

BEFORE THE IOWA BOARD OF PSYCHOLOGY

RE:
Psychologist License and Health Service
Provider Certificate of

CASE NOS. 22-0114, 22-0243, 22-0250, 22-
0328, 23-0022

ANGELA PERKINS
License No. 00995
Certificate No. 00486
Respondent

**SETTLEMENT AGREEMENT AND
FINAL ORDER**

Pursuant to Iowa Code sections 17A.12(5) and 272C.3(4), and 645 Iowa Administrative Code (IAC) chapter 12, the Iowa Board of Psychology (“Board”) and Angela Perkins (“Respondent”) enter into the following Settlement Agreement and Final Order (“Order”) to settle a contested case currently pending before the Board.

The allegations contained in the Statement of Charges against Respondent shall be resolved without proceeding to hearing, as the Board and Respondent stipulate as follows:

1. The Board filed a Notice of Hearing, Statement of Charges, and Emergency Adjudicative Order on February 3, 2023.

2. The Board has jurisdiction over Respondent and the subject matter of this proceeding.

3. The factual circumstances contained in the Notice of Hearing, Statement of Charges, and Emergency Adjudicative Order are hereby incorporated into this Order. Respondent acknowledges that the allegations contained in the factual circumstances in the Notice of Hearing, Statement of Charges, and Emergency Adjudicative Order, if proven in a contested case proceeding, would constitute grounds for the discipline agreed to in this Order. Respondent further acknowledges that any confidential factual circumstances contained in the Notice of Hearing, Statement of Charges, and Emergency Adjudicative Order, by virtue of their incorporation into this Order, are now public and are available for inspection and copying in accordance with Iowa Code chapters 22 and 272C.

4. Execution of this Order constitutes the resolution of a contested case. Respondent has a right to a hearing before the Board on the charges, but Respondent waives the right to a hearing and all attendant rights, including the right to appeal or seek judicial review of the Board’s actions, by freely and voluntarily entering into this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following a contested case hearing.

5. Respondent acknowledges that she has the right to be represented by counsel on this matter.

6. Respondent agrees that the State’s counsel may present this Order to the Board and may have *ex parte* communications with the Board while presenting it.

7. This Order is subject to approval by a majority of the full Board. If the Board does not approve this Order, it shall be of no force or effect to either party, and shall not be admissible for any purpose in further proceedings in this matter. If the Board approves this Order, it shall be the full and final resolution of this matter.

8. This Order is disciplinary action and shall be reported as discipline.

9. This Order shall be part of Respondent’s permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

10. Respondent understands the Board is required by federal law to report any adverse action to the National Practitioner Data Bank.

11. This Order, when fully executed, is a public record and is available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

IT IS THEREFORE ORDERED:

13. Respondent's license and certificate are **TEMPORARILY RESTRICTED** as follows: Respondent may only utilize her psychologist license and health service provider certificate to complete and send out neuropsychological evaluation reports for clients who have already completed testing. Respondent may not initiate any new evaluations or provide any clinical services while this restriction is in place. Respondent may request to have this restriction lifted after completion of all of the following:

- a. Submission of the requested report identifying all evaluations completed since January 1, 2021, and demonstrating that the ensuing report was completed and sent, including the date of completion and the date sent. The Board must be able to independently verify that the reports were provided for the five complaints identified in this Order.
- b. Completion of a comprehensive fitness for duty examination, including physical and psychological evaluations. The psychological evaluation must be completed with a Board-approved provider who is experienced in providing psychological evaluations and who can objectively evaluate Respondent. The Board shall be notified of the scheduled psychological evaluation at least ten (10) days in advance so that the pertinent complaint information can be transmitted from the Board to the evaluator. Respondent shall ensure the psychological evaluation report is sent directly from the evaluator to the Board. The physical evaluation may be performed by an Iowa licensed provider and does not require Board pre-approval; Respondent shall provide the evaluator a copy of this Order and the Notice of Hearing, Statement of Charges, and Emergency Order. The evaluation reports must address Respondent's ability to safely and competently practice as a psychologist and must include any recommendations for ongoing treatment or care, and any recommendations for practice restrictions.
- c. Submission of proposed practice plan for Board approval. The practice plan must include, but not be limited to, the following: (1) a description of Respondent's proposed practice, including services to be provided, populations served, and use of telehealth, (2) the name and credentials of a proposed psychologist supervisor, (3) at least one hour of individual supervision each week, (4) a work schedule plan that allows time for report writing as part of the work week, (5) a requirement that reports be completed by the time of the feedback session, (6) a requirement that reports be completed within two weeks of completed testing or receipt of records, and (7) a limitation of five open evaluation reports at any given time.
- d. Respondent must appear before the Board in conjunction with her request to have the restriction lifted.

