

STIPULATED AGREEMENT

THIS AGREEMENT, made and entered into as of this 14th day of November, 1991, between the KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD, hereinafter called BOARD, and DEAN FRITZLER, Ph.D., hereinafter called LICENSEE, is as follows:

WHEREAS, the LICENSEE has voluntarily informed the BOARD of certain alleged unprofessional conduct of the LICENSEE in his practice of psychology in the State of Nebraska; and

WHEREAS, the LICENSEE has informed the BOARD of the voluntary surrender on 7 August 1991 of his License to practice psychology in Nebraska; and

WHEREAS, LICENSEE has voluntarily suspended his practice, in both Kansas and Nebraska, and has by telephone patient contact referred his patients to other competent psychologists, effective 17 July 1991; and

WHEREAS, the BOARD has conducted an informal investigatory inquiry concerning the alleged unprofessional conduct by LICENSEE which might constitute a violation of KSA 74-5324(d), (e) and (g), as defined by K.A.R. 1990 Supp. 102-1-10(b)(2), (9), (10), (17), (19), and (28), and which might result in the revocation or suspension of the license of LICENSEE; and

WHEREAS, a Complaint has been received by the Board alleging LICENSEE has violated statutes, rules and regulations governing the practice of psychology in Kansas; and

WHEREAS, as a result of such informal investigatory inquiry, the BOARD has found probable cause to believe conduct by the LICENSEE has occurred which might result in the revocation or suspension of LICENSEE'S license to practice psychology; and

WHEREAS, LICENSEE agrees to and does hereby stipulate to violations of K.S.A. 74-5324(d) (unprofessional conduct) as defined by K.A.R. 1990 Supp. 102-1-10(b)(2) (incompetent practice) and (10) (sexual misconduct); and

WHEREAS, the BOARD agrees not to proceed in any manner on other possible violations of Statutes or Rules and Regulations, so long as LICENSEE complies with the terms of this Agreement; and

WHEREAS, the parties mutually desire to enter into this Stipulated Agreement in lieu of the filing of a Petition, adjudicative proceedings thereon, and possible revocation, suspension or limitation of the psychology license of LICENSEE;

NOW, THEREFORE, IN CONSIDERATION OF THE FOLLOWING ADMISSIONS, COVENANTS AND PROMISES, THE PARTIES AGREE:

ONE. LICENSEE shall, for the term of this Agreement, restrict his practice of psychology to the type of patient recommended by LICENSEE'S supervisor and by the psychotherapist of LICENSEE and as approved by the BOARD.

TWO. LICENSEE shall, for term of this Agreement, or until otherwise authorized by this BOARD, or as recommended by LICENSEE'S supervisor provided for hereinafter, refrain from the practice of psychology in the State of Nebraska, and shall not reapply for relicensure until the successful termination of this Agreement.

THREE. LICENSEE shall continue in psychotherapy, voluntarily begun by LICENSEE with Kathleen Sinnett, Ph.D., Manhattan, Kansas, on 14 July 1991. Such process shall continue on a weekly basis (or on other frequency as recommended by the

therapist) until the termination of this Agreement, or until otherwise authorized by the BOARD. The therapist shall submit to the Board written progress report on a quarterly basis.

FOUR. LICENSEE shall obtain from Prairie View Psychiatric Hospital, Newton, Kansas, a Psychiatric and/or Psychological Evaluation, as requested by Dr. Sinnett, in order to assist Dr. Sinnett in the rehabilitative process of LICENSEE. Verification of such evaluation shall be provided to the BOARD by either Dr. Sinnett or by Prairie View.

FIVE. LICENSEE shall be supervised in his practice of psychology, for a period of two years from the date of this Agreement, which supervision shall focus on (1) the ethics of the practice of psychology, and (2) clinical psychological skills, especially as applied to female patients, and to the understanding of dual relationships. Such supervision shall be governed as follows:

A. LICENSEE submits to the BOARD, as proposed supervisors, the names of the following three licensed psychologists engaged in the practice of clinical psychology, and who are not in a subordinate or familial relationship with LICENSEE: Stephen A. Applebaum, Ph.D., Shawnee Mission, Kansas; E. Robert Sinnett, Ph.D., Manhattan, Kansas; and Clyde K. Rousey, Ph.D., Topeka, Kansas.

B. LICENSEE shall meet with his supervisor for a minimum of one hour of face-to-face supervision consultation for every twenty hours of patient contact, and shall otherwise cooperate in all respects with his supervisor, in order to enable the supervisor to fully and completely discharge his supervisory duties in a responsible and professional manner.

C. The supervisor shall file with the BOARD written quarterly reports concerning the supervisory process of LICENSEE and his practice of psychology. Such reports shall be filed with the BOARD prior to the BOARD'S meetings. The Executive Director of the board shall notify the supervisor of the due date of the reports.

SIX. If during the two-year supervisory period, the LICENSEE is found guilty in a legal proceeding of further misconduct which could subject LICENSEE to suspension or revocation of his license, this Agreement shall be null and void, and LICENSEE shall on such a finding immediately and voluntarily offer to the Board the surrender of his Kansas license, waiving all rights to an administrative hearing before this BOARD.

SEVEN. If the LICENSEE fails, without just cause or explanation, to comply with the provisions of this Agreement, the BOARD may terminate the Agreement, and proceed with the filing of a formal Petition and an administrative hearing.

EIGHT. The LICENSEE shall notify the BOARD of any change of address of LICENSEE.

NINE. The supervisor and/or therapist of LICENSEE may be changed only upon prior authorization by the BOARD.

TEN. LICENSEE shall be responsible for all costs of the supervision, therapy and counselling.

ELEVEN. This Stipulated Agreement constitutes the entire agreement between the parties, and may be modified, changed or amended only by written agreement executed by the parties.

IN WITNESS WHEREOF the parties have executed this Stipulated Agreement as of the date first above written.

Dean E. Fritzler Ph.D.
Dean Fritzler, Ph.D.

LICENSEE

KANSAS BEHAVIORAL
SCIENCES REGULATORY BOARD

By Mary Ann Gabel
Mary Ann Gabel,
Executive Director

BOARD