

Before the West Virginia Board of Examiners of Psychologists

**W. Va. Board of Examiners of
Psychologists,**

Complainant,

v.

Case No.: 2020-05

**Cassie Richards-Ward, MA,
(License No. 1002)**

Respondent.

Consent Agreement and Order

Pursuant to W. Va. Code § 30-21-1 *et seq.*, the West Virginia Board of Examiners of Psychologists (“Board”) commenced an investigation concerning licensed psychologist Cassie Richards-Ward, MA, and testing, assessment, and reporting practices that may not meet accepted standards, in violation of applicable statutes, rules, or codes of conduct including, but not limited to, W. Va. Code R. § 17-6-4 and W. Va. Code R. § 17-6-12.

Respondent was provided with written notice of the allegations against her pursuant to the rules of the Board and the laws of this State. Respondent submitted an answer concerning the issues set forth in the complaint.

The parties have reached an agreement as to the appropriate disposition of this matter, with consideration to necessary safeguards for protection of the public, and do hereby agree to the following Findings of Fact, Conclusions of Law, and Order.

Findings of Fact

1. The Board is a State entity created by W. Va. Code § 30-21-1 *et seq.*, and is empowered to regulate the practice of psychology in this State.

2. Respondent, at all times relevant to this investigation, was a licensee of the Board, possessing License No. 1002, and is subject to the jurisdiction and authority of the Board and applicable licensing requirements.

3. The Board conducted an investigation regarding a written complaint it received from a fellow psychologist concerning competency in the domain of psychological assessment, assessing a patient in diagnosing or ruling out ADHD.

4. According to the complaining psychologist, Respondent's assessment report contained multiple errors, including but not limited to, inaccurate scoring, use of outdated test instruments, and misinterpretation of results. Also, the patient reported she received no feedback regarding the assessment, and the complaining psychologist asserted Respondent did not address ADHD, for which the referral was made.

5. Respondent asserts the patient's psychiatrist's reasons for referral was for anxiety and there was no mention of ADHD from the referring source, nor the patient. Also, she asserts that the patient declined the need for a feedback session due to COVID-19.

6. Respondent admits that her report contained errors, but asserts that the errors did not affect the outcome, diagnosis, validity, or treatment suggestions.

7. At the Board's request, Respondent submitted a revision of the original report, as well as three additional sample evaluation reports. The Board alleges the revised report still contained errors, including scoring, diagnostic and analysis errors. Moreover, the sample reports had multiple errors, which are, in part, described in paragraph 6 of the *Conclusions of Law* set forth below.

8. Based on its review of documents and records in this matter, including the review of the revised report and sample reports provided by Respondent, the Board has concerns with Respondent's level of competency in the psychological assessment domain and whether she meets accepted standards of the profession.

9. Respondent avers and maintains that, at all times at issue herein, and at all times in her practice as a licensee before the Board, she has acted in good faith and followed applicable laws, regulations, accepted standards, and has behaved reasonably and within the accepted standards of the profession.

10. The Board and Respondent desire to resolve this disputed claim through the use of this negotiated Consent Agreement and Order as follows:

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.
3. The Board may, after notice and opportunity for hearing, take disciplinary action against a psychologist upon satisfactory proof that the psychologist, in his or her professional capacity, engaged in conduct, practices, or acts constituting professional negligence or a willful departure from accepted standards of professional conduct in violation of W. Va. Code § 30-21-1 *et seq.* or the rules of the Board.
4. According to the Board's Code of Conduct, a psychologist shall limit practice to the areas of competence in which proficiency has been gained through education, training, and experience. See W. Va. Code R. § 17-6-4.1.

5. A psychologist must maintain current competency in the areas in which he or she practices, through continuing education, consultation, and/or other procedures, in conformance with current standards of scientific and professional knowledge. See W. Va. Code R. § 17-6-4.2.

6. The Board asserts that Respondent breached the Board's Code of Conduct, W. Va. Code R. §17-6-1 *et seq.*, in that her practice of providing psychological assessment, including administration, scoring, interpretation, analysis, and report writing; and that this practice fails to meet accepted standards of professional conduct, including the following areas of concern:

- Inaccurate differential diagnostic rationales;
- Omission of a diagnostic rationale;
- Using the wrong test templates;
- Miscalculation of test scores;
- IQ score reporting;
- Inaccurately assigning severity ratings;
- Inadequate reporting of symptoms; and
- Incomplete mental status examinations.

