

Before the West Virginia Board of Examiners of Psychologists

W. Va. Board of Examiners of
Psychologists,

Complainant,

v.

Complaint No.: 2016-1

Brandon C. Dean, MA,
License # 877,

Respondent.

Amended Consent Agreement and Order

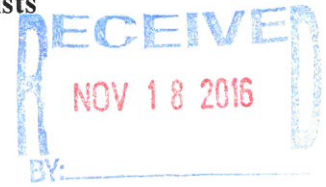
Pursuant to W. Va. Code § 30-21 *et seq.*, the W. Va. Board of Examiners of Psychologists (“Board”) commenced an investigation involving Respondent Brandon C. Dean, MA, regarding possible unprofessional and unethical conduct in violation of applicable statutes, rules, or ethical principles including W. Va. Code R. § 17-4-4 and W. Va. Code R. § 17-3-6. Respondent was provided with written notice of the allegations against him pursuant to the rules of the Board and the laws of this State.

The parties reached an agreement as to the appropriate disposition of this matter, with consideration to necessary safeguards for protection of the public. A Consent Agreement and Order was entered into on June 28, 2016.¹

The Respondent met with the Board on Thursday, October 6, 2016, to address a possible violation of the Consent Agreement and Order.² At this time, the parties have agreed to increase the Respondent’s probationary period from two (2) years to three (3) years, beginning on the date of execution of the original Consent Agreement and Order, which was June 28, 2016.

¹ The aforesaid Consent Agreement and Order is incorporated herein by reference.

² The Board’s Certified Letter to Respondent dated August 30, 2016, is incorporated herein by reference.



Conclusions of Law

1. The Board has jurisdiction to take disciplinary action against Respondent.
2. The Board is empowered to suspend, revoke, or otherwise discipline an individual's psychology license. See W. Va. Code § 30-21-10.

Consent of Licensee

The Respondent, by affixing his signature hereto, acknowledges the following.

1. Respondent has been given the opportunity to consult with counsel and executes this negotiated Amended Consent Agreement and Order voluntarily, freely, without compulsion or duress and is mindful that it has legal consequences.
2. No person or entity has made any promise or given any inducement whatsoever to encourage Respondent to make this settlement other than as set forth herein.
3. Respondent acknowledges that he is aware 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.
4. Respondent acknowledges that this Amended Consent Agreement and Order is a public document available for inspection by the public in accordance with the provisions set forth in the West Virginia Freedom of Information Act (W. Va. Code § 29B-1 *et seq.*), and may be reported to other governmental agencies, professional boards or other organizations.
5. Respondent waives any defenses including, but not limited to, laches, statute of limitations, and estoppel that he may have otherwise claimed as a condition of this Amended Consent Agreement and Order.
6. Respondent consents to the entry of the following Order affecting his conduct as a licensed psychologist in the State of West Virginia.

Order

1. Respondent's probationary period shall be extended from two (2) years to three (3) years, beginning on the date of execution of the original Consent Agreement and Order, which was June 28, 2016.
2. During this period of probation, Respondent shall not evaluate or treat anyone under the age of 18. Also, he shall not evaluate or treat any females.
3. During this period of probation, and at his expense, Respondent shall practice psychology only under the direct supervision of a licensed psychologist ["supervising psychologist"] of the Board's choosing, who shall cosign all evaluative and treatment work completed by Respondent. The supervising psychologist shall meet with Respondent once a week for a minimum of one hour. The supervising psychologist shall submit quarterly reports to the Board regarding Respondent's performance. The Board agrees that the supervising psychologist(s) can be from Respondent's place of work, PSIMED, Inc. The parties shall execute an amended supervisory agreement outlining the terms of supervision.
4. By the 1st day of the 35th month of the probation period, the supervising psychologist shall submit a final report to the Board that shall include a recommendation concerning Respondent's ability to return to independent practice.
5. Within 30 days from the entry date of the original Consent Agreement and Order, Respondent shall undergo psychotherapy treatment at his own expense, to be provided by a Board-approved psychologist. By the 1st day of the 35th month of the probation period, Respondent shall authorize the treating psychologist to submit a report of progress to the Board.
6. During the 36th month of the probation period, Respondent shall undergo a fitness for duty psychological evaluation at his own expense, to be conducted by a psychologist of the Board's choosing.

7. By the 1st day of the 35th month of the probation period, Respondent shall, at his own expense, enroll in and successfully complete a Board-approved three hour in-person graduate level course relating to ethical psychology practice. Respondent shall submit a written verification to the Board of his enrollment and shall submit proof of having successfully completed the course.

8. At the conclusion of the probationary period, Respondent shall appear before the Board to document and assure the Board he has met all requirements of the Consent Agreement and Order and Amended Consent Agreement and Order and affirm he is ready and able to return to independent practice.

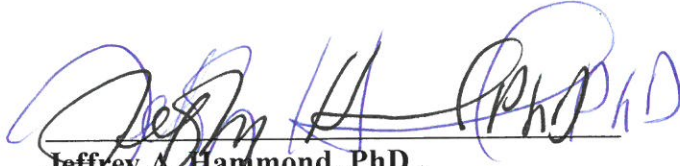
9. After meeting with the Board, Respondent will be reinstated to a licensee in good standing, provided he has complied with all the foregoing requirements of these Consent Agreements and Orders, and subject to the recommendation of the supervising psychologist and the result of the fitness for duty psychological examination.

10. Respondent shall at all times cooperate with the Board, and any of its agents or employees, in the monitoring or investigation of Respondent's compliance with the terms and conditions of these Consent Agreements and Orders.

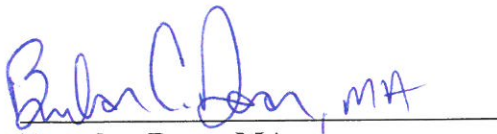
11. Respondent's failure to comply with the terms and conditions of these Consent Agreements and Orders hereby imposed shall be deemed a violation of both Consent Agreements and Orders, and should Respondent violate any of the terms of these Consent Agreements and Orders, the Board may immediately suspend Respondent's license. In the event Respondent contests any such allegations of violation of these Consent Agreements and Orders, if any, which result 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.*

Entered this 11th of November, 2016.


W. Va. Board of Examiners of Psychologists


Jeffrey A. Hammond, PhD.,
Board President

Inspected and Agreed to by:


Brandon Dean, MA
Respondent

11.2.2016
Date


Legal Counsel or Witness
for the Respondent

11-2-16
Date