

**BEFORE THE WEST VIRGINIA
BOARD OF EXAMINERS OF PSYCHOLOGISTS**

IN THE MATTER OF:

**Steve Ferris, M.A.
WV Psychology License No. 430**

Complaint No.: 2012-13

CONSENT DECREE

Now comes the West Virginia Board of Examiners of Psychologists (the "Board") and Respondent, Steve Ferris, M.A. ("Respondent"), for the purpose of resolving Board Complaint Number 2012-13. As reflected in this Consent Decree, the parties hereby agree and stipulate to the Findings of Fact and Conclusions of Law set forth in the instant Consent Decree concerning the proper disposition of this matter. The Board, having approved such agreement, does hereby find and Order as follows:

FINDINGS OF FACT

1. Respondent is a licensee of the Board, holding Board License No. 430, and is subject to the jurisdiction and authority of the Board.
2. On November 8, 2011, and November 23, 2011, Respondent conducted a psychological evaluation of "D.S.," then a five-year-old child.
3. By letters dated May 11, 2012, and June 15, 2012, two individuals requested that Respondent send copies of his report of D.S.'s psychological evaluation to the Children's Home Society.
4. Despite receiving these letters, Respondent waited at least six months to complete his report and furnish it to the Children's Home Society.

5. A complaint was filed with the Board on August 28, 2012, by way of the submission of an Ethics Inquiry Form (the "Complaint").

6. By letter August 31, 2012, the Board notified Respondent of the Complaint.

7. In a letter dated September 20, 2012, written in response to the Board's inquiry, Respondent conceded that he "was delinquent in sending the report."

8. The Ethics Committee of the Board conducted a reasonable inquiry to determine the truth and validity of the allegations set forth in the Complaint and presented a report to the Board.

9. On February 8, 2013, a majority of the Board, having reviewed the report supplied by the Ethics Committee, found reasonable cause to believe that the alleged conduct, practices or acts occurred and constitute a violation for which a psychologist may be sanctioned by the Board.

CONCLUSIONS OF LAW

1. The Board is a state entity created by W. Va. Code § 30-21-1 *et seq.* and is a regulatory board created for the purpose of regulating the practice of psychology. W. Va. Code §30-21-1 *et seq.*

2. The Board is empowered by statute to suspend, revoke, or otherwise discipline an individual's psychology and/or school psychology license. W. Va. Code § 30-21-10.

3. The Board has adopted the American Psychological Association, Ethical Principles of Psychologists and Code of Conduct (the "Code of Conduct"). Failure of a licensed psychologist to comply with the Code of Conduct constitutes a violation of W.Va. Code Rule § 17-3-6, and may be ground for disciplinary action by the Board pursuant to W. Va. Code § 30-21-10 and W.Va. Code Rules § 17-4-4.

4. Pursuant to Rule 3.09 of the Code of Conduct, psychologists must “cooperate with other professionals in order to serve their clients effectively and appropriately.”

5. Pursuant to Principle C of the Code of Conduct, “psychologists seek to promote accuracy, honesty and truthfulness in the practice of psychology...to not intentionally misrepresent the facts. Psychologists try to keep their promises and to avoid unwise or unclear commitments.”

6. In failing to supply his report to the Children’s Home Society within six months of receiving two separate requests, Respondent violated both Rule 3.09 and Principle C of the Code of Conduct.

7. Respondent’s actions in violation of Rule 3.09 and Principle C of the Code of Conduct constituted “conduct, practices or acts constituting professional negligence or a willful departure from accepted standards of professional conduct in violation of West Virginia Code § 30-21-1, et seq. or the rules of the Board,” W. Va. Code Rules § 17-4-4, and disciplinary action is warranted.

CONSENT OF LICENSEE

Respondent, both in his individual capacity and as a licensed psychologist, by the execution hereof, agrees to the following:

1. Respondent has had the opportunity to consult with counsel and executes this Consent Decree voluntarily, freely, without compulsion or duress and mindful that it has legal consequences. No person or entity has made any promise or given any inducement whatsoever to encourage Ferris to make this settlement other than as set forth herein. Respondent acknowledges that he is aware that he may pursue this matter through appropriate administrative and/or court

proceedings, and is aware of his legal rights regarding this matter, but intelligently and voluntarily waives such rights.

2. Respondent consents to the entry of the following Order affecting his conduct as a licensed psychologist.

ORDER

On the basis of the foregoing Findings of Fact and Conclusions of Law of the Board, and on the basis of the consent of Respondent, the West Virginia Board of Examiners of Psychologists hereby ORDERS as follows:

1. Respondent shall receive a letter of reprimand from the Board.
2. Respondent shall submit a letter to the Board acknowledging that he has received the letter of reprimand.
3. Respondent shall pay to the Board the amount of eight hundred and fifty dollars (\$850.00). Such payment shall represent the costs incurred by the Board associated with the investigation and prosecution of Complaint Number 2012-13, and the subsequent reimbursement to the Board thereof. Such payment shall be paid to the Board in full within 90 days of the date of entry of the instant Consent Decree.
4. Any deviation from the requirements of the instant Consent Decree, without the prior written consent of the Board, shall constitute a violation of this Order, and result in the immediate suspension of Respondent's license. The Board shall immediately notify Respondent via certified mail of the specific nature of the charges, and the suspension of Respondent's license. Respondent may request reinstatement of his license through renewal of this agreement, or execution

of a new agreement, which may contain different or additional terms. The Board is not bound to comply with Respondent's request.

In the event Respondent contests any such allegations of violation of the Consent Decree, if any, which results in the suspension of Respondent's license, Respondent may request a hearing to seek reinstatement of his license. Any such hearing shall be scheduled and conducted in accordance with the provisions of West Virginia Code § 30-1-8 and § 30-21-1, *et seq.*

Further, in the discretion of the Board and in the event Respondent violates the provisions of the instant Consent Decree, the Board may schedule a hearing on its own initiative for the purpose of allowing the Board the opportunity to consider further discipline against Respondent's license.

AGREED TO BY:




Steve Ferris, M.A., Individually Date

ENTERED into the records of the Board this: 26 day of April, 2013.

WEST VIRGINIA BOARD OF EXAMINERS OF
PSYCHOLOGISTS

By:



Tina Yost, Ed.D. 5-2-2013
President Date