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BEFORE THE
BOARD OF PSYCHOLOGY
STATE OF OREGON

In the Matter of) Agency Case No. 2020-035
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)
JACQUELINE J. HEAD, Psy.D.) NOTICE OF PROPOSED DISCIPLINARY
LICENSE NO. 1328) ACTION
)

1.

The Board of Psychology (Board) is the state agency responsible for licensing and disciplining psychologists, and for regulating the practice of psychology in the State of Oregon. Jacqueline J. Head, Psy.D., (Licensee) is licensed by the Board to practice psychology in the State of Oregon.

2.

The Board proposes to take disciplinary action pursuant to ORS 675.070(2) by; requiring Licensee to practice under supervision for a minimum of one year by a supervisor that is pre-approved by the Board’s Executive Director, with quarterly written reports to the Board¹ and assessing a civil penalty of \$5,000 for violating ORS 675.070(2)(d)(A) unprofessional conduct or gross negligence in the practice of psychology; and the following professional ethical standards (ES) adopted by the Board pursuant to ORS 675.110(13) and under OAR 858-010-0075: ES 2.04 Bases for Scientific and Professional Judgements; ES 3.04 Avoiding Harm; ES 3.09 Cooperation with Other Professionals; and ES 9.01 Bases for Assessment.

3.

The Board’s proposal to impose terms of discipline is based on the following alleged facts that violated ORS 675.070 and the specified ethical standards:

¹ Costs of supervision are to be borne by Licensee.

1 3.1 In 2010, Parent A and Parent B, a married couple, filed for divorce. During their
2 marriage, the parents had had two children, who were both under the age of 5 when Parent A and
3 Parent B filed for divorce. The divorce proceedings were highly contentious. After the divorce
4 had been finalized, the custodial arrangements for the children remained a significant point of
5 contention between Parent A and Parent B. By 2019, these matters had been actively disputed
6 between the parents for approximately three years. There were concerns that the children’s
7 relationship with Parent B had been disrupted during the course of the disputes about custody,
8 parenting time and co-parenting matters.

9 3.2 In April 2019, by stipulation accepted by the court, Parent A and Parent B agreed
10 to joint custody and evenly divided parenting time. As part of the stipulation, Parent A and
11 Parent B agreed to participate in family therapy with each other and the children, referred to
12 variously in the court documents as family reunification therapy, reunification therapy, or
13 reunification counseling.

14 3.3 In April 2019, Licensee was retained to provide the family reunification therapy
15 for Parent A, Parent B, and the two children, as called for in the stipulation. In this capacity,
16 Licensee testified and provided written reports to the court regarding the progress of the family
17 reunification therapy.

18 3.4 At this point, each child had a pre-existing, on-going, personal therapeutic
19 relationship with a licensed therapist, Therapist C. The children’s personal therapy with
20 Therapist C continued throughout the period of Licensee’s work as a family reunification
21 therapist.

22 3.5 The Diagnostic and Statistical Manual, Fifth Edition (DSM-5) is the diagnostic
23 standard used within the profession of psychology. The DSM-5 does not list “parental
24 alienation” as a diagnosis.

25 3.6 In a letter dated October 16, 2020, to one of the parents’ attorneys in the course of
26 the custody dispute, Licensee described “parental alienation” as “a mental condition” and listed
criteria under the heading “Diagnosis of Alienated Children.” Moreover, the court made

1 Board,² as explained below:

2 4.1 ES 3.04 Avoiding Harm in that Licensee failed to take the reasonable step of
3 conferring with Therapist C prior to making her recommendation to the court that the family
4 attend the “parental alienation” workshop which would have ensured Licensee avoided harm to
5 the children by making sure they were not obligated to participate a program which could have
6 been harmful to them based on their unique therapeutic histories and needs.

7 4.2 ES 3.09 Cooperation with Other Professionals in that Licensee recommended to
8 the court that the family attend the “parental alienation” workshop before consulting with
9 Therapist C regarding whether the workshop would be beneficial to the children. Consultation
10 with the children’s therapist prior to the recommendation to the court was necessary for Licensee
11 to provide effective and appropriate services to the children because the post-facto consultation
12 rendered the professional perspective of the children’s therapist essentially irrelevant, despite the
13 therapist’s longer professional experience with the children and the therapist’s greater knowledge
14 of their personal needs.

