BEFORE THE IDAHO STATE LICENSING BOARD OF PROFESSIONAL COUNSELORS AND MARRIAGE & FAMILY THERAPISTS

ORIGINAL

In the Matter of the License of:	)	
	)	Case Nos. COU-P4B-03-01-001
KATHERINE CRISTINE WOLFF,	)	COU-P3C-03-02-006
License No. LCPC-2699,	)	
	)	**STIPULATED REPRIMAND**
Respondent.	)	**AND FINAL ORDER**
	)	

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WHEREAS, information having been received by the Idaho State Licensing Board of Professional Counselors and Marriage & Family Therapists (hereinafter the "Board") which constitutes sufficient grounds for the initiation of an administrative action against Katherine Cristine Wolff (hereinafter "Respondent"); and

WHEREAS, the parties mutually agree to settle the matter pending administrative Board action in an expeditious manner; now, therefore,

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

A.

1. The Board may regulate the practice of professional counseling in the State of Idaho in accordance with title 54, chapter 34, Idaho Code.

2. Respondent Katherine Cristine Wolff is a licensee of the Idaho State Counselor Licensing Board and holds License No. LCPC-2699 to practice counseling in the State of Idaho. Respondent's license is subject to the provisions of title 54, chapter 34, Idaho Code.

3. From approximately October 17, 2000, to November 8, 2000, JT was a patient at Canyon View Hospital in Twin Falls, Idaho. During that time, Respondent, an employee of Canyon View Hospital, was assigned to work with JT.

4. The Board received information and alleges that on at least four separate occasions during JT's stay at Canyon View Hospital, Respondent engaged in sexual contacts with JT.

5. From approximately July to December 2001, Respondent was the counselor for SG and JL at Psychiatric Services in Twin Falls, Idaho. The mother of SG and JL is TB, who was also a client of Psychiatric Services but was receiving services from a different counselor.

6. Respondent and TB had a close personal relationship including, but not limited to, Respondent arranging for TB to live in a house in Twin Falls and Respondent having meals with and going on walks with TB, all outside the professional counselor/client relationship created by Respondent's providing services to TB's children.

7. The Board has received information and alleges that from approximately November 2001 to January 2002, Respondent engaged in sexual contacts with TB.

8. The above-stated allegations, if proven, would constitute a violation of the laws and rules governing the practice of professional counseling, specifically Idaho Code § 54-3407(5) and IDAPA 24.15.01.350, and American Counseling Association Code of Ethics A.5.a., A.6.a., A.7.a, C.5.a., C.5.b., C.5.e., and D.1.j. Violation of this law would further constitute grounds for disciplinary action against Respondent's license to practice professional counseling in the State of Idaho.

9. Respondent, in lieu of proceeding with a formal disciplinary action to adjudicate the allegations as set forth above, hereby agrees to the discipline against her license as set forth in Section C below. Respondent denies any sexual contact or attempted sexual contact with the complainants. Respondent does admit she engaged in a dual relationship with them.

B.

I, Katherine Christine Wolff, by affixing my signature hereto, acknowledge that:

1. I have read the allegations pending before the Board, as stated above in

section A. I further understand that these allegations constitute cause for disciplinary action upon my license to practice professional counseling in the State of Idaho.

2. I understand that I have the right to a full and complete hearing; the right to confront and cross-examine witnesses; the right to present evidence or to call witnesses, or to so testify myself; the right to reconsideration; the right to appeal; and all rights accorded by the Administrative Procedure Act of the State of Idaho and the laws and rules governing the practice of professional counseling in the State of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this stipulation as a resolution of the pending allegations.

3. I understand that in signing this Stipulated Reprimand and Final Order I am enabling the Board to impose disciplinary action upon my license without further process.

C.

Based upon the foregoing stipulation, it is agreed that the Board may issue a decision and order upon this stipulation whereby:

1. Respondent agrees to accept a formal reprimand by the Board.

2. License No. LCPC-2699 issued to Respondent Katherine Cristine Wolff is hereby suspended for a period of one (1) year. The suspension period shall be *stayed* provided Respondent complies with all terms of this stipulation. If Respondent is found to be in default of any of the terms of this Stipulaiton the stay will be lifted and the suspension imposed. Imposition of the suspension will cause the probationary period to be held in abeyance.

3. Respondent shall pay an administrative fine of One Thousand and No/100 Dollars ($1,000.00) to the Board. The payment of said fine shall be paid in full within forty-five (45) days of the Board adopting the terms of this Stipulation.

4. Within the one (1) year after the date of entry of the Board's order, Respondent shall satisfactorily complete of a minimum of fifteen (15) ~~semester hours~~ Contact Hours (or

the equivalent quarter hours) of ACA approved continuing education, or graduate-level coursework, covering the following subject matters:

a. Ethics and boundaries between the counselor and clients; and

b. Interpersonal relationships in counseling, transference, the dynamics between client and counselor, and issues of power and influence that the ~~social worker~~ Counselor inherently has over clients.

c. Respondent must receive prior approval by the Board as to both the institution and coursework for which she is seeking credit. After completion of the coursework, Respondent will provide certified transcripts to the Board. The fifteen (15) hours of continuing education shall be in addition to any continuing education hours required to maintain licensure.

