

**VIRGINIA BOARD OF PSYCHOLOGY  
DRAFT MINUTES  
INFORMAL CONFERENCE COMMITTEE  
TUESDAY, OCTOBER 21, 2003**

**TIME & PLACE:** The Informal Conference Committee convened at 1:45 PM on Tuesday, October 21, 2003, at the Department of Health Professions, 6603 West Broad Street, 5<sup>th</sup> Floor, Richmond, Virginia.

**MEMBERS PRESENT:** David Niemeier, Ph.D., Chair  
Jeanne Decker, Ph.D.

**STAFF PRESENT:** Evelyn B. Brown, Executive Director  
Diana L. Pollick, Administrative Assistant  
Patricia Larimer, Senior Adjudication Analyst

**OTHERS PRESENT:** Edward Habboush

**CONFERENCE  
SCHEDULED:** **James B. Angster, Ph.D.**

Dr. Angster appeared before the Informal Conference Committee on Tuesday, October 21, 2003 at 12:45 PM.

The Chair recognized Dr. Angster and the Committee discussed the allegations found in the Notice of August 28, 2003.

The Chair recognized the father of Client A and invited his comments.

Following discussion Dr. Decker moved that the Committee convene into Closed Meeting pursuant to § 2.2-3705(A)(15) of the *Code of Virginia* for the purpose of deliberation to reach a decision in the matter of Dr. Angster excluded from the Freedom of Information Act by § 2.2-3705(A)(5) of the *Code*. Dr. Decker further moved Evelyn Brown, Diana Pollick and Patricia Larimer attend the Closed Meeting because their presence in the Closed Meeting will aid the Committee in its consideration of the matter.

Dr. Decker moved to certify that the Board heard, discussed or considered only those public matters lawfully exempted from the Open Meeting requirements by Virginia Law and those matters as were identified in the motion for the Closed Meeting. All present so certified.

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

After consideration of the evidence and statements concerning the allegations, the Committee makes the following findings of fact and conclusions of law:

1. James B. Angster, Ph.D., previously held license number 0107-000951 issued by the Board of Medicine and transferred on July 1, 1996, to license number 0810-000951 issued by Virginia Board of Psychology to practice clinical psychology in the Commonwealth of Virginia. Said license is currently active and will expire on June 30, 2004, unless restricted or renewed.

2. By Order of the Board of Medicine entered January 16, 1996, Dr. Angster's license was placed on terms and conditions due to engaging in inappropriate billing practices.

3. By Order of the Board of Psychology entered September 26, 2002, Dr. Angster was placed on indefinite probation due to his failure to maintain appropriate therapeutic boundaries and engaging in a personal relationship with a client.

4. Dr. Angster violated 18 VAC 125-20-150(A) and (B)(11) and (13), and 18 VAC 125-20-160(4) of the Virginia Board of Psychology Regulations in that, he billed Trigon Insurance Company, for treatment of Individual A, for dates of services on December 10, 2001, January 11, 2002 and January 21, 2002, although he did not see or treat Individual A on those dates or at anytime.

5. Dr. Angster violated 18 VAC 125-20-150(A) and (B)(5), (7) and (13), and 18 VAC 125-20-160(4) of the Virginia Board of Psychology Regulations in that, on or about December 10, 2001, he completed a clinical evaluation regarding Individual A, although he did not see or talk to Individual A on that date or at anytime. Dr. Angster completed a

mental status examination and gave Individual A an Axis I diagnosis based solely on information provided by Individual B.

### **ORDER**

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED that Dr. Angster be issued a REPRIMAND and that a MONETARY PENALTY of Six Thousand Dollars (\$ 6,000.00) is imposed upon Dr. Angster. Said penalty to be paid to the Board by certified check or money order within thirty (30) days from the date this Order becomes final. If the monetary penalty is mailed, it shall be sent by certified or registered mail. If said monetary penalty is not received within the prescribed deadline, an additional One Hundred Dollar (\$100.00) late fee shall be assessed weekly, up to a maximum of One Thousand Dollars (\$1000.00). Failure to pay the full monetary penalty plus the additional assessment within one hundred (100) days from the date this Order becomes final constitutes grounds for an administrative proceeding.

It is further ORDERED that Dr. Angster shall comply with the following terms and conditions:

1. Dr. Angster shall enroll in and successfully complete with a final academic grade of a B or better, a three (3) hour graduate level course in ethics from an American Psychological Association accredited clinical psychology program. Dr. Angster shall submit a course outline or syllabi to the Board for approval prior to enrollment, and shall provide a transcript documenting his course grade and all assignments completed for the course. He shall also provide copies of all assigned academic course work produced during the course.

2. Dr. Angster shall maintain a course of conduct in his practice of psychology

commensurate with the requirements of Title 54.1, Chapter 29 of the Code and all laws of the Commonwealth.

3. Dr. Angster shall cooperate with the Virginia Board of Psychology and the Department of Health Professions in the investigation or inspection of his practice to verify that he is in compliance with this Order.

4. Dr. Angster shall notify the Executive Director of the Board by certified mail of any change of address within ten (10) days of such occurrence.

Upon receipt of evidence that Dr. Angster has complied with the requirements of this Order, this case shall be closed without further proceedings. In the event Dr. Angster fails to comply with the requirements of this Order, in the Board's discretion, he may be noticed to meet with a special conference committee.

Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of psychology in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Dr. Angster and an administrative proceeding shall be convened to determine whether Dr. Angster's license to practice psychology in the Commonwealth shall be suspended or revoked.

Pursuant to Section 2.2-4023 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public release, inspection and copying upon request.

Pursuant to Section 54.1-2400(10) and Section 54.1-2400.2(F) of the Code, Respondent may, not later than 5:00 p.m., on November 24, 2003, notify Evelyn B. Brown, Executive Director, Board of Psychology, 6603 West Broad Street, Richmond, Virginia 23230-1712, in writing that he desires a formal administrative hearing before the

Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated. Upon receiving timely request for a hearing, the Board, or panel thereof, shall then proceed with a hearing as provided in Sections 2.2-4020 and 2.2-4021 of the Code.

**ADJOURNMENT:**

The Conference adjourned at 2:30 P.M.

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David L. Niemeier, Ph.D.  
Chair

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Evelyn B. Brown  
Executive Director

**As provided by law, this decision shall become a Final Order thirty days after service of such Order on James B. Angster, Ph.D., unless a written request to the Board for a Formal Hearing on the allegations made against him is received from James B. Angster, Ph.D. within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a Formal Hearing the decision of this Committee shall be vacated.**