

IN THE MATTER OF

*

BEFORE THE STATE BOARD

RONALD WYNNE, Ph.D.

*

OF EXAMINERS OF

Respondent

*

PSYCHOLOGISTS

License No. 1847

*

Case Number: 2006-039

* * * * *

FINAL CONSENT ORDER

Based on information received and a subsequent investigation by the Maryland State Board of Examiners of Psychologists (the "Board") charged **Ronald Wynne, Ph.D.** (the "Respondent"), D.O.B. 10-16-47, License Number: 1847, with violating certain provisions of the Maryland Psychologists Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") § 18-101, *et seq.* (2005 Repl. Vol. & 2008 Supp.) and related regulations.

Specifically, the Board charged the Respondent with violating the following provisions of H.O. § 18-313:

§ 18-313. Denials, reprimands, suspensions, and revocations—Grounds.

Subject to the hearing provisions of § 18-315 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant, reprimand any licensee, place any licensee on probation, or suspend or revoke a license of any licensee if the applicant or licensee:

- (7) Violates the code of ethics adopted by the Board under § 8-311 of this subtitle;
- (12) Violates any provision of this title or any regulation adopted by the Board;
- (17) Commits an act of unprofessional conduct in the practice of psychology; and
- (20) Does an act that is inconsistent with generally accepted professional standards in the practice of psychology.

The Board also charged the Respondent with violating one or more of the following provisions of the Code of Ethics and Professional Conduct, as set forth in Code Md. Regs. ("COMAR") tit. 10, § 36.05:

COMAR 10.36.05 Code of Ethics and Professional Conduct

.07 Client Welfare.

B. Exploitation. A psychologist may not:

- (1) Exploit or harm clients, colleagues, students, research participants, or others;
- (2) Take actions that violate or diminish the legal and civil rights of clients or of others who may be affected by the action;
- (3) Exploit the trust and dependency of clients, students, and subordinates;
- (4) Allow personal, social, religious, organizational, financial, or political situations and pressures to lead to a misuse of their influence[.]

The Applicant was served with a copy of the charges by letter dated August 4, 2008. Accordingly, a Case Resolution Conference was held on October 6, 2008, and was attended by: Dr. Marvin Hoss and Dr. Robert Brown, Board members, Lorraine Smith, Executive Director of the Board, and Linda Bethman, Assistant Attorney General, Counsel to the Board. Also, in attendance were the Respondent and his attorney, Bruce Marcus, and the Administrative Prosecutor, Debra Smith, Assistant Attorney General. Following the Case Resolution Conference, the parties and the Board agreed to the following:

FINDINGS OF FACT

1. At all times the relevant to the charges, the Respondent was and is licensed to practice psychology in the State of Maryland. The Respondent was originally issued a license to practice psychology in the State of Maryland on May 11, 1984, and his current license to practice psychology expires on March 31, 2009.

2. At all times relevant to the charges, the Respondent was the founder and President of Washington Assessment and Therapy Services ("WATS"), a mental health clinic, which contracted with the Montgomery County Department of Health and Human Services to provide mental health services to adolescents in Montgomery County, Maryland.

3. On or about June 20, 2006, the Board received a complaint from an administrator at the Maryland State Department of Health and Mental Hygiene informing that the Respondent was criminally charged with allegedly striking a twelve year old boy being treated at the WATS, Silver Spring clinic.

4. Based on the above complaint, the Board initiated an investigation of these allegations. The Board's investigative findings are set forth *infra*.

BOARD INVESTIGATIVE FINDINGS

Patient A

5. On or about May 24, 2006, the Montgomery County Police Department responded to the report of a missing child at the WATS office in Silver Spring, Maryland. The responding officer found the child, a twelve year old boy (hereinafter identified as "Patient A")¹, at another location, and conducted an interview. Patient A alleged that he

¹ To preserve confidentiality patient names will not be used in this charging document. The Respondent

was playing a game and hiding from his therapist in the area of the WATS offices when an altercation began involving Respondent. Initially, Respondent was charged with Second Degree Assault and other offenses in the Montgomery County District Court under Case No. 005D00178834, based on allegations that the Respondent had physically assaulted Patient A.

6. The case was transferred to the Circuit Court for Montgomery County based on Respondent's demand for trial by jury. The State filed a Criminal Information alleging that Respondent had committed the offense of Reckless Endangerment, a violation of § 3-204 of the Criminal Law Article.

7. On or about February 22, 2007, the Respondent entered a plea of not guilty to Reckless Endangerment, a violation of § 3-204 of the Criminal Law Article, and a trial was held on an Agreed Statement of Facts. The Agreed Statement of Facts, presented to the Court included the following witness statement :

"I saw Ron Wynne standing over the boy. He had him pinned down in the chair. The boy was struggling and trying to get away. I saw Ron hit him across the side of the head. Ron hit him at least two times. I tried to stop him. Was ignored. Somehow the boy got up, but Ron still had him by the wrists. Ron hit him again. The boy tried to kick Ron and Ron kicked him back. I got behind the boy and tried to wrap my arms around him. Shatasha (phonetic sp.) came and tried to pull Ron away. The boy fell and I fell to the floor and then the boy left out the door..."

8. Based on the proffered statement of facts, the Court found that the factual allegations were proved, beyond a reasonable doubt and constituted Reckless Endangerment. The court assessed a fine, granted the Respondent probation before

may obtain the identities of any individuals referenced in the charging document by contacting the administrative prosecutor.

judgment pursuant to § 6-220 of the Criminal Procedure Article, and placed the Respondent on supervised probation for twelve months.

