

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES
BOARD OF PSYCHOLOGY
DISCIPLINARY SUBCOMMITTEE

In the Matter of

SUSAN JILL GOTTLIEB, Ph.D
License No. 63-01-007337

Complaint No. 63-13-129849

CONSENT ORDER AND STIPULATION

CONSENT ORDER

An administrative complaint was filed with the Disciplinary Subcommittee of the Board of Psychology on October 7, 2014, charging Susan Jill Gottlieb, Ph.D (Respondent) with having violated sections 16221(a), (b)(i), (b)(iv), and (h) of the Public Health Code, 1978 PA 368, as amended, MCL 333.1101 *et seq* and Mich Admin Code R 338.2515(b) and R 338.2515(d).

The parties have stipulated that the Disciplinary Subcommittee may enter this consent order. The Disciplinary Subcommittee has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint. Therefore, the Disciplinary Subcommittee finds that the allegations of fact contained in the complaint are true and that Respondent has violated sections 16221(a) and (h) of the Public Health Code and Mich Admin Code R 338.2515(b).

Accordingly, for these violations, IT IS ORDERED:

Respondent's license is LIMITED for a minimum period of one year commencing on the effective date of this order. Reduction of the limitation period shall occur only while Respondent is employed as a psychologist. The details of the limitation are as follows:

- A. SUPERVISION. Respondent's practice shall be only under the general supervision of one or more licensed or registered health professionals approved in advance by the Chairperson of the Disciplinary Subcommittee or the Chairperson's designee. When requesting approval of a proposed supervisor, Respondent shall provide a copy of the proposed supervisor's curriculum vitae to the Department. Respondent shall provide a copy of this order and the complaint dated October 7, 2014, to the proposed supervisor before requesting approval of the supervisor. Respondent shall not work in any capacity for which a psychology license is required until Respondent receives written confirmation from the Department that the proposed supervisor was approved.

"General supervision" means the oversight or participation in Respondent's work by a supervisor, with continuous availability of direct communication between Respondent and the supervisor in person or by radio, telephone, facsimile, electronic mail, or other communication device. The supervisor shall review Respondent's practice on a weekly basis, shall provide consultation to Respondent, shall review patient records generated by Respondent on a regularly scheduled basis, and shall further educate Respondent in the performance of her functions.

- B. PRACTICE LIMITATION: During the period of limitation Respondent shall maintain at least 30% of her clinical practice in a setting with other practicing licensed psychologists.

Respondent is placed on PROBATION for a minimum period of 1 year commencing on the effective date of this order, to run concurrent with the period of limitation. Respondent shall be automatically discharged from probation upon reclassification of her license to full and unlimited status, provided the Department

has received satisfactory written evidence that Respondent has successfully complied with the terms of this order. The terms and conditions of the probation, which Respondent must complete within the period of probation, are as follows:

- A. SUPERVISOR REPORTS. Respondent's supervisor shall file reports with the Department, as further provided below, advising of her work performance and compliance with her practice limitation. If, at any time, Respondent fails to comply with minimal standards of acceptable and prevailing practice, or appears unable to practice with reasonable skill and safety, her supervisor shall immediately notify the Department.
- B. COUNSELING. Respondent shall obtain treatment on a regular basis with a board-approved psychologist. Respondent shall remain in treatment throughout the probation period or until the therapist discharges her from treatment, whichever occurs first. Respondent's therapist shall submit quarterly reports to the Department addressing her ability to practice in a safe and competent manner.
- C. CONTINUING EDUCATION CREDITS. Respondent shall successfully complete a minimum 6 hours from the American Psychological Association's-Insurance Trust in the area of Ethics and Risk Management. These credit hours shall not count toward the number of credit hours required for license renewal. Respondent must seek and obtain advance approval of the continuing education courses from the Chairperson of the Board or the Chairperson's designee. Respondent shall mail requests for approval of a course and proof of successful completion of a course to the Department at the address set forth below.
- D. REPORTING PROCEDURE. Unless otherwise provided above, all reports required by the terms of probation shall be filed on a quarterly basis, the first report to be filed at the end of the third month of probation, and subsequent reports every three months until Respondent is discharged from probation. In addition to receiving reports as required above, the Department or its authorized representative may periodically contact the reporting individuals or agencies to inquire of Respondent's progress. By accepting the terms of this consent order and stipulation, Respondent has authorized the release of all necessary records and information.

Any violation of the Public Health Code by Respondent during the period of probation shall be deemed a violation of probation and constitute grounds for further disciplinary action.

