

STATE OF MICHIGAN  
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES  
BUREAU OF HEALTH SERVICES  
BOARD OF PSYCHOLOGY  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

Lewis Okun, Ph.D.  
\_\_\_\_\_ /

Complaint No. 63-01-1669-00

ADMINISTRATIVE COMPLAINT

Attorney General Michael A. Cox, through Assistant Attorney General Thomas P. Scallen, on behalf of the Department of Consumer & Industry Services, Bureau of Health Services (Complainant), files this complaint against Lewis Okun, Ph.D. (Respondent), alleging upon information and belief as follows:

1. The Board of Psychology (Board) is an administrative agency established by the Public Health Code (Code), 1978 PA 368, as amended, MCL 333.1101 *et seq*, and is empowered to discipline licensees under the Code through its Disciplinary Subcommittee (DSC).
2. Respondent is a fully licensed psychologist. At all times pertinent to this Complaint, Respondent practiced psychology in Washtenaw County.
3. Section 16221(a) of the Code authorizes the Board's DSC to take disciplinary action against Respondent for 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, or any conduct, practice, or condition which impairs, or may impair, Respondent's ability to safely and skillfully practice as a psychologist.

4. Section 16221(b)(i) of the Code authorizes the Board's DSC to take disciplinary action against Respondent for incompetence, which is defined in section 16106(1) of the Code to mean "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."

5. Section 16221(i) of the Code authorizes the Board's DSC to take disciplinary action against Respondent for a failure to report pursuant to section 16222(1) of the Code, under which a "licensee or registrant having knowledge that another licensee or registrant has committed a violation under section 16221... shall report the conduct and the name of the subject of the report" to Complainant.

6. Section 16226 of the Code authorizes the Board's DSC to impose sanctions against persons licensed by the Board if, after opportunity for a hearing, the DSC determines that a licensee violated one or more of the subdivisions contained in section 16221 of the Code.

7. In 1999, Respondent entered into an oral agreement for professional services with Stacy Hosler, C.S.W., a self-employed certified social worker in Ann Arbor. Under the terms of their agreement, Respondent would review Ms. Hosler's clinical work on a monthly basis and be available on-call for consultations.

8. On October 28, 1998, K.W. (initials are used for the purpose of confidentiality), a 30-year-old married female, commenced psychotherapy sessions with Ms. Hosler for recurring struggles with depression, sexual orientation, and a long-time sexual relationship with her mother. In early 2000, K.W. informed Ms. Hosler that she was struggling with feelings of sexual attraction toward her. By mid-March 2000, Ms. Hosler and K.W. were hugging and cuddling on Ms. Hosler's couch during therapy sessions, playing with each other's hair, and stroking each

other's face. In May 2000, Ms. Hosler and K.W. had inappropriate physical contact, and on June 3, 2000, they had sex in Ms. Hosler's office.<sup>1</sup>

9. On approximately June 6, 2000, Ms. Hosler informed Respondent of her sexual relationship with K.W. Respondent told Ms. Hosler that she would have to close her practice as a certified social worker, or else he — or Ms. Hosler herself — would have to inform the state of Ms. Hosler's inappropriate conduct. Ms. Hosler elected to close her practice, so Respondent did not report her conduct to Complainant. Respondent has acknowledged to Complainant's investigator that he probably should have reported Ms. Hosler's conduct to Complainant.

10. The sexual relationship between Ms. Hosler and K.W. continued for 10 months after Ms. Hosler informed Respondent of her inappropriate conduct with K.W. As the sexual relationship continued, K.W.'s depression increased and, on April 7, 2001, K.W. decided to commit suicide by drowning herself. When K.W. telephoned Ms. Hosler to say good-bye, Ms. Hosler informed her that she would not try to stop her, stating that allowing K.W. to die as she wished was the only way she could honor her. Local law enforcement officers responded to K.W.'s husband's urgent plea for help and stopped K.W.'s suicide attempt.

#### COUNT I

Respondent's conduct as described above constitutes negligence, in violation of section 16221(a) of the Code.

---

<sup>1</sup> An Administrative Complaint was filed against Ms. Hosler's registration to practice as a certified social worker on March 31, 2003.

COUNT II

Respondent's conduct as described above constitutes incompetence, in violation of section 16221(b)(i) of the Code.

COUNT III

Respondent's conduct as described above constitutes a failure to report as required by section 16222(1) of the Code, in violation of section 16221(i) of the Code.

RELIEF REQUESTED

THEREFORE, Complainant requests that this complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful requirements for retention of the aforesaid license. If compliance is not shown, Complainant further requests that formal proceedings be commenced pursuant to the Public Health Code, rules promulgated pursuant to it, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 *et seq.*

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(7) of the Public Health Code, Respondent has 30 days from receipt of this complaint to submit a written response to the allegations contained in it. The written response shall be submitted to the Bureau of Health Services, Department of Consumer & Industry Services, P.O. Box 30670, Lansing, Michigan, 48909, with a copy to the undersigned assistant attorney general. Further, pursuant to section 16231(8), failure to submit a written response within 30 days shall be treated as an admission of the allegations contained in the complaint and shall result in transmittal of the

complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.

MICHAEL A. COX  
Attorney General



Thomas P. Scallen (P22988)  
Assistant Attorney General  
Health Professionals Division  
Cadillac Place  
3030 West Grand Boulevard  
Detroit, Michigan 48202  
Telephone: (313) 456-0104  
Fax: (313) 456-0291

Dated: April 15, 2003