

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

In the Matter of

MARGARET OMOTOLA AJAYI-NABORS, PH.D.

License No's 63-01-012355

63-01-014796¹,

Respondent.

File No. 63-17-146172

CONSENT ORDER

On May 16, 2018, the Department of Licensing and Regulatory Affairs executed an Administrative Complaint, charging Respondent with violating the Public Health Code, MCL 333.1101 *et seq.*

Respondent neither admits nor denies the facts alleged in the Complaint, but agrees that the Disciplinary Subcommittee of the Michigan Board of Psychology shall treat the allegations as true for purposes of this Order, which findings shall have the same force as if evidence and argument were presented in support of the allegations. The Disciplinary Subcommittee has reviewed this Order and agrees that the public interest is best served by resolution of the outstanding Complaint.

Therefore, IT IS FOUND that the facts alleged in the Complaint are true and constitute violation(s) of MCL 333.16221(a) and (b)(i).

¹ The May 16, 2018 Administrative Complaint against Respondent incorrectly omits her additional license number.

Accordingly, IT IS ORDERED that for the cited violation(s) of the Public Health Code, Respondent is placed on PROBATION for a minimum of one (1) year, not to exceed (2) years, commencing on the effective day of this Order. The probationary period shall only be reduced while Respondent is practicing as a psychologist. The terms of probation shall be as follows:

1. CONTINUING EDUCATION: Within one year of the effective date of this Order, Respondent shall successfully complete and submit satisfactory evidence of completing a minimum of 12 hours of American Psychological Association approved live and in-person continuing education in the area of Neuropsychological Assessment, presented primarily by neuropsychologists certified by the the American Board of Professional Psychologist (ABPP). This continuing education **shall not** apply in computing any applicable current continuing education requirements for Respondent's license renewal.

Respondent shall seek and obtain approval of the continuing education from the Chairperson of the Board or the Chairperson's designee. Continuing education hours Respondent received since November 2018 that meet the above requirements shall count towards this continuing education requirement upon approval by the Chairperson of the Board or the Chairperson's designee.

Respondent shall mail proof of the successful completion of the continuing education to the address as set forth below.

2. CONSULTATION OF NEUROPSYCHOLOGIST: Respondent shall meet with a Neuropsychologic Consultant with ABPP certification in neuropsychology, for a minimum three hours of in-person individual consultation per month. Neuropsychologic Consultation will cover issues and diagnoses throughout the lifespan from pediatrics to geriatrics, report writing, best practices related to neuropsychological assessment, record keeping standards, forms specific to neuropsychological

assessment (including informed consent), as well as other content areas deemed necessary by Neuropsychologic Consultant.

Respondent shall immediately provide copies of this Order and the Complaint to the Neuropsychologic Consultant. The Neuropsychologic Consultant shall be knowledgeable of Respondent's history and shall file reports with the Department as further provided below, advising of Respondent's adherence to neuropsychological standards.

If Respondent fails to comply with minimal standards of acceptable and prevailing practice or appears unable to practice with reasonable skill and safety, the consultant shall immediately notify the Department. Respondent is responsible to ensure the Neuropsychologic Consultant submits quarterly reports.

3. REPORTING PROCEDURE: Unless immediate notification is required, as indicated above all reports 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, for a total of four (4) quarterly reports.

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, except fines, required by the terms of this Order to: **BPL-Monitoring@Michigan.gov** or by mail to **Department of Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O. Box 30670, Lansing, MI 48909.**

4. CONSULTANT CHANGE: Respondent shall report to the Department, in writing, any and all changes in Respondent's Neuropsychologic Consultant within 15 days of such change.

Respondent shall provide copies of this Order and the Complaint to each successor Neuropsychologic Consultant in the licensed profession. Respondent's Neuropsychologic Consultant shall continue to file

reports with the Department advising of Respondent's adherence to neuropsychological standards, as set forth above.

5. 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.
6. RESIDENCY AND PRACTICE OUTSIDE MICHIGAN: Periods of residency and practice outside Michigan shall not reduce the probationary period of this Order. Respondent shall report any change of residency or practice outside Michigan no more than 15 days after the change occurs. Compliance with this provision does not satisfy the requirements of MCL 333.16192(1) and 333.16221(g), regarding Respondent's duty to report name or mailing address changes to the Department.
7. COMPLIANCE WITH THE PUBLIC HEALTH CODE: Respondent shall comply with all applicable provisions of the Public Health Code and rules promulgated thereunder.
8. 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 receipt by the Department of satisfactory evidence of the successful completion of the probationary terms as set forth above, PROVIDED compliance occurs within a maximum of two (2) years, Respondent has paid the fine as set forth below, complied with the terms of this Order, and not violated the Public Health Code.

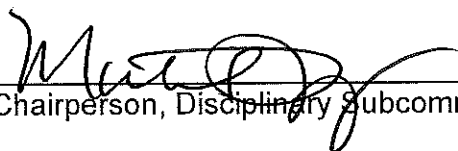
IT IS FURTHER ORDERED for the cited violation(s) of the Public Health Code that Respondent is FINED \$1,500.00, to be paid to the State of Michigan within 60 days of the effective date of this Order. Respondent shall direct payment to the **Department of Licensing and Regulatory Affairs, Enforcement 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 File Number **63-17-146172**.

IT IS FURTHER ORDERED that if Respondent fails to comply with the terms and conditions of this Order, Respondent's license shall be automatically suspended for a minimum of one day. If, within six months of the suspension of the license, Respondent complies with the terms of this Order, the license shall be automatically reinstated.

