

IN THE MATTER OF	*	BEFORE THE MARYLAND
HARRY OLSON, Ph. D.	*	BOARD OF PSYCHOLOGISTS
LICENSE NO.: 675	*	

\* \* \* \* \*

FINAL CONSENT ORDER

Based on the information received and a subsequent investigation by the State Board of Examiners of Psychologists (the "Board"), and subject to Health Occupations Article, §18-315, Annotated Code of Maryland, (the "Act"), the Board charged Harry Olson, Ph.D, (the "Respondent") with violation of §18-313 of the Act:

The Board charged the Respondent with violations of the following specific provisions:

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 §18-311 of this subtitle;

The Code of Maryland Regulations (COMAR) 10.36.01.01.09, Code of Ethics adopted by the Board states:

a. Psychologists are continually cognizant of their own needs and of their potentially influential position vis-a-vis persons such as clients, students, and subordinates. They avoid exploiting the trust and dependency of such persons. Psychologists make every effort to avoid dual relationships that could impair their professional judgement or increase the risk of exploitation. Examples of such dual relationship include, but are not limited to, research with and treatment of employees, students, supervisors, close friends or relatives; sexual intimacies with clients are unethical.

The Respondent was given notice of the charges and the issues underlying those charges by letter and charging documents sent to Respondent on October 26, 1992. A prehearing conference on those

charges was held on December 18, 1992 and was attended by Sherod Williams, Ph.D., President of the Board, Roslyn Blankman, Executive Director of the Board and Susan Steinberg, Assistant Attorney General, Counsel to the Board. Also in attendance were the Respondent and his attorney, Edward A. Eshmont, Esquire, and the Administrative Prosecutor, Roberta L. Gill, Assistant Attorney General.

Following the prehearing conference, the parties and the Board agreed to resolve the administrative charges by way of settlement.

#### FINDINGS OF FACT

1. At all times relevant hereto, the Respondent was licensed to practice psychology in Maryland. Respondent is self-employed.

2. From on or about August 17, 1987 through on or about December 13, 1988, Respondent provided individual psychotherapy to Patient A.<sup>1</sup>

3. While Patient A was obtaining individual psychotherapy from Respondent, Respondent employed Patient A to sell advertising space on telephone book directory covers, promising to split the profits with Patient A. Respondent also employed Patient A to do marketing research and deducted a portion of his fee from Patient A's bill for psychotherapy in exchange for Patient A's services. In addition, Respondent hired Patient A to clean his office deducting a portion of his fee from Patient A's bill for psychotherapy in exchange for Patient A's services.

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<sup>1</sup>Patients' names are confidential but may be disclosed to the Respondent by contacting the Administrative Prosecutor.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Facts, the Board concluded as a matter of law that Respondent violated §18-311(7) and COMAR 10.36.01.01.096a by entering into dual relationships with Patient A.

ORDER

Based on the foregoing Findings of Fact, Conclusions of Law and agreement of the parties, it is this 16<sup>th</sup> day of July, 1993, by a majority of a quorum of the Board,

ORDERED, that Respondent be placed on PROBATION for a period of 5 years, effective with the date of this Order, subject to the following conditions:

1. That Respondent's patient care be reviewed by a peer:
  - a. The Board will submit the names of at least three psychologists to Respondent from which a mutually agreeable Peer Reviewer will be selected.
  - b. The Board will meet with said Peer Reviewer to provide him/her with guidelines for the monitoring process.
  - c. The Peer Reviewer must agree in writing to mentor the Respondent by reviewing on a monthly basis all cases handled by the Respondent.
  - d. The Respondent shall pay the Peer Reviewer, directly after each case review session, a fee to be set by the Board.
  - e. The Peer Reviewer shall submit a report to the Board on a monthly basis.

f. After two years, the Respondent may petition the Board for removal of the peer review requirement.

g. Respondent shall provide the peer reviewer with this Order.

2. Respondent shall immediately provide a copy of this Order to any clinic or provider for whom he provides psychological services, including Taylor Mental Health, and shall within 10 days of the effective date of this Order arrange for such clinic or provider to acknowledge in writing to the Board that the clinic or provider has received a copy of it and agrees to allow the Respondent to submit the files of his patients to the Peer Reviewer on a monthly basis; and be it further

ORDERED that in the event that the Board receives an unsatisfactory report about the Respondent from the Peer Reviewer which it believes in good faith to be accurate with regard to Respondent's failure to comply with the proper standards of care or ethics of practice, or in that event that the Board finds for any reason in good faith that Respondent has violated any provision of Title 18 of the Health Occupations Article, Maryland Annotated Code or the regulations thereunder, or if Respondent violates any of the foregoing conditions of Probation, the Board, after notification to the Respondent, may take immediate action or impose any lawful disciplinary sanctions it deems appropriate, including but not limited to, revocation or suspension of Respondent's license to practice psychology, after complying with any legal requirements

for a hearing in accordance with the Administrative Procedure Act, State Government Article, §10-201 et seq.; and be it further

ORDERED that the conditions of the Consent Order be, and the same is hereby, effective as of the date of this Order; and be it further

ORDERED that Respondent shall practice psychology in accordance with the Maryland Psychology Act, and in a competent manner; and be it further

ORDERED that five years from the effective date of this Order, the Board shall entertain a petition for termination of Respondent's probationary status and reinstatement of his license to practice psychology without any limitations or conditions. If the Board determines that the termination of probation and reinstatement would be inappropriate at the time, the Board may modify one or more conditions upon which Respondent was placed on probation. However, if Respondent fails to make any such petition, his probationary status shall continue indefinitely; and be it further

ORDERED that this is a Final Order and as such is a public document pursuant to §10-611 et seq. of the State Government Article, Annotated Code of Maryland.

7/16/93

Date

D. Sherod Milham, PhD Chair

President  
Board of Examiners of  
Psychologists

CONSENT OF HARRY OLSON, P.D.

I, Harry Olson, Ph.D., by affixing my signature hereto, acknowledge that:

1. I am represented by Edward A. Eshmont, Esquire, and I have had the opportunity to consult with counsel before signing this document;

2. I am aware that without my consent, my license to practice psychology in this State cannot be limited except pursuant to the provisions of §18-313 of the Act and §10-205 et seq of the Administrative Procedure Act, State Government Article, Annotated Code of Maryland;

3. I am aware that I am entitled to a formal evidentiary hearing before the Board.

By this Consent Order, I hereby consent and submit to the foregoing Findings of Fact, Conclusions of Law and Order provided the Board adopts the foregoing Final Consent Order in its entirety. By doing so, I waive my right to a formal hearing as set forth in §18-315 of the Act and §10-205 of the Administrative Procedure Act, State Government Article, Annotated Code of Maryland and any right to appeal as set forth in §18-316 of the Act and §10-215 of the Administrative Procedure Act. I acknowledge that by failure to abide by the conditions set forth in this Order and following proper procedures, I may suffer disciplinary action, possibly including revocation, against my license to practice psychology in the State of Maryland.

7. 8. 93

Date

  
Harry Olson, Ph.D.

STATE OF MARYLAND  
CITY/COUNTY OF: *Baltimore*

I HEREBY CERTIFY that on this 7<sup>th</sup> day of July, 1993, a Notary Public of the State and City/County aforesaid, personally appeared Harry Olson, License No. 272, and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed, and the statements made herein are true and correct.

AS WITNESSETH my hand and notarial seal.

*Sharon Krauss*  
Notary Public

My Commission Expires: July 1, 1997