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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF)
PATRICIA JO STEPHENS) **STIPULATION AND ORDER**
PRACTICING MENTAL HEALTH THERAPY)
AND PSYCHOLOGY) **CASE NO. DOPL** 2011-401
IN THE STATE OF UTAH)
WITHOUT A LICENSE)

PATRICIA JO STEPHENS ("Respondent") and the **DIVISION OF
OCCUPATIONAL AND PROFESSIONAL LICENSING** of the Department of Commerce of
the State of Utah ("Division") stipulate and agree as follows

- 1 Respondent admits the jurisdiction of the Division over Respondent and over the
subject matter of this action
- 2 Respondent acknowledges that Respondent enters into this Stipulation knowingly and
voluntarily

3 Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter

4 Respondent understands that Respondent is entitled to a hearing before a Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses Respondent understands that by signing this document Respondent hereby waives the right to a hearing, the right to present evidence on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing

Respondent understands that by signing this document Respondent hereby knowingly and intelligently waives the right to all administrative and judicial review as set forth in Utah Code Ann §§ 63G-4-301 through 63G-4-405, and Utah Administrative Code R151-46b-12 through R151-46b-15 Respondent and the Division hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann § 63G-4-102(4)

5 Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter

6 Respondent acknowledges that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document and may be released to other persons and entities

7 Respondent admits the following facts are true

a In 2009 and 2010, on multiple occasions, Respondent engaged in the practice of mental health therapy, as defined in Utah Code Ann § 58-60-102(7), and in the practice of psychology, as defined in Utah Code Ann § 58-61-9(a)(iv), in the State of Utah without a license

b In 2009 and 2010, on multiple occasions, Respondent advertised to perform and performed biofeedback procedures on patients to treat mental illness and emotional disorder using Neurofeedback (EEG biofeedback) techniques Respondent would evaluate a client's mental health and physical condition using a comprehensive evaluation instrument including a clinical interview and a baseline test including analysis and a written report Respondent diagnosed the patient's condition using the evaluation instrument and then devised a treatment plan The client was then treated using Neurofeedback (EEG biofeedback) techniques

c Respondent used Neurofeedback (EEG biofeedback) technology to diagnose and treat the following medical conditions

- (i) Anxiety,
- (ii) Depression,
- (iii) Attention Deficit Disorder,
- (iv) Learning and Behavior disorders.
- (v) Sleep disorders,
- (vi) Headaches and migraines,
- (vii) Anger/Rage,
- (viii) Addiction,
- (ix) Pre-Menstrual Syndrome,
- (x) Post-traumatic Stress Disorder,
- (xi) Seizures,
- (xii) Autism,
- (xiii) Cerebral Palsy, and
- (xiv) any other emotional disturbances

8 Respondent admits that Respondent's conduct described above is unlawful conduct as defined in Utah Code Ann § 58-1-501(1), and that said conduct provides a basis for the Division to issue an Order restraining Respondent from engaging in the unlicensed practice of mental health therapy pursuant to Utah Code Ann § 58-1-401(4)

9 Respondent agrees the Division may issue and that Respondent will comply with an Order requiring Respondent to cease and desist from engaging in the practice of mental health therapy as defined in Utah Code Ann § 58-60-101 through § 58-60-511, and to cease and desist

form engaging in the practice of psychology as defined in Utah Code Ann § 58-61-101 through § 58-60-602, until Respondent is properly licensed to do so

10 This Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this non-criminal administrative matter Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and the Respondent waive any claim of bias or prejudgment Respondent might have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification

12 This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order There are no verbal agreements that modify, interpret, construe or affect this Stipulation

13 The terms and conditions of this Stipulation and Order become effective immediately upon the approval of this Stipulation and signing of the Order by the Division Director Respondent must comply with all the terms and conditions of this Stipulation immediately following the Division Director's signing of the Order page of this Stipulation and Order Respondent shall complete all the terms and conditions contained in the Stipulation and Order in a timely manner If a time period for completion of a term or condition is not specifically set forth in the Stipulation and Order, Respondent agrees that the time period for completion of that term or condition shall be set by the Board Failure to complete a term or condition in a timely manner shall constitute a violation of the Stipulation and Order and may

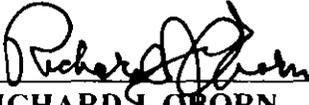
subject Respondent to sanctions Respondent understands that failure to comply with this Order may subject Respondent to a civil penalty of up to \$2,000 (two-thousand dollars) for each day the order is violated pursuant to Utah Code Ann § 58-1-503(1)

14 If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law

15 Respondent has read each and every paragraph contained in this Stipulation and Order Respondent understands each and every paragraph contained in this Stipulation and Order Respondent has no questions about any paragraph or provision contained in this Stipulation and Order

DIVISION OF OCCUPATIONAL &
PROFESSIONAL LICENSING

RESPONDENT

BY 
RICHARD J. OBORN
Bureau Manager

BY 
PATRICIA JO STEPHENS

DATE 11/20/11

DATE 11-02-11

MARK L SHURTLEFF
ATTORNEY GENERAL

BY 
L. MITCHELL JONES
Counsel for the Division

DATE 4 November 2011

ORDER

THE ABOVE STIPULATION, in the matter of **PATRICIA JO STEPHENS**, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 28th day of November 2011



DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING

W. Russ Walker, Acting Director
for **MARK B. STEINAGEL**
Director

Investigator Lynn Hooper