

Before the West Virginia Board of Examiners of Psychologists

W. Va. Board of Examiners of Psychologists,

Complainant,

v.

**Ethical Inquiries: 2022-05
2022-07
2022-10**

Lawrence Richmond

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 involving Lawrence Richmond, and possible unprofessional or unethical conduct in violation of applicable statutes, rules, or codes of conduct including, but not limited to, W. Va. Code R. § 17-4-4, W. Va. Code R. § 17-3-6, and W. Va. Code R. § 17-6-1 (Code of Conduct). 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 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.

WHEREAS, the Board agrees and acknowledges this agreement is a compromise of complaints that have been filed against Respondent.

WHEREAS, the parties have reached an understanding concerning the proper disposition of the matter in controversy, and do hereby agree to the following:

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. 968, and is subject to the jurisdiction and authority of the Board and applicable licensing requirements.

3. The Board began an investigation concerning behavior directed toward client JL that may have crossed professional boundaries between psychologist and client.

4. Respondent acknowledges that when he began conducting the intake interview, he entered into a psychologist-client relationship with JL. Respondent acknowledges that prior to providing therapy or counseling services to JL, he engaged in communications/text messaging that crossed professional boundaries.

5. The Board alleges that although its investigation is not complete, it appears that Respondent may have engaged in conduct, practices, or acts constituting a willful departure from accepted professional standards and may have violated applicable codes of conduct.

6. Respondent avers that he would like to relinquish his license as he no longer desires to practice as licensed psychologist.

7. The Board and Respondent desire to resolve this matter 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. See W. Va. Code § 30-21-6.

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 take disciplinary action against a psychologist, up to and including revocation of license, 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. In West Virginia, psychologists are governed, in part, by a Code of Conduct that is set forth in in W. Va. Code R. § 17-6-1 *et seq.*

5. A violation of this Code of Conduct constitutes unprofessional conduct and is sufficient reason for disciplinary action. See W. Va. Code R. § 17-6-2.4

6. According to the Code of Conduct, psychologists are prohibited from crossing professional boundaries with a client or engaging in multiple or dual relationships with clients. See W. Va. Code R. § 17-6-5.

7. Psychologists are expressly prohibited from engaging in a multiple or dual relationship that would reasonably be expected to impair a psychologist's judgment or objectivity or risk harm to the client. See W. Va. Code R. § 17-6-5.1.b

8. Psychologists are prohibited from engaging in behavior with clients that is seductive, demeaning, or harassing. See W. Va. Code R. § 17-6-7.6

9. Based on the allegations of unprofessional or unethical conduct set out above in the Findings of Fact, Respondent failed to comply with applicable law and/or regulation concerning licensed psychologists in West Virginia, which are 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 his signature hereto, acknowledges the following.

1. Respondent has been given the opportunity to consult with legal counsel executes this negotiated 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 expressly acknowledges that the entire agreement is contained in this Consent Agreement and Order and no representations, promises, or inducements have been made by or to Respondent other than as appear in this Consent Agreement and Order.

5. 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.

6. 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 Consent Agreement and Order.

7. In lieu of having a hearing, Respondent seeks to voluntarily surrender his license as he has decided to no longer practice.

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

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** the following:

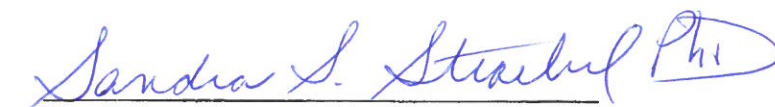
1. Beginning on the date of execution of this Consent Agreement and Order, Respondent (License # ⁹⁶⁸ ~~6877~~) shall voluntarily surrender his license. He will turn in all licensure documentation to the Board.

2. 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.


3. 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 take immediate action against Respondent in seeking injunctive relief and reimbursement of all costs, including reasonable attorney fees, in having to seek injunctive relief in circuit court.

4. Entered this 5th of August, 2022.

W. Va. Board of Examiners of Psychologists

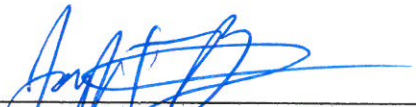

President

Inspected and Agreed to by:



Lawrence Richmond
Respondent

7-27-22
Date



Joseph F. Butcher, Esq.
Legal Counsel for Lawrence Richmond

8/2/2022
Date