14. After the Board has determined that Respondent has satisfactorily completed all of the requirements set forth in paragraph 13, and has determined that Respondent is fit to return to practice, the restriction shall be lifted and Respondent's license and certificate shall be placed on **PROBATION** for a period of three (3) years, subject to the following terms and conditions:

- a. Respondent shall comply with all recommendations for ongoing treatment or care and any conditions or restrictions to ensure safe practice identified in the evaluations, as applicable.
- b. Respondent shall complete three (3) years of supervised practice before being released from probation. Respondent must practice in accordance with the Board-approved practice plan. Respondent may request changes to the Board-approved practice plan by making such a request in a quarterly report with the recommendation and support of her supervisor. Respondent must receive written Board approval prior to making any changes to her practice plan.
- c. Respondent understands and agrees that the Board may impose other terms and conditions after reviewing the information provided in paragraph 13.
- d. Respondent shall appear before the Board upon request for the purpose of reviewing her performance during the probationary period. Respondent shall be given reasonable notice of the date, time, and place for such

appearances.

- e. Respondent is responsible for all costs incurred to comply with these terms and conditions.
- f. Respondent shall obey all federal and state statutes and regulations governing the practice of psychology.
- g. Respondent shall provide written notification to the Board of any change of home address, telephone number, or place of employment within ten (10) days of such a change.
- h. Respondent and Respondent's supervisor shall each submit quarterly reports to the Board. Each year, the Quarter 1 (January-March) report is due no later than April 5th; the Quarter 2 (April-June) report is due no later than July 5th; the Quarter 3 (July-September) report is due no later than October 5th; and the Quarter 4 (October-December) report is due no later than January 5th.
- i. The notifications and reports required to be submitted to the Board pursuant to this paragraph should be mailed to the Iowa Board of Psychology, Attn: Tony Alden, 400 SW Riverpoint, Des Moines, IA 50309, or emailed to tony.alden@dia.iowa.gov
- j. Only time periods in which Respondent is practicing psychology in compliance with the terms and conditions of probation will count towards completion of the probationary period. If Respondent is not practicing psychology, or is not in compliance with the terms and conditions of probation, the probationary term will be extended until she successfully completes three (3) years of supervised practice.

15. Should Respondent violate the terms of this Order, the Board may initiate action to impose other licensee discipline as authorized by Iowa Code chapters 147, 154B, and 272C and 645 IAC chapters 13 and 242.

8/10/2023

Date

Angela Perkins, PsyD

ANGELA PERKINS
Respondent

This Settlement Agreement and Final Order is approved by the Iowa Board of Psychology on November 3, 2023.

Tony Alden

Tony Alden, Board Executive
Iowa Board of Psychology

Copy to:

Christine Conover
Simmons Perrine Moyer Bergman PLC
115 3rd Street SE, Suite 1200
Cedar Rapids, IA 52401
ATTORNEY FOR RESPONDENT

BEFORE THE IOWA BOARD OF PSYCHOLOGY

RE: Psychologist License and Health Service Provider Certificate of ANGELA PERKINS License No. 00995 Certificate No. 00486 Respondent	CASE NOS. 22-0114, 22-0243, 22-0250, 22-0328, 23-0022 NOTICE OF HEARING, STATEMENT OF CHARGES, AND EMERGENCY ADJUDICATIVE ORDER
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COMES NOW the Iowa Board of Psychology (“Board”) and files this Notice of Hearing, Statement of Charges, and Emergency Adjudicative Order against Angela Perkins (“Respondent”), Cedar Rapids, pursuant to Iowa Code sections 17A.12(2), 17A.18(3), 17A.18A, and 272C.3(1)(e), and 645 Iowa Administrative Code (IAC) 11.6 and 11.28.

