CIV/LES
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By: Heather Duracinski