9. The Board's investigation determined that based on the facts set forth before the Circuit Court for Montgomery County, that the Respondent engaged in conduct detrimental to Patient A, who was receiving therapy at the Respondent's WATS clinic. Further, based on the facts set forth in the Circuit Court, Respondent was found guilty of Reckless Endangerment, although no judgment or conviction was entered.

10. The Respondent's actions, as set forth above, constitute, in whole or in part, one or more of the following violations of the Act: violates the Code of Ethics adopted by the Board under 18-311 of this subtitle, in violation of H.O. § 18-313 (7); violates any provision of this title or any regulation adopted by the Board, in violation of H.O. § 18-313 (12); commits an act of unprofessional conduct in the practice of psychology, in violation of H.O. § 18-313 (17); and/or does an act that is inconsistent with generally accepted professional standards in the practice of psychology, in violation of H.O. § 18-313 (20).

11. In addition, the Respondent's actions, as set forth above, constitute violations of one or more of the following provisions of COMAR 10.36.05.07.B: A psychologist may not:(1) Exploit or harm clients, colleagues, students, research participants, or others; (2) Take actions that violate or diminish the legal and civil rights of clients or of others who may be affected by the action; (3) Exploit the trust and dependency of clients, students, and subordinates; (4) Allow personal, social, religious, organizational, financial, or political situations and pressures to lead to a misuse of their influence[.]

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board finds that the Respondent violated H.O. § 18-313 (7), (12), (17), and (20). The Board further concludes that the Respondent violated Code Md. Regs. tit. 10 § 36.05.07B (1), (2), (3), and (4).

Based on the foregoing Findings of Fact, Conclusions of Law and agreement of the parties, it is this 12 day of December 2008, by a majority of a quorum of the Board,

ORDERED that the Respondent's license to practice psychology is hereby **SUSPENDED** for one year; and be it further

ORDERED that the suspension is stayed; and be it further

ORDERED that the Respondent is placed on a minimum of two years probation, subject to the following terms and conditions:

- (a) Within ninety (90) days of the effective date of this Order the Respondent shall submit to a psychological evaluation by a Board-assigned evaluator to determine his fitness to practice;
- (b) The Board may make any appropriate modifications to the terms of the Order based on the results of the evaluation, with the Respondent having an opportunity to a show cause hearing prior to any such modifications being made;
- (c) The Respondent shall refrain from treating, evaluating, supervising the treatment of, or practicing in any manner with children or adolescent patients; and
- (d) The Respondent shall be responsible for all costs associated with fulfilling this agreement.

ORDERED that the Respondent shall practice in accordance with the laws and regulations governing the practice of psychology in Maryland; and be it further

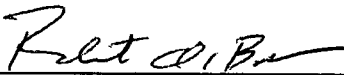
ORDERED that, there shall be no early termination of probation. No earlier than

two years following the effective date of the Order, the Respondent may petition the Board to terminate the Probation, provided that the Respondent has fully complied with all probationary terms and has no outstanding complaints pending against the Respondent. Should the Respondent fail to demonstrate compliance, the Board may impose additional terms and conditions of Probation, as it deems necessary; and be it further

ORDERED that, should the Board receive a report that the Respondent has violated the Act or if the Respondent violates any conditions of this Order or of Probation, after providing the Respondent with notice and an opportunity for a hearing, the Board may take further disciplinary action against the Respondent, including suspension or revocation. The burden of proof of any action brought against the Respondent as a result of a breach of the conditions of the Order of Probation shall be on the Respondent to demonstrate compliance with the Order or conditions; and be it further

ORDERED that for the purposes of public disclosure, as permitted by Md. State Gov't Code Ann. § 10-617(h) (Repl. Vol. 2004), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law and Order and that the Board may also disclose the same to any national reporting data bank that it is mandated to report to.

12/12/08
Date



Robert Brown, Ph.D.
Chair, State Board of Examiners
of Psychologists

CONSENT

I, Ronald Wynne, PH. D., License No. 1847, by affixing my signature

hereto, acknowledge that:

1. I have consulted with counsel, Bruce Marcus, Esquire, and knowingly and voluntarily elected to enter into this Consent Order. By this Consent and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions.
2. I am aware that I am entitled to a formal evidentiary hearing, pursuant to Md. Health Occ. Code Ann. § 18-315 (2005 Repl. Vol.) and Md. State Gov't Code Ann §§ 10-201 *et seq.* (2004 Repl. Vol.).
3. I acknowledge the validity and enforceability of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections as provided by law. I am waiving those procedural and substantive protections.
4. I voluntarily enter into and agree to abide by the terms and conditions set forth herein as a resolution of the Charges against me. I waive any right to contest the Findings of Fact and Conclusions of Law and I waive my right to a full evidentiary hearing, as set forth above, and any right to appeal this Consent Order or any adverse ruling of the Board that might have followed any such hearing.

5. I acknowledge that by failing to abide by the conditions set forth in this Consent Order, I may be subject to disciplinary actions, which may include revocation of my license to practice medicine.
6. I sign this Consent Order voluntarily, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

12/5/08
Date

Ronald Wynne
Ronald Wynne, PH.D.
Respondent

12/5/08
Date

Bruce Marcus
Bruce Marcus, Esquire
Counsel for Respondent

NOTARY

STATE OF MARYLAND
City/COUNTY OF Prince George's :

I HEREBY CERTIFY that on this 5th day of December, 2008 before me, a Notary Public of the State and County aforesaid, personally appeared Ronald Wynne Ronald Wynne, Ph.D., License Number 1847, and gave oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and Notary Seal.
Donna H. Rummel
Notary Public DONNA H. RUMMEL

My commission expires: 03/01/2009