

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF PSYCHOLOGY
DISCIPLINARY SUBCOMMITTEE**

In the Matter of

**JULIAN MATTHEW GORDON, PH.D.
License Number: 63-01-005530**

**File Number: 63-14-134095¹
Docket Number: 15-041401-BHCS**

FINAL ORDER

On February 19, 2015, an Administrative Complaint (Complaint) was executed that charged Julian Matthew Gordon, Ph.D. (Respondent) with violating sections 16221(a), 16221(b)(i), 16221(b)(vi), and 16221(h) of the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq.

An administrative hearing was held in this matter before an administrative law judge who, on October 2, 2015, issued a Proposal for Decision setting forth recommended Findings of Fact and Conclusions of Law.

On October 23, 2015, the Department of Attorney General, Licensing and Regulation Division, on behalf of the Department of Licensing and Regulatory Affairs (Department), filed Department's Exceptions to Proposal for Decision.

¹ The Complaint erroneously identified the file number as 64-14-134095

On November 5, 2015, Respondent filed Respondent's Response to Department's Exception to Proposal for Decision.

The Disciplinary Subcommittee of the Michigan Board of Psychology (Disciplinary Subcommittee), having reviewed the administrative record, considered this matter at a regularly scheduled meeting held in Lansing, Michigan on June 16, 2016, and accepted in part and rejected in part the administrative law judge's Findings of Fact and Conclusions of Law in the Proposal for Decision. The Disciplinary Subcommittee then tabled the matter for the drafting of the Disciplinary Subcommittee's Findings of Fact and Conclusions of Law.

On September 15, 2016, at a regularly scheduled meeting held in Lansing, Michigan, the Disciplinary Subcommittee again considered the matter and accepted the Disciplinary Subcommittee's Findings of Fact and Conclusions of Law, a copy of which is attached and incorporated. Therefore,

IT IS ORDERED that for violating section 16221(b)(i) of the Public Health Code, supra, Respondent's license to practice as a disciplinary limited licensed psychologist in the state of Michigan is SUSPENDED for a minimum of one day, commencing on the effective date of this Order.

IT IS FURTHER ORDERED that Respondent's license shall be automatically reinstated IF WITHIN SIX MONTHS FROM THE EFFECTIVE DATE OF THIS ORDER Respondent secures a direct, on-site licensed psychologist supervisor who

has been **pre-approved** by the **Chairperson of the Board or Chairperson's designee**. Respondent shall submit to the Department written correspondence requesting approval of the proposed supervisor. The request shall include, at a minimum, the individual's name, employment position, telephone number, and confirmation that the proposed supervisor has received a copy of this Order and the Administrative Complaint dated February 19, 2015. Respondent shall ensure that this correspondence is provided to the **Department of Licensing and Regulatory Affairs, Legal Affairs Division, Compliance Section, P.O. Box 30670, Lansing, MI 48909**.

IT IS FURTHER ORDERED that in the event Respondent's license to practice remains suspended for more than six months, Respondent must apply for reinstatement of the license. In the event Respondent applies for reinstatement of the license, application for reinstatement shall be in accordance with sections 16245 and 16247 of the Public Health Code, supra.

IT IS FURTHER ORDERED that for the cited violation of the Public Health Code, Respondent's license to practice psychology in the state of Michigan shall be LIMITED for a minimum of two years, commencing on the date of automatic reinstatement. The terms of limitation shall be as follows:

1. PRACTICE SETTING: Respondent shall only practice as a psychologist in an outpatient psychotherapy clinic setting with no reasonable expectation of contact with patients outside of the clinic.

2. SUPERVISED PRACTICE: During the limitation period, Respondent's practice as a psychologist shall be under the **direct, on-site** supervision of a licensed psychologist (supervisor) **pre-approved by the Chairperson of the Board or Chairperson's designee**. Respondent shall provide the supervisor with a copy of this Order and the Administrative Complaint dated February 19, 2015. Respondent's supervisor shall be knowledgeable of Respondent's history and shall provide reports concerning Respondent's work performance to the Department on a quarterly basis, as set forth below.

"Direct supervision" is defined as the oversight or participation in Respondent's work by a supervisor, with continuous availability of in-person communication between Respondent and the supervisor. The Supervisor shall review Respondent's practice on a regularly scheduled basis, shall provide consultation to Respondent, shall review patient records generated by Respondent on a daily basis, and shall further educate Respondent in the performance of his functions.

Respondent **shall not** commence employment until Respondent has received written notification from the Department confirming that the supervisor has been approved.

3. SCOPE OF PRACTICE: As ordered by the Final Order Granting Reinstatement executed on August 4, 2011, Respondent shall not treat patients under 18 years of age.

IT IS FURTHER ORDERED that Respondent may petition for reclassification of the limited license two years from the date of automatic reinstatement in accordance with Mich Admin Code, R 792.10712.

IT IS FURTHER ORDERED that for the cited violation of the Public Health Code, Respondent shall be placed on PROBATION to run concurrent with the period of limitation, commencing on the date of automatic reinstatement. The terms of probation shall be as follows:

1. SUPERVISOR REPORTS: Respondent's supervising psychologist shall file quarterly reports with the Department, as further provided herein, advising of Respondent's practice and compliance with limitations.