A. TIME, PLACE, AND NATURE OF HEARING

1. Hearing. A contested case hearing shall be held on March 31, 2023, before the Board. The hearing shall begin at 9:00 a.m. and shall be located in the 5th Floor Conference Room #526 at the Lucas State Office Building, 321 E. 12th Street, Des Moines, Iowa 50319.

2. Answer. Within twenty (20) days of the date you are served this Notice of Hearing, Statement of Charges, and Emergency Adjudicative Order you may file an Answer pursuant to 645 IAC 11.12. The Answer should specifically admit, deny, or otherwise answer all allegations contained in sections C and D of this Notice of Hearing, Statement of Charges, and Emergency Adjudicative Order.

3. Filing of Pleadings. Pleadings shall be filed with the Board at the following address: Iowa Board of Psychology, Lucas State Office Building, 5th Floor, 321 E. 12th St., Des Moines, Iowa 50319, by email to plpublic@idph.iowa.gov, or electronically using the Administrative Electronic Document Management System (adminhearings.iowa.gov/efile/).

4. Presiding Officer. The Board shall serve as presiding officer at the contested case hearing, but the Board hereby delegates to an Administrative Law Judge from the Department of Inspections and Appeals the authority to make initial rulings on prehearing matters, and requests the administrative law judge be present to assist and advise the Board at the contested case hearing.

5. Pre-hearing Conference. Any party may request a prehearing conference in accordance with 645 IAC 11.17 to discuss issues related to the hearing.

6. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 645 IAC chapter 11. At the hearing, you may appear personally or be represented by counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the

hearing, and examine and respond to any documents introduced at the hearing. If you need to request an alternative time or date for the hearing, you must comply with the requirements in 645 IAC 11.18. The hearing may be open to the public or closed to the public at your discretion.

7. Prosecution. The Office of Attorney General is responsible for representing the public interest (the State) in this proceeding. Copies of pleadings should be provided to counsel for the State at the following address: Laura Steffensmeier, Iowa Attorney General's Office, Hoover State Office Building—2nd Floor, 1305 E. Walnut St., Des Moines, Iowa 50319. Ms. Steffensmeier can also be reached by phone at (515) 281-6690 or by e-mail at laura.steffensmeier@ag.iowa.gov.

8. Communications. You may not contact individual Board members in any manner, including by phone, letter, or e-mail, regarding this Notice of Hearing, Statement of Charges, and Emergency Adjudicative Order. Board members may only receive information about the case when all parties have notice and the opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case.

B. LEGAL AUTHORITY AND JURISDICTION

9. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 147, 154B, and 272C.

10. Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 147, 154B, and 272C, and 645 IAC chapters 13 and 242.

11. Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 645 IAC 11.21.

C. CHARGES

COUNT I

12. Respondent is charged under 645 IAC 242.2(13) with violation of a regulation, rule, or law of this state, another state, or the United States, which relates to the practice of psychology, specifically 645 IAC 243.8.

COUNT II

13. Respondent is charged under 645 IAC 242.2(4) with knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of psychology or engaging in unethical conduct or practice harmful or detrimental to the public.

D. FACTUAL CIRCUMSTANCES

14. Respondent holds Iowa psychologist license number 00995 and Iowa health service provider certificate number 00486, which are both currently active through June 30, 2024.