15 4.3 ES 2.04 Bases for Scientific and Professional Judgements in that in her
16 communications to the court and the parent’s attorney, Licensee referred to “parental alienation”
17 as if it were a diagnosis, a representation which is not established scientific or professional
18 knowledge within the discipline of psychology, as it is not listed in the DSM-5.

19 4.4 ES 9.01 Bases for Assessment in that Licensee did not base her recommendations
20 to the court or her evaluative statements to the court on information sufficient to substantiate her
21 representation that the children suffered from “parental alienation” when that condition is not
22 listed in the DSM-5 and it is therefore not possible to diagnose individuals with that condition.

23 4.5 ORS 675.070(2)(d)(A) unprofessional conduct in that Licensee practiced contrary
24 to the ethics standards listed above, and in that Licensee’s recommendation that the family attend
25 the “parental alienation” workshop constituted a danger to the children’s emotional health or

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² The Board adopted the American Psychological Association’s (APA) “Ethical Principles of Psychologists and Code of Conduct,” effective January 1, 2010, with amendments as of January 1, 2017. OAR 858-010-0075.

1 safety because it would have resulted in them being forced to attend a four-day workshop held at
2 a distant location where they would experience pressure to retract, give up, or overcome their
3 emotional experiences of distance, anger or hurt regarding Parent B, which could result in
4 emotional harm to them.

5 5.

6 The Board has authority to investigate complaints and alleged violations under
7 ORS 675.110(9). The Board has authority to impose a term of supervision as well as a civil
8 penalty pursuant to ORS 675.070(1)(e), and (g) and (2)(d)(A) and (h); ORS 675.110(4), (5) and
9 (11); and OAR 858-010-0075. The Board reserves the right to amend this Notice and impose
10 additional sanctions as allowed under the Board's authority.

11 6.

12 **NOTICE OF RIGHT TO REQUEST HEARING**

13 Licensee has the right, if Licensee requests, to have a formal contested case hearing
14 before an Administrative Law Judge to contest the matter set out above, as provided by Oregon
15 Revised Statutes 183.310 to 183.550. At the hearing, Licensee may be represented by an
16 attorney and subpoena and cross-examine witnesses. If Licensee requests a hearing, the request
17 must be made in writing to the Board, must be received by the Board within thirty (30) days
18 from the mailing of this notice. Before commencement of the hearing, Licensee will be given
19 information on the procedures, right of representation and other rights of parties relating to the
20 conduct of the hearing as required under ORS 183.413-415. Hearing requests may be mailed to:

21 Oregon Board of Psychology
22 3218 Pringle Road SE, Suite 130
23 Salem, OR 97302-6312

24 7.

25 **NOTICE TO ACTIVE DUTY SERVICEMEMBERS:** Active Duty Servicemembers
26 have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For

1 more information contact the Oregon State Bar at 800-452-8260, the Oregon Military
2 Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office
3 through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll-
4 free telephone number.


5 8.

6 **NOTICE OF CONSEQUENCES OF FAILURE TO REQUEST HEARING**

7 If Licensee fails to request a hearing within 30 days, withdraws a timely request for a
8 hearing, notifies the Board or the Administrative Law Judge assigned to this matter that Licensee
9 does not intend to appear for the hearing, or fails to appear at the hearing as scheduled, the Board
10 may issue a final order by default and impose the proposed sanctions and terms of supervision
11 against Licensee. Licensee's submissions to the Board to date regarding the subject of this
12 disciplinary case and all information in the Board's files relevant to the subject of
13 this case automatically become part of the evidentiary record of this disciplinary action upon
14 default for the purpose of proving a *prima facie* case. ORS 183.417(4).

15 DATED this 25th day of March, 2022.

16 BOARD OF PSYCHOLOGY
17 State of Oregon

18 
19 Charles Hill
20 Executive Director