7. The allegations set out above in the Findings of Fact, if proved consistent with the applicable burden of proof, would likely demonstrate that Respondent failed to comply with applicable law, codes of conduct, and/or regulation concerning licensed psychologists in West Virginia, which is grounds for disciplinary action pursuant to W. Va. Code § 30-1-8, W. Va. Code § 30-21-10, and applicable Board rules and codes of conduct.

Consent of Licensee

The Respondent, by affixing her signature hereto, acknowledges the following:

1. Respondent acknowledges the Board has jurisdiction over her and the conduct which has precipitated this Consent Agreement and Order.

2. Respondent has been given the opportunity to consult with legal counsel and she executes this negotiated Consent Agreement and Order voluntarily, freely, without compulsion or duress, and she is mindful that it has legal consequences.

3. 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.

4. Respondent acknowledges that she is aware she may pursue this matter through appropriate administrative and/or court proceedings, and she is aware of her legal rights regarding this matter, but intelligently, knowingly, and voluntarily waives such rights, but she does not waive her rights regarding the interpretation, execution, or compliance with this Consent Agreement and Order.

5. Respondent expressly acknowledges that the entire agreement is contained in this Consent Agreement and Order and that no representations, promises, or inducements have been made by or to Respondent other than as appear in this Consent Agreement and Order.

6. Respondent acknowledges that this 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.

7. Respondent waives any defenses including, but not limited to, laches, statutes of limitation, and estoppel, that she may have otherwise claimed as a condition of this Consent Agreement and Order.

8. Respondent avers and maintains that, at all times at issue herein, and at all times in her practice as a licensee before the Board, she has acted in good faith and followed applicable laws, regulations, accepted standards, and has behaved reasonably and within the accepted standards of the profession.

9. Respondent consents to the entry of the following Order affecting her conduct as a licensed psychologist in the State of West Virginia.

Order

On the basis of the foregoing, the Board does hereby ORDER and DECREE that:

1. Beginning on the date of execution of this Consent Agreement and Order, Respondent's license shall be placed on probation for a period of 24 months.

2. During this period of probation, and at her own expense, Respondent may only complete psychological evaluations under the supervision of a Board-approved licensed psychologist ["supervising psychologist"], who shall review and approve all evaluative and diagnostic reports completed by Respondent. The supervising psychologist shall meet with Respondent once a month for minimum of one hour. The supervising psychologist shall submit quarterly reports to the Board regarding Respondent's performance. The parties shall execute a supervisory agreement outlining the terms of supervision prior to initiation of such supervision.

3. During this period of probation, and at her expense, Respondent shall enroll in and successfully complete Board-approved continuing education courses in a) Psychological Assessment; b) Ethics; c) Differential Diagnosis; and d) the DSM-5. Each of these courses shall be at least three hours in length and may be taken on-line. Respondent shall submit written verification to the Board of her enrollment and shall submit proof of having successfully completed said continuing education courses. Respondent acknowledges these courses are in addition to the continuing education hours that may be needed in the normal course of renewing her license.

4. By the 1st day of the 23rd month of the probation period, the supervising psychologist shall submit a final report to the Board, which shall include a recommendation concerning Respondent's ability to return to independent practice.

5. During the 24th month of the probation period, Respondent shall appear before the Board to document and assure the Board she has met all requirements of the Consent Agreement and Order and affirm she is ready and able to return to the independent practice of psychological assessment.

6. After meeting with the Board, Respondent shall be reinstated to a licensee in good standing, provided she has complied with all the foregoing requirements of the Consent Agreement and Order, and subject to the recommendation of the supervising psychologist, and subject to her meeting continuation education requirements that may be needed in the normal course of renewing her license.

7. 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 this Consent Agreement and Order.

8. Respondent's failure to comply with the terms and conditions of this Consent Agreement and Order hereby imposed shall be deemed a violation of this Consent Agreement and Order, and should Respondent violate any of the terms of this Consent Agreement and Order, the Board may initiate proceedings to further discipline Respondent's license. Respondent shall have the right to contest any such allegations of violating the Consent Agreement and Order by way of hearing. Any such hearing shall be scheduled and conducted in accordance with the provisions of West Virginia Code § 30-1-8 and § 30-21-11, and W. Va. Code R. §17-5 *et seq.*

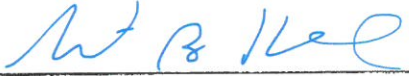
Entered this 28th of July, 2022.

W. Va. Board of Examiners of Psychologists

Sandra S. Stroebel PhD
Chairperson

Inspected and Agreed to by:

 07/21/2022
Cassie Richards-Ward **Date**
Respondent

 07/21/2022
Legal Counsel or Witness **Date**
for the Respondent