

IN THE MATTER OF
HAROLD RHOADES, Ph.D., Holder of
Psychology, Private Practice
Certificate Number 01-00433-X-83,

Respondent.

FILED

MAR 11 1985

HEALTH PROFESSIONS
SERVICE BUREAU

COMPLAINT AND NOTICE OF HEARING

Notice is hereby given to Harold Rhoades, Psychologist, (Respondent), holder of Indiana Psychology Private Practice Certificate No. 01-00433-X-83, that charges against the Respondent have been filed with the Indiana State Board of Examiners in Pshychology, (Board), by the State of Indiana, by counsel, Linley E. Pearson, Attorney General of Indiana.

A hearing upon the charges will be held on the 19th day of April, 1985 at 10:00 o'clock a.m. at the Office of the Health Professions Service Bureau, 964 North Pennsylvania Street, Indianapolis, Indiana. The hearing will be conducted in accordance with the provisions of the Administrative Adjudication Act, IC 4-22-1-1 et seq., which provides that you may be represented by counsel, present evidence in your behalf and cross-examine witnesses. A Court Reporter will be present for the purpose of recording testimony of all witnesses which you and the State of Indiana wish to produce and introduce into evidence in this cause. A Deputy Attorney General will present the case against you.

In the event that the Board should determine that the charges are valid, a determination shall be made as to whether you should be reprimanded, censured, placed on probation or whether your license should be limited, suspended or revoked.

STATEMENT OF CHARGES

Harold Rhoades, Psychologist, is hereby charged with violating IC 25-33-1-13.1(b)(4)(A) and IC 25-33-1-13.1(b)(5), to-wit:

(b) A practitioner shall conduct his practice of psychology in accordance with the standards established by the board under

section 3(d) of this chapter and is subject to the exercise of the disciplinary sanctions under subsection (e), if after a hearing, the board finds:

* * *

(4) a practitioner has continued to practice although he has become unfit to practice psychology due to:

(A) professional incompetence;

* * *

(5) a practitioner has engaged in a course of lewd or immoral conduct in connection with the delivery of services to clients;

more specifically, but not limited to the following allegations that:

Respondent holds a valid certificate known as a "Private Practice Certificate" previously issued him by the Board. Respondent, in his practice of psychology, uses a form of treatment or methodology he refers to as "body work" or "soma therapy." During treatment sessions with patients upon whom Respondent uses this type of therapy, Respondent requests that the patients remove their clothing and put on a robe he provides for them. Said robe is slit down both sides and is slit down the front thereby making the patients' bare torso accessible. Respondent then performs "body work" upon these patients. This particular treatment consists of Respondent massaging or pressing upon different and various "pressure points" on the patients' body in an effort to allegedly bring out or arouse stresses hidden in the patient. Some, but not all, of the "pressure points" utilized by the Respondent include areas of the human body in and around the breast, upper thighs, buttocks, over and above the ovaries and uterus, between the upper thigh and vagina, inside the vagina, and above the scrotum and below the pubic bone.

On more than one (1) occasion Respondent has held patients on his lap while they were dressed only in a robe provided them by Respondent that was slit down both sides and slit down the front. During some of these "body work" sessions said robe was pushed aside thereby revealing these patients' bare torso.

On or about September 11, 1984, Respondent performed "body work" upon a patient by placing the palm of his hand over her bare breasts and massaging them attempting to locate hidden pressure points; by placing the palm of his hands over her genitalia and massaging that area while at the same time massaging or pressing on the area of her body directly above her pubic bone; and while she was laying upon her side facing Respondent he rubbed her buttocks while at the same time resting his forearm against her genitalia.

Further, on or about September 19, 1984, Respondent stated that his "body work" or "soma therapy" treatment included inserting his finger in the vagina of some of his female patients; that he has performed "body work" on a male patient above the scrotum and below the pubic bone; and that he would hug and kiss his patients upon the cheek during these "body work" therapy sessions while the patients are wearing only a robe provided by him that is slit down both sides and slit down the front.

WHEREFORE, the State of Indiana, by Linley E. Pearson, Attorney General of Indiana, prays that the Respondent be sub-

jected to appropriate disciplinary action by this Board, and
for all other relief as may be just and proper in the premises.

Respectfully submitted,

LINLEY E. PEARSON
Attorney General of Indiana

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SENT CERTIFIED MAIL NO. P 528 157 821, RETURN RECEIPT REQUESTED
SENT CERTIFIED MAIL NO. P 440 107 503, RETURN RECEIPT REQUESTED.