

STATE OF IOWA  
BEFORE THE BOARD OF PSYCHOLOGY EXAMINERS

IN THE MATTER OF THE COMPLAINT AGAINST	}	PSYCHOLOGY EXAMINERS
CAROL L. BARKER, Ph.D.		DOCKET NO. <u>H79-01</u>
BY THE ETHICS COMMITTEE OF THE IOWA PSYCHOLOGY ASSOCIATION		FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

STATEMENT OF THE CASE

This matter came on for hearing in Des Moines, Iowa, May 11, 1979 before the Board of Psychology Examiners. The hearing was a disciplinary hearing following a complaint received by the Ethics Committee of the Iowa Psychology Association and the Board. Investigation was made by the State Department of Health. Authority for the hearing is section 258A.6 of the Code of Iowa and rules 470-140.201 and 470-140.203 of the Iowa Administrative Code.

Respondent, Dr. Carol L. Barker, a licensed psychologist, did not appear at the hearing. Notice of hearing was given by certified mail - return receipt requested and also by publication. The State was represented by Peter J. Fox. In accordance with rule 470-173.9 the hearing was conducted in the absence of the licensee.

The Board of Psychology Examiners, having received all the evidence, makes the following findings.

FINDINGS OF FACT

Dr. Carol L. Barker started psychological counseling of a 28 year old married woman in January 1975. The client and her husband have two children, four and six years old.

At first Dr. Barker counselled the woman about one time a week. During the latter part of 1977, the woman said she and Dr. Barker had sexual feelings toward each other. Counseling increased to twice a week. Dr. Barker telephoned the woman almost every day at her home. In several letters, Dr. Barker declared his love and dependence upon the woman. Acts such as hugging and sucking each others toes took place between Dr. Barker and the woman. During 1979 Dr. Barker started coming to the home of the woman. The husband continued to pay Dr. Barker for psychological services.

FINDINGS OF FACT Cont.

The husband refused to give his wife a divorce and told her she could not talk with Dr. Barker when he was home. The wife left on March 4, 1979. The husband is caring for the two children and is working full time.

The Respondent, Carol Barker, abandoned psychological practice March 4, 1979. He did not notify his clients that he was leaving. His diploma and a few other personal items were removed from the office, but the psychological records of the clients were left in the office. An unlicensed associate and secretary were not informed by Dr. Barker that he was leaving. They were left unsupervised and not paid for their work during the last two weeks of employment.

CONCLUSIONS OF LAW

Section 147.55(3) of the Code of Iowa provides that a license to practice a profession shall be revoked or suspended when the licensee is guilty of any of the following acts or offenses:

- (3) Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of a profession or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.

Principal 8(c) of the Ethical Standards of Psychologists adopted by the Board provides:

- (c) The psychologist does not normally enter into a professional relationship with members of his own family, intimate friends, close associates, or others whose welfare might be jeopardized by such a dual relationship.

In the present case, a psychologist while under a psychologist-client relationship, entered into a relationship with a client resulting in the client abandoning her husband and children. This is definitely harmful to the husband and children.

Subrule 140.212(6), Iowa Administrative Code, also provides as reason for suspension or revocation the following:

- (6) Negligence by the licensee in the practice of the profession, which is a failure to exercise due care including negligent delegation to or supervision of employees or other individuals, whether or not injury results; or any conduct, practice or conditions which impair the ability to safely and skillfully practice the profession.

CONCLUSIONS OF LAW Cont.

Dr. Barker left his employees without supervision. They were not compensated for their services. In addition psychological case records were left without proper security in his office after his departure.

Subrule 140.212(7)"f" of the Iowa Administrative Code prohibits any sexual relationship between a psychologist and client. The sexual relationship can be inferred from the statements of the client, the circumstances of the meetings of Dr. Barker and the client, and the simultaneous disappearance of them both March 4, 1979.

Respondent has failed to report a change of address within thirty days after it occurs as required by subrule 140.212(9) of the Iowa Administrative Code.

DECISION

Based upon the findings and conclusions, the Board of Psychology Examiners finds:

That Carol L. Barker has committed acts which constitute unethical conduct harmful to the family of a client;

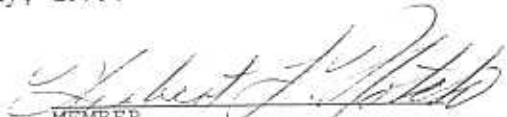
That Carol L. Barker has entered into a sexual relationship with a client;

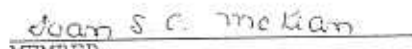
That Carol L. Barker was negligent in the practice of the profession of psychology in leaving employees unsupervised, abandonment of clients, and failure to provide proper security for client psychological records.

The Board further finds that the protection of the public requires that the license of Carol L. Barker to practice psychology be revoked, and such license is hereby revoked.

Dated this 11th day of May, 1979.

  
MEMBER

  
MEMBER

  
MEMBER

  
MEMBER

  
MEMBER

1979

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IN THE MATTER OF THE COMPLAINT AGAINST	)	
CAROL L. BARKER, Ph.D.	)	PSYCHOLOGY EXAMINERS
BY THE ETHICS COMMITTEE OF THE IOWA PSYCHOLOGY ASSOCIATION	)	DOCKET NO. <u>H79-01</u>
	)	NOTICE OF HEARING

TO: Carol L. Barker, Ph.D.  
4525 - 75th Street  
Des Moines, Iowa 50322  
Psychology License No. 170

You are hereby notified that an administrative hearing will be conducted at 9:00 a.m., May 11, 1979, before the Board of Psychology Examiners in the third floor conference room of the Liberty Building, 418 - 6th Avenue, Des Moines, Iowa, relating to a complaint filed against you and your license to practice psychology. The hearing is held pursuant to a complaint by the Ethics Committee of the Iowa Psychology Association and the authority of section 258A.6 of the Code of Iowa and rules 470-140.201, and 470-140.203 of the Iowa Administrative Code.

You may be represented by legal counsel at the hearing. In the event of your failure to appear at the hearing, the matter will be considered by the Board in your absence and a decision rendered.

Signed this 17th day of April, 1979.

*John W. Menne*  
JOHN W. MENNE, Ph.D., CHAIRPERSON  
BOARD OF PSYCHOLOGY EXAMINERS