IT IS FURTHER ORDERED that if Respondent's license remains suspended for more than six months, Respondent must apply for reinstatement of the license. If Respondent applies for reinstatement of the license, application for reinstatement shall be in accordance with sections MCL 333.16245 and 333.16247.

IT IS FURTHER ORDERED that this Order shall be effective 30 days from the date signed by the DSC, as set forth below.

MICHIGAN BOARD OF PSYCHOLOGY

By: 
Chairperson, Disciplinary Subcommittee

Dated: 26 Sep 19

STIPULATION

1. Respondent neither admits nor denies the facts alleged in the Complaint, but agrees that the Disciplinary Subcommittee shall treat the allegations as true for purposes of this Order, which findings shall have the same force and effect as if evidence and arguments were presented in support of the allegations.

2. Respondent understands and intends that by signing this Stipulation Respondent is waiving the right, pursuant to the Public Health Code, the rules promulgated thereunder, and the Administrative Procedures Act, 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 Respondent is waiving the right to appear with an attorney and such witnesses as Respondent may desire to present a defense to the charges.

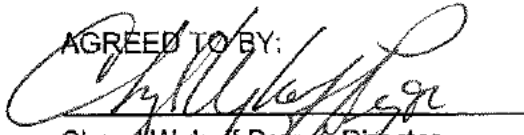
3. This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 15.231 *et seq.*, and this action will be reported to the National Practitioner Data Bank and any other entity as required by state or federal law.

4. Valerie Shebroe, Ph.D., a member of the Board who supports this proposal, and the Department's representative are free to discuss this matter with the DSC and recommend acceptance of the resolution set forth in this Order.

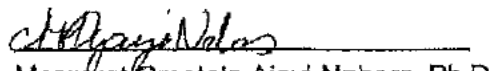
5. This Order is approved as to form and substance by Respondent and the Department and may be entered as the final order of the DSC in this matter.

6. This proposal is conditioned upon acceptance by the DSC. Respondent and the Department expressly reserve the right to further proceedings without prejudice should this Order be rejected.

AGREED TO BY:


Cheryl Wykoff Pezon, Director
Bureau of Professional Licensing

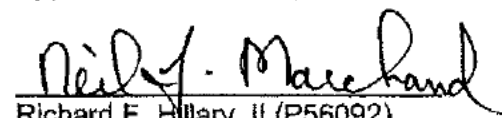
AGREED TO BY:


Margaret Omotola Ajayi-Nabors, Ph.D.
Respondent

Dated: 08/19/19

Dated: 08/13/2019

Approved as to form by:


Richard E. Hillary, II (P56092)
Neil J. Marchand (P73118)
Miller Johnson
Attorneys for Respondent

Dated: 8/16/19

CW

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MARGARET OMOTOLA AJAYI-NABORS PH.D.
License No. 63-01-012355,
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ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Cheryl Wykoff Pezon, Acting Director, Bureau of Professional Licensing, complains against Respondent as follows:

1. The Michigan Board of Psychology is an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.* Pursuant to MCL 333.16226, the Board's Disciplinary Subcommittee is empowered to discipline persons for violations of the Public Health Code.
2. Respondent is currently licensed to practice as a master's limited psychologist in the state of Michigan.
3. At all relevant times, Respondent was engaged in private practice at Clinical Psychological Services, PLLC (clinic) in Saginaw, Michigan.
4. On February 16, 2017, minor patient E.D. (initials are used to protect the individuals' identity) presented to Respondent for neuropsychological testing and

evaluation. Patient E.D. was administered multiple diagnostic tests by Respondent's clinical assistant, however, patient E.D. refused to complete all of the tests.

5. Although patient E.D. did not complete all of the tests and Respondent did not speak with either patient E.D. or patient E.D.'s mother, Respondent diagnosed patient E.D. with autism and Attention Deficit Hyperactivity Disorder. Respondent's diagnosis of patient E.D. was based solely on Respondent's interpretation of the incomplete test results and her review of a questionnaire completed by patient E.D.'s mother.

6. On March 10, 2017, the Department received information from Dr. B., a licensed psychologist, expressing concern over Respondent's practice. Specifically, Dr. B. stated that she assessed patient E.D. on February 28, 2017, and did not find any signs of autism and that Respondent's diagnosis was highly inaccurate because the diagnosis was based on inappropriate metrics, no intake or consultation, no interaction with the patient, no assessment of medical necessity, and involved no medical decision making.

COUNT I

Respondent's conduct, as set forth above, evidences a violation of general duty, consisting of negligence or failure to exercise due care, including negligent delegation to or supervision of employees or other individuals, whether or not injury results, in violation of MCL 333.16221(a).

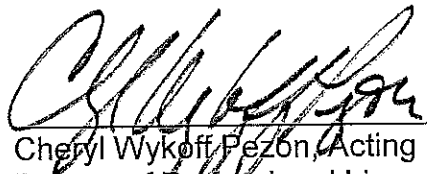
COUNT II

Respondent's conduct, as set forth above, evidences a departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for the health profession, whether or not actual injury to an individual occurs, in violation of MCL 333.16221(b)(i).

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to answer this Complaint in writing and to show compliance with all lawful requirements for licensure. Respondent shall submit the response to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909.

Respondent's failure to submit an answer within 30 days is an admission of the allegations in this Complaint. If Respondent fails to answer, the Department shall transmit this Complaint directly to the Board's Disciplinary Subcommittee to impose a sanction, pursuant to MCL 333.16231(9).

Dated: 5/16/18


Cheryl Wykoff Pezon, Acting Director
Bureau of Professional Licensing

MWC