

BEFORE THE INDIANA STATE
PSYCHOLOGY BOARD
CAUSE NO.: 2005 ISPB 0001

STATE OF INDIANA,

Petitioner,

v.

SUSAN E. SPENCER, Ph.D.,
License Number: 20040523,

Respondent.

FILED

FEB 10 2005

HEALTH PROFESSIONS
BUREAU

COMPLAINT

The State of Indiana, by counsel, Deputy Attorney General, Sara R. Matticks, on behalf of the Office of the Attorney General ("Petitioner"), and pursuant to Indiana Code § 25-1-7-7 et seq., Ind. Code § 25-1-5-3, Ind. Code § 25-33-1-3 et seq., the Administrative Orders and Procedures Act, Ind. Code § 4-21.5-3 et seq. and Ind. Code § 25-1-9 et seq. files its Complaint against the Psychologist license of Susan E. Spencer, Ph.D. ("Respondent"), and in support alleges and states:

FACTS

1. Respondent's address on file with the Board is 6630 Twelve Oaks Drive, Anderson, Indiana 46013, and she is a psychologist holding Indiana license number 20040523.
2. On or about October 26, 2001, Respondent conducted a consultation with a minor child, M.A., and his non-custodial parent, Stephen Anderson. Mr. Anderson was seeking custody of M.A. through Madison County Superior Court and requested Respondent conduct an interview.

3. Respondent interviewed M.A., his father and his father's sister for approximately two hours. They reported to Respondent that M.A. had become unhappy living with his mother and wanted to live with Mr. Anderson.

4. At Mr. Anderson's request, Respondent, submitted a "Report of Psychological Consultation" to the court recommending the Court "look at the situation and make whatever changes possible to alleviate the stress this child is experiencing."

5. Based on statements made during the interviews, Respondent reported to the court that there had been a significant negative change in the custodial mother's home, which was affecting M.A. socially, academically and emotionally.

6. Respondent was called upon to testify at an emergency custody hearing in November 2001. Subsequent to the initial hearing, all parties were ordered to participate in a complete "custody modification evaluation" with Respondent.

7. Respondent did not recuse herself after the Judge ordered her to conduct a custody evaluation on clients with whom she had a prior professional relationship.

8. Respondent proceeded to conduct a complete evaluation of all parties and submitted a final report to the Court recommending physical custody be awarded to the father, Mr. Anderson.

COUNT I

Respondent's conduct constitutes a violation of Ind. Code § 25-1-9-4(a)(3) a practitioner has knowingly violated any state statute or rule or federal statute or regulation regulating the profession, to wit: 868 IAC 1.1-11-4.1(e) which requires a psychologist, when a potentially harmful relationship becomes apparent, to clarify the nature of the

relationship and attempt to resolve it with due regard for the best interests of the patient or client.

COUNT II

Respondent's conduct constitutes a violation of Ind. Code § 25-1-9-4(a)(3) a practitioner has knowingly violated any state statute or rule or federal statute or regulation regulating the profession, to wit: 868 IAC 1.1-7-5(d) failure to act within generally accepted ethical principles and guidelines of the profession and maintaining an awareness of personal and professional limitations, to wit: failure to follow the American Psychological Association guidelines

WHEREFORE, Petitioner demands an order against the Respondent, that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all the cost incurred in the prosecution of this case;
3. Provides any other relief the Board deems just and proper.

Respectfully submitted,

STEVE CARTER
Attorney General of Indiana

By: 

Sara R. Matticks
Deputy Attorney General
Attorney No.: 16964-49

SRM/re:100143

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Complaint" has been served upon the Respondent listed below, by United States mail, first class postage prepaid, on this 9/11 day of February, 2005:

Susan E. Spencer, Ph.D.
6630 Twelve Oaks Dr.
Anderson, IN 46013



Sara R. Matticks
Office of the Attorney General

Indiana Government Center South, Fifth Floor
302 West Washington Street
Indianapolis, Indiana 46204-2770
(317) 232-6284

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