15. The Board has received the following five complaints alleging that Respondent has failed to provide neuropsychological evaluation reports:

- a. Complaint 22-0114: Client completed testing in spring of 2021, and to date, the Board has not received evidence that the report has been provided to the referring provider.
- b. Complaint 22-0243: Client completed testing in January of 2022, and to date, the Board has not received evidence that the report has been provided to the client's parents.
- c. Complaint 22-0250: Client completed testing in November of 2021, and to date, the Board has not received evidence that the report has been provided to the client or the client's providers.
- d. Complaint 22-0328: Client completed testing in March of 2022, and to date, the Board has not received evidence that the report has been provided to the referring provider.
- e. Complaint 23-0022: Client completed testing in October of 2021, and to date, the Board has not received evidence that the report has been provided to the referring provider.

16. Pursuant to 645 IAC 243.8, which became effective on October 13, 2021, all clinical records shall be completed within 30 days after the service or evaluation is complete in the absence of significant extenuating circumstances.

17. Respondent provided a response to the first complaint and acknowledged that she became unable to properly manage her practice and voluntarily halted performing neuropsychological evaluations in March of 2022.

18. Respondent failed to submit timely responses to the Board regarding subsequent complaints.

19. The Board asked Respondent to provide a list of all evaluations performed since January 21, 2021, including the date(s) the client was seen, the date the assessment was completed, and the date the assessment was sent out. To date, the Board has not received this requested information from Respondent.

E. EMERGENCY ADJUDICATIVE ORDER

FINDINGS OF FACT

20. The Board finds sufficient evidence to support each factual circumstance identified in Section D, above.

CONCLUSIONS OF LAW

21. Based on these findings of fact, the Board concludes Respondent has violated the laws cited in Counts I and II, identified in Section C, above.

POLICY REASONS

22. Respondent's license and certificate are currently unrestricted, which poses an immediate danger to the public health, safety or welfare.

23. Respondent's repeated failure to provide, or timely provide, neuropsychological evaluation reports has caused harm to multiple clients.

24. The length of time that has elapsed from the completion of testing in all of the complaints far exceeds the 30 day window for report completion required by Board rule.

25. Respondent's lack of response to the Board regarding the audit of her assessments is not acceptable.

ORDER

26. Respondent's license and certificate are **RESTRICTED** as follows:

- a. Effective immediately, Respondent may not initiate any new evaluations.
- b. Effective February 18, 2023, Respondent may only utilize her psychologist license and health service provider certificate to complete and send out neuropsychological evaluation reports for clients who have already completed testing. Respondent may not initiate any new evaluations or provide any clinical services while this restriction is in place. Respondent shall utilize the time period between the date of this Order and February 18, 2023, to refer any current clients who are receiving clinical services or who have not completed testing to another qualified provider.

27. This restriction shall remain in place until further order of the Board. To have this restriction lifted, Respondent must submit the requested report identifying all evaluations completed since January 1, 2021, and demonstrating that the ensuing report was completed and sent, including the date of completion and the date sent. This restriction will not be lifted until (1) a satisfactory report is received by the Board and (2) the Board can independently verify that the reports were provided for the five complaints identified in this Order.

28. The hearing regarding this Emergency Order, which will be held in conjunction with the disciplinary hearing for the underlying charges, is scheduled to take place as set forth in Section A, above.

F. SETTLEMENT

29. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 645 IAC 12.1. If you are interested in pursuing settlement in this matter, please contact Assistant Attorney General Laura Steffensmeier at (515) 281-6690.

G. FINDING OF PROBABLE CAUSE

30. On February 3, 2023, the Iowa Board of Psychology found probable cause to file this Notice of Hearing, Statement of Charges, and Emergency Adjudicative Order.

A handwritten signature in black ink that reads "Tony Alden". The signature is written in a cursive style with a horizontal line underneath it.

Tony Alden, Board Executive
Iowa Board of Psychology

PLEASE NOTE: If you require the assistance of auxiliary aids or services to participate in this matter because of a disability, immediately call 515-281-0233. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942).