5. Respondent's LCPC-2699 shall be placed on probation for a period of two (2) years. The conditions of probation are as follows:

a. Respondent shall comply with all state, federal and local laws, rules and regulations governing the practice of counseling in the State of Idaho.

b. Respondent shall inform the Board in writing of any change of place of practice or place of business within 15 days of such change.

c. Respondent will receive monthly counseling with Craig Beaver, Ph.D. for a minimum of six months or until released by Dr. Beaver. The Board will be notified by Dr. Beaver that said counseling has occurred with ten days of each session and will advise the Board when he believes Respondent has completed counseling.

d. In the event Respondent should leave Idaho for three (3) continuous months, or to reside or practice outside of the state, Respondent must provide written notification to the Board of the dates of departure, address of intended residence or place of business, and indicate whether Respondent intends to return. Periods of time spent outside Idaho will not apply to the reduction of this period or excuse compliance with the terms of this stipulation.

e. Respondent shall fully cooperate with the Board and its agents, and submit any documents or other information within a reasonable time after a request is made for such documents or information.

f. Respondent shall make all files, records, correspondence or other documents available immediately upon the demand of any member of the Board's staff or its agents.

6. At the conclusion of the two-year probationary period and provided Respondent has complied with the terms of this stipulation, Respondent may request from the Board termination of the probationary restrictions placed upon License No. LCPC-2699. Any request for termination of probation must be accompanied by written proof of compliance with the terms of this stipulation. The Board shall terminate the probationary restrictions provided Respondent has complied with all of the provisions of this stipulation.

7. All costs associated with compliance with the terms of this stipulation are the sole responsibility of Respondent.

8. The violation of any of the terms of this stipulation by Respondent will warrant further Board action and may result in the removal of the stay of suspension. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulated Reprimand and Final Order.

9. In the event any new charges are filed against Respondent during the probationary period this Stipulation may be in default and additional discipline, beyond the invoking of the suspension, taken by the Board.

D.

1. It is hereby agreed between the parties that this stipulation shall be presented to the Board with a recommendation for approval from the Deputy Attorney General responsible for prosecution before the Board at the next regularly scheduled meeting of the Board.

2. Respondent understands that the Board is free to accept, modify with Respondent's approval, or reject this stipulation, and if rejected by the Board, a formal complaint may be filed against Respondent. Respondent hereby agrees to waive any right Respondent may have to challenge the impartiality of the Board to hear the disciplinary complaint if, after review by the Board, this stipulation is rejected.

3. If the stipulation is not accepted by the Board, it shall be regarded as null and void. Any admissions by Respondent in the stipulation will not be regarded as evidence against Respondent at the subsequent disciplinary hearing.

4. This Stipulated Reprimand and Final Order shall not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.

5. Any failure on the part of Respondent to timely and completely comply with any term or condition herein shall be deemed a default.

6. Any default of this Stipulated Reprimand and Final Order shall be considered a violation of Idaho Code § 54-3407. If Respondent violates or fails to comply with this Stipulated Reprimand and Final Order, the Board may impose additional discipline pursuant to the following procedure:

a. The Chief of the Bureau of Occupational Licenses shall schedule a hearing before the Board. Within twenty-one (21) days after the notice of hearing and charges is served, Respondent shall submit a response to the allegations. If Respondent does not submit a timely response to the Board, the allegations will be deemed admitted.

b. At the hearing before the Board upon default, the Board and Respondent may submit affidavits made on personal knowledge and argument based upon the record in support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to such affidavits and this Stipulated Reprimand and Final Order. Respondent waives a hearing before the Board on the facts and substantive matters related to the violations described in Section A, and waives

discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, which may include conditions or limitations upon Respondent's practice or suspension or revocation of Respondent's license.

7. The Board shall have the right to make full disclosure of this Stipulated Reprimand and Final Order and the underlying facts relating hereto to any state, agency or individual requesting information subject to any applicable provisions of the Idaho Public Records Act, Idaho Code §§ 9-337-50.

8. This Stipulated Reprimand and Final Order contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

I have read the above stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I will be waiving certain rights accorded me under Idaho law. I understand that the Board may either approve this stipulation as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as proposed, the Board will issue an Order on this stipulation according to the aforementioned terms, and I hereby agree to the above stipulation for settlement. I understand that if the Board approves this stipulation subject to changes, and the changes are acceptable to me, the stipulation will take effect and an order modifying the terms of the stipulation will be issued. If the changes are unacceptable to me or the Board rejects this stipulation, it will be of no effect.

DATED this 24th day of February, 2004.

Katherine Cristine Wolff

Katherine Cristine Wolff, Respondent

I concur in this stipulation and order.

DATED this 27th day of February, 2004.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By Cheri L. Bush
Cheri L. Bush
Deputy Attorney General

ORDER

Pursuant to Idaho Code § 54-3404, the foregoing is adopted as the decision of the Board of Professional Counselors and Marriage & Family Therapists in this matter and shall be effective on the 8th day of March, 2004. **IT IS SO ORDERED.**

IDAHO STATE LICENSING BOARD OF
PROFESSIONAL COUNSELORS AND
MARRIAGE & FAMILY THERAPISTS

By Bobbie A. Birdsall
Eric F. Jones, Chair Vice Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of March, 2004, I caused to be served a true and correct copy of the foregoing by the following method to:

Katherine Cristine Wolff 202 11th Avenue N. Buhl, ID 83316	☒ U.S. Mail ☒ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: _____ ☐ Statehouse Mail
Scott Hess JONES, GLEDHILL, HESS P.O. Box 1097 Boise, ID 83701-1097	☒ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☒ Facsimile: (208) 331-1529 ☐ Statehouse Mail
Stephanie N. Guyon Deputy Attorney General P.O. Box 83720 Boise, ID 83720-0010	☐ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☒ Facsimile: (208) 334-2830 ☒ Statehouse Mail

Rayola Jacobsen

Rayola Jacobsen, Chief
Bureau of Occupational Licenses