

VIRGINIA BOARD OF PSYCHOLOGY
FORMAL HEARING
MINUTES
March 6, 2017

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Board of Psychology

CALL TO ORDER: A panel of the Board of Psychology convened on March 6, 2017 at 10:06 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Henrico, VA in Board Room 4.

MEMBERS PRESENT: Herbert Stewart, Ph.D., LCP, Chair
Jennifer Little, Citizen Member
Rebecca Vauter, Psy.D., LCP
Susan Brown Wallace, Ph.D., LSP, LCP
James Werth, Jr., Ph.D., LCP

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

STAFF PRESENT: Jennifer Lang, Deputy Executive Director
Christy Evans, Discipline Case Specialist

COURT REPORTER: Mary Treta, Crane-Snead & Associates, Inc.

RESPONDENT: David Mitchell, Psy.D., LCP
License #: 0810-004863
Case #: 175718

PARTIES ON BEHALF OF THE COMMONWEALTH: Julia Bennett, Assistant Attorney General
Emily Tatum, Adjudication Specialist

PRELIMINARY MATTERS: The Chair accepted Commonwealth's Exhibit(s) 1-2 into evidence.

DISCUSSION: Dr. Mitchell appeared in person before the Board, without legal counsel, and fully discussed the allegations contained in the Notice of Formal Hearing dated January 26, 2017. The Board received evidence and sworn testimony regarding the allegations in the Notice.

CLOSED SESSION: Upon a motion by Dr. Werth, and duly seconded by Dr. Vauter, the Board voted to convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter. Additionally, he moved that James Rutkowski, Jennifer Lang, and Christy Evans attend the closed meeting because their presence was deemed necessary and would aid the Board in its deliberation.


RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board reconvened in open session and announced its decision.

DECISION: Dr. Werth moved that the Board accept the Findings of Fact and Conclusions of Law and decision in the matter as amended by the Board and presented by Mr. Rutkowski, and further moved that the Board revoke Dr. Mitchell's license to practice clinical

psychology in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 1:32 p.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions and decisions of this formal hearing panel.



Herbert Stewart, Ph.D., LCP, Chair

3/2/17

Date



Jennifer Lang, Deputy Executive Director

3/24/17

Date