BEFORE THE PSYCHOLOGY BOARD OF THE STATE OF IOWA

IN THE MATTER OF ANGELA PERKINS License No. 00995 Certificate No. 00486 RESPONDENT	CASE NOS.: 22-0114, 22-0243, 22-0250. 22-0328, 23-0022 ORDER LIFTING TEMPORARY LICENSE RESTRICTION
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COMES NOW the Iowa Board of Psychology (“Board”) and upon review of Angela Perkins’ (“Respondent”) Application to Lift the Temporary License Restriction (“Application”) the Board finds that the Respondent’s Application is **GRANTED** subject to the following modified terms and conditions.

PROCEDURAL BACKGROUND

On March 9, 2023, the Board filed a Notice of Hearing and Statement of Charges against Respondent. On January 25, 2024, the Board and Respondent mutually agreed to a Settlement Agreement and Final Order (“Settlement Agreement”) in this matter. The terms of the Settlement Agreement indicated the Respondent’s license was temporarily restricted until she completed the following: (a) a report identifying all evaluations completed since January 1, 2021 and demonstrating that they had been completed and sent; (b) a comprehensive fitness for duty examination, including physical and psychological evaluations; (c) a proposed practice plan for Board approval; and (d) appear before the Board. On June 14, 2024, Respondent appeared before the Board with her attorney Christine Conover of Simmons, Perrine, Moyer, Bergman, PLC. Respondent submitted comprehensive physical and psychological evaluations; a proposed practice plan; and a report of all completed evaluations in support of her Application.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Physical and mental fitness are required of Iowa's psychologists. Resultantly, the Board has the authority to order the physical and or mental fitness evaluation of any of its licensees. *See* Iowa Code § 272C.9(1) (Iowa 2024). Professional "burn-out" and concomitant problems are pervasive across Iowa's mental health professions. Acknowledging these challenges, the Board recognizes the efforts made by Respondent in order for her to return to the profession in a healthful way.

Upon review of the materials submitted by the Respondent and her appearance before the Board, the Iowa Board of Psychology is requiring a tiered approach for Respondent's re-entry into the profession. Based upon the evaluations submitted, the Board hereby Orders Respondent shall return to the profession, pursuant to her previously submitted practice plan, temporarily under the supervision of a licensed psychologist. Additionally, Respondent shall begin seeing patients on a part-time basis with a maximum workload of twenty (20) hours a week. After a ninety-day period, Respondent shall submit (a) a report to the Iowa Board of Behavioral Health Professionals¹ documenting full completion of all patient evaluations for this interim time period; (b) updates from her medical providers; and (c) a report from her temporary supervising psychologist. Should Respondent's supervising psychologist believe it is appropriate; Respondent may increase her workload as outlined below.

FINAL ORDER

IT IS THEREFORE ORDERED,

A) Respondent shall return to the profession on a limited, part-time basis under the

¹ Effective July 1, 2024, the licensing boards representing Iowa's mental health professions were combined into a single board.

supervision of a licensed psychologist as outlined in her practice plan;

B) Respondent shall maintain a workload of a maximum of twenty hours a week, including both patient care and the required reporting and documentation;

C) After a ninety-day period, Respondent shall provide the Board with the following:

- i.** A report to the Iowa Board of Behavioral Health Professionals documenting full completion of all patient evaluations for this interim time period;
- ii.** Updates from her medical providers; and
- iii.** A report from her supervising psychologist.

D) After those submissions have been made, and upon approval of her supervising psychologist, Respondent may increase her working hours as follows:

- i.** After ninety (90) days from today's date, Respondent can increase her working hours to thirty (30) hours a week; and
- ii.** After one hundred and twenty (120) days from today's date, Respondent can increase her working hours to forty (40) hours a week.

E) Upon return to full time practice, Respondent shall abide by the terms of probation as set forth in the Settlement Agreement of January 25, 2024.

Dated this 24th day of September, 2024.

/s/ Aaron Culley
Aaron Culley, L.I.S.W.
Vice Chair, Iowa Board of Health Professions