In the event Respondent, at any time, fails to comply with the minimal standards of acceptable and prevailing practice, appears unable to practice with reasonable skill and safety, or fails to comply with the terms of the license limitation, Respondent's supervising psychologist shall **immediately** notify the Department.

2. SUPERVISION CHANGE: Respondent shall report to the Department, in writing, any and all changes in Respondent's employment or supervising psychologist within 15 days of such change, if Respondent's employment change requires Respondent to have a psychologist license.

Respondent shall provide copies of this Order to each successor employer and supervising psychologist. The successor supervising psychologist shall be knowledgeable of Respondent's history and shall continue to file reports with the Department advising of Respondent's practice, as set forth above.

Respondent shall, prior to the change in supervising psychologist, submit to the Department written correspondence requesting approval of the proposed successor supervising psychologist.

Respondent **shall not** commence practice in the new setting until Respondent has received written notification from the Department confirming that the proposed successor supervising psychologist has been approved.

3. REPORT OF NON-EMPLOYMENT: If at any time during the period of probation Respondent is not employed in the licensed profession, Respondent shall file a report of non-employment with the Department within 15 days after becoming unemployed. Respondent shall continue to file a report of non-employment on a quarterly basis until Respondent returns to employment in the licensed profession.
4. RESIDENCY AND PRACTICE OUTSIDE OF MICHIGAN: Periods of residency and practice outside of Michigan shall not reduce the probationary period of this Order. Respondent shall report any change of residency or practice outside of Michigan no more than 15 days after the change occurs. Compliance with this provision does **not** satisfy the requirements of sections 16192(1) and 16221(g) of the Public Health Code supra, regarding Respondent's duty to report name or address changes to the Department.
5. REPORTING PROCEDURE: Unless immediate notification is required, as indicated above, all reports made by Respondent's supervising psychologist shall be filed on a quarterly basis. The first report shall be filed at the end of the third month of probation and subsequent reports every three months after that.

Respondent authorizes the Department or its authorized representative to periodically contact the reporting individuals or agencies to inquire of Respondent's progress.

Respondent shall direct all communications, required by the terms of this Order, except fines, to: Department of Licensing and Regulatory Affairs, Legal Affairs Division, Compliance Section, P.O. Box 30670, Lansing, MI 48909.

The timely filing of all information relating to this Order shall be Respondent's responsibility, and failure to file the required information within the time limitations provided shall be deemed a violation of an order of the Disciplinary Subcommittee.

6. PSYCHOTHERAPY: Respondent shall engage in a **minimum of 6 months** of outpatient psychotherapy with a licensed psychologist who is not Respondent's supervising psychologist and is **pre-approved by the Chairperson of the Board or Chairperson's designee**. Respondent shall submit the request for approval of the licensed psychologist providing psychotherapy to the Department at the address set forth below. Respondent shall not commence the ordered psychotherapy sessions until written notification from the department confirming that the proposed licensed psychologist providing psychotherapy has been approved.
7. PSYCHOTHERAPY REPORT: At the conclusion of Respondent's psychotherapy treatment, the approved licensed psychologist providing psychotherapy shall submit a final report to the Department at the address set forth below.
8. COMPLIANCE WITH THE PUBLIC HEALTH CODE: Respondent shall comply with all applicable provisions of the Public Health Code and rules promulgated thereunder.
9. COSTS: Respondent shall be solely responsible for payment of all costs incurred in complying with the terms of this Order.

IT IS FURTHER ORDERED that Respondent shall be automatically discharged from probation upon reclassification of Respondent's license, PROVIDED Respondent has paid the fine as set forth below, complied with the terms of this Order and not violated the Public Health Code.

IT IS FURTHER ORDERED that for the cited violation of the Public Health Code, Respondent is FINED \$500.00 to be paid to the State of Michigan within 60 days of the effective date of this Order.

IT IS FURTHER ORDERED that the fine shall be mailed to the **Department of Licensing and Regulatory Affairs, Legal Affairs Division, Compliance Section, P.O. Box 30189, Lansing, MI 48909**. The fine shall be paid by check or money order, made payable to the State of Michigan, and shall clearly display the file number **63-14-134095**.

This Order is a public record required to be published and made available to the public pursuant to section 11(1)(a) of the Michigan Freedom of Information Act, 1976 PA 442, as amended; MCL 15.241(1)(a); and this action may be reported to the National Practitioner Data Bank in accordance with 42 USC 11101 et seq.

IT IS FURTHER ORDERED that in the event Respondent violates any provision of this Order, the Disciplinary Subcommittee may proceed to take disciplinary action pursuant to Mich Admin Code, R 338.1632 and section 16221(h) of the Public Health Code, supra.

IT IS FURTHER ORDERED that this Order shall be effective 30 days from the date signed by the Disciplinary Subcommittee's Chairperson or authorized representative.

Dated: 10/17/2014

**MICHIGAN BOARD OF PSYCHOLOGY
DISCIPLINARY SUBCOMMITTEE**

By: 
Kim Gaedeke, Director
Bureau of Professional Licensing

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