

BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD
712 Kansas Avenue
Topeka, Kansas 66603-3817

In The Matter)
)
 of) Case No. 661
)
 Frederick D. Grossman,)
 Licensed Masters Level Psychologist)
 _____)

CONSENT AGREEMENT AND ORDER

Now on this 14 day of SEP, 1998, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Frederick D. Grossman, (Licensee) and the Kansas Behavioral Sciences Regulatory Board for the purpose of settling the above-captioned case.

Licensee hereby acknowledges the following:

1. Frederick D. Grossman is a licensed masters level psychologist within the meaning of the Kansas masters psychologists act, K.S.A. 74-5361 *et seq.*, and amendments thereto, and was formerly registered as a masters level psychologist.

2. On or about January 23, 1996, the Board received a report of information concerning Licensee's conduct alleging Licensee may have violated statutes and regulations governing the practice of masters level psychology.

3. Licensee was informed that other possible violations might be found during the course of the Board's investigation of the reported information..

4. The Board conducted an investigation concerning Licensee's alleged violation of statutes and regulations.

5. During the investigation, Licensee was informed of the reported information, and was given the opportunity to respond to the allegations, and did respond to the allegations.

6. As a result of the investigation, the Board makes the following factual determinations:

In January 1996 Licensee entered a guilty plea for one count of mail fraud in U.S. District

Court for the District of Kansas, Case No. 96-2004-01-KHV in relation to defrauding patients' insurance companies of about \$20,000 through claims for services not rendered.

7. As a result of the investigation, the Board's Investigative Consultant determined that reasonable grounds exist to believe that Licensee violated K.S.A. 74-5369(b), has been found guilty of fraud in connection with the rendering of professional services, and K.S.A. 74-5369(d), has been guilty of unprofessional conduct as defined by K.A.R. 102-4-5(b)(4) [in effect from May 30, 1995 through December 15, 1997], being convicted of a crime resulting from or relating to the registrant's professional practice of psychology, and by K.A.R. 102-4-5(b)(6) [in effect from May 30, 1995 through December 15, 1997], taking credit for work not personally performed.

HOWEVER, Licensee and the Board mutually desire to enter into the Consent Agreement and Order in lieu of adjudicative proceedings to resolve the report of alleged violations.

WHEREFORE Licensee waives all rights to an adjudication of facts and law which could be determined pursuant to a hearing conducted in accordance with the Kansas administrative procedure act in relation to Case No. 661.

WHEREFORE Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas act for judicial review in relation to Case No. 661.

WHEREFORE Licensee consents to continued licensure as a masters level psychologist on the following conditions for a period of three (3) years from the date indicated in the below Certificate of Service:

(1) At Licensee's expense, Licensee shall undergo a financial audit/evaluation biannually to assess Licensee's billing practices. The audit/evaluation shall be conducted by the certified public accountant (CPA) approved by the Missouri Committee of Psychologists in connection with the Disciplinary Order entered in Case No. 98-000735PS, State Committee of Psychologists v. Frederick D. Grossman. Licensee shall inform the Board, in writing, of the name of the CPA and the start date of the audit/evaluation.

(2) It shall be Licensee's responsibility to ensure that a written audit/evaluation is submitted by the evaluating CPA to the Board within sixty (60) days from initiation of the first audit/evaluation and within sixty (60) days from the initiation of each subsequent audit/evaluation.

(3) Licensee shall release the CPA to discuss the purpose and methods of the audit/evaluation

with a representative of the Missouri State Committee of Psychologists prior to performing the audit/evaluation. The audit/evaluation shall be pursuant to consultation with the Missouri State Committee of Psychologists. Licensee shall pay any costs associated with the audit/evaluation; however, the CPA will work on behalf of the Board and the Missouri Committee of Psychologists.

(4) Licensee shall abide by any recommendations of the evaluating CPA set forth in the written report of the audit/evaluation.

(5) In the event the approved CPA becomes unable or decides not to continue serving in his or her capacity as set forth herein, Licensee shall secure another CPA in accordance with the terms and conditions set forth in the Missouri Disciplinary Order.

(6) Upon request, Licensee shall give the Board or its designee permission to review Licensee's billing records.

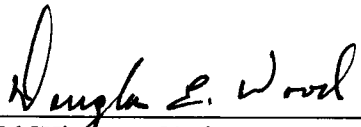
(7) The Board shall provide a copy of this Consent Agreement and Order to any other state licensing board which has licensed, registered or certified Licensee.

WHEREFORE Licensee consents to the submission of this Consent Agreement and Order to the Kansas Behavioral Sciences Regulatory Board, and understands that upon approval of the Board, this Consent Agreement and Order becomes a final order of the Board.

WHEREFORE the Board agrees that so long as Licensee complies with the above conditions that the Board will not initiate further disciplinary action against Licensee in relation to violation of K.S.A. 74-5369(b) and K.S.A. 74-5369(d) as defined by K.A.R. 102-4-5(b)(4) [in effect from May 30, 1995 through December 15, 1997] and by K.A.R. 102-4-5(b)(6) [in effect from May 30, 1995 through December 15, 1997].

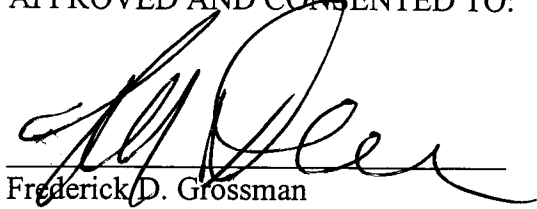
WHEREFORE the provisions above are consented to and are hereby made the final order of the Kansas Behavioral Sciences Regulatory Board which become effective on the date indicated in the below Certificate of Service.

IT IS SO ORDERED.




~~Ed Wiggers~~, Chairman
Behavioral Sciences Regulatory Board

APPROVED AND CONSENTED TO:


Frederick D. Grossman

7/27/98
(date)

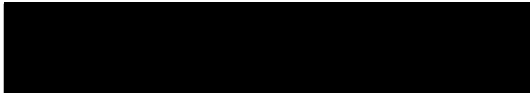

Lori J. Levine
Attorney for Frederick D. Grossman

7/29/98
(date)

Certificate of Service


This is to certify that on the 11th day of September, 1998 a true and correct copy of the above and foregoing CONSENT AGREEMENT and ORDER was deposited in the U.S. mail, first class postage prepaid, addressed to:

Frederick D. Grossman



and

Lori J. Levine
Attorney for Frederick D. Grossman
P.O. Box 29
Jefferson City, Missouri 65102


For the Behavioral Sciences Regulatory Board