

**VIRGINIA BOARD OF PSYCHOLOGY
FORMAL HEARING
MINUTES
FEBRUARY 9, 2021**

CALL TO ORDER: Consistent with Amendment 28 to HB29 and the applicable provisions of § 2.2-3708.2 of the Freedom of Information Act, the Board of Psychology ("Board") convened a virtual formal hearing on February 9, 2021 at 12:37 p.m. via Cisco WebEx.

MEMBERS PRESENT: James Werth, Ph.D., LCP, Chairperson
John D Ball, Ph.D., ABPP, LCP
Aliya Chapman, Ph.D., LCP
Christine Payne, Citizen Member
Herbert Stewart, Ph.D., LCP
Stephanie Valentine, Citizen Member
Susan Brown Wallace, Ph.D., LCP, LSP

BOARD COUNSEL: James Rutkowski, Assistant Attorney General
Office of the Attorney General

STAFF PRESENT: Christy Evans, Discipline Case Manager
Jaime Hoyle, Executive Director
Jennifer Lang, Deputy Executive Director
Charlotte Lenart, Deputy Executive Director

COURT REPORTER: Mercedes Riddick-Williams, CTR
Veteran Reporters

RESPONDENT: David Mitchell, Psy.D., LCP Reinstatement Applicant
License #: 0810004863
Case #: 203459

WITNESSES ON BEHALF OF THE RESPONDENT: None.

PARTIES ON BEHALF OF THE COMMONWEALTH: Emily Tatum, Adjudication Specialist
Administrative Proceedings Division

WITNESSES ON BEHALF OF THE COMMONWEALTH: None

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 6, 2021. The Board received evidence and sworn testimony regarding the allegations contained in the Notice.

CLOSED SESSION: Upon a motion by Dr. Ball, and duly seconded by Dr. Wallace, 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, Jaime Hoyle, Jennifer Lang, Charlotte Lenart, 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:

Upon a motion by Dr. Stewart, and duly seconded by Dr. Wallace, the Board made certain findings of fact and conclusions of law, and voted to deny Dr. Mitchell's application for reinstatement.

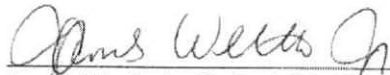
ROLL CALL VOTE:

The vote was unanimous.

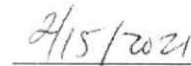
ADJOURNMENT:

The Board adjourned at 2:55 p.m.

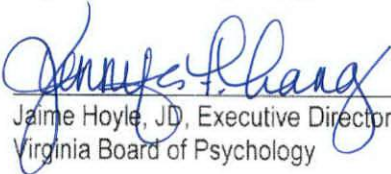
The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions and decisions of this formal hearing panel.



James Werth, Jr., Ph.D., LCP, Chairperson
Virginia Board of Psychology



Date

for 

Jaime Hoyle, JD, Executive Director
Virginia Board of Psychology



Date