Respondent is FINED \$2000.00 to be paid by check, money order or cashier's check made payable to the State of Michigan (with complaint number 68-13-129849 clearly indicated on the check or money order) within 90 days from the effective date of this order. The timely payment of the fine shall be Respondent's responsibility. Respondent shall mail the fine to: Sanction Monitoring, Bureau of Health Care Services, Enforcement Division, Department of Licensing and Regulatory Affairs, P.O. Box 30189, Lansing, Michigan 48909.

Within 90 days of the effective date of this order, Respondent shall pay RESTITUTION in the amount of \$17,500 to the Estate of T A F in care of D F . Respondent shall mail proof of payment to the Department.

Counts II, III, and V of the complaint, alleging a violation of sections 16221 (b)(i), (b)(vi) and (h) of the Public Health Code and Mich Admin Code R 338.2515(d), are DISMISSED.

Reclassification of Respondent's limited license shall not be automatic, but Respondent may petition for reclassification of the limited license upon conclusion of the limitation period. In the event Respondent petitions for reclassification of the license, the petition shall be in accordance with section 16249 of the Public Health

Code and Michigan Administrative R 792.10712. Under these provisions, Respondent must demonstrate that she: (1) will practice the profession safely and competently within the area of practice and under conditions stipulated by the Disciplinary Subcommittee, and (2) should be permitted in the public interest to so practice.

Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.


Respondent shall be responsible for the timely compliance with the terms of this consent order, including the timely filing of any documentation. Failure to comply within the time limitations provided will constitute a violation of this order.

If Respondent violates any term or condition set forth in this order, Respondent will be in violation of Mich Admin Code R 338.1632, and section 16221(h) of the Public Health Code.

This order shall be effective thirty days from the date signed by the Chairperson of the Disciplinary Subcommittee or the Disciplinary Subcommittee's authorized representative, as set forth below.

Signed on 6/18/15

MICHIGAN BOARD OF PSYCHOLOGY

By 
Chairperson, Disciplinary Subcommittee

STIPULATION

The parties stipulate as follows:

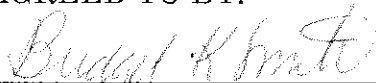
1. Respondent does not contest the allegations of fact and law in the complaint. Respondent understands that, by pleading no contest, she does not admit the truth of the allegations but agrees that the Disciplinary Subcommittee may treat the allegations as true for resolution of the complaint and may enter an order treating the allegations as true.
2. Respondent understands and intends that, by signing this stipulation, she is waiving the right under the Public Health Code, rules promulgated under the Public Health Code, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.201 *et seq.*, to require the Department to prove the charges set forth in the complaint by presentation of evidence and legal authority, and to present a defense to the charges before the Disciplinary Subcommittee or its authorized representative. Should the Disciplinary Subcommittee reject the proposed consent order, the parties reserve the right to proceed to hearing.
3. The Disciplinary Subcommittee may enter the above Consent Order, supported by Board conferee Martin Waalkes, Ph.D. Dr. Waalkes or an attorney from the Licensing and Regulation Division may discuss this matter with the Disciplinary Subcommittee in order to recommend acceptance of this resolution.

4. Dr. Waalkes and the parties considered the following factors in reaching this agreement:

- A. During a December 5, 2014 compliance conference between the parties, Respondent denied that her relationship with T.F. was ever intimate. However, she acknowledged that she allowed herself to become more of a motherly figure to T.F. and can see now how that was inappropriate.
- B. During the compliance conference, Respondent explained that her primary concern was assisting T.F. in the dying process. Respondent acknowledged that she did not have a lot of experience treating patients with terminal diagnoses and believed that transitioning from T.F.'s therapist to her medical advocate was the appropriate way to handle the situation. However, after speaking with Dr. Waalkes, Respondent acknowledged that there were ways she could have handled the situation that would have allowed her to assist T.F. while maintaining the necessary boundaries.
- C. Respondent denied knowing that T.F. had changed her will to include Respondent. Respondent explained that she immediately put the money she received in a separate account and has not used the money except to pay the taxes associated with the gift and to purchase a small plaque in memory of T.F. at her place of employment. Respondent understands that she cannot accept money from her clients.
- D. Respondent has been licensed as a psychologist since 1997 and has no other disciplinary actions against her license.

By signing this stipulation, the parties confirm that they have read,
understand and agree with the terms of the consent order.

AGREED TO BY:



Bridget K. Smith (P71318)
Assistant Attorney General
Attorney for Complainant

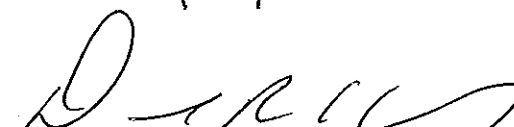
Dated: 3/5/2015

AGREED TO BY:



Susan Gottlieb, Ph.D.
Respondent

Dated: 2/23/2015



Daniel R. Shirey (P39335)
Attorney for Respondent

Dated: 3/2/15