

BEFORE THE IOWA BOARD OF PSYCHOLOGY EXAMINERS

IN THE MATTER OF:

SUSAN MARIE GUENTHER,
Ph.D.
License No. 301-00502,

Respondent.

CASE NOS 03-010 AND 03-011

STATEMENT OF CHARGES

TO THE ABOVE-NAMED RESPONDENT:

1. The Iowa Board of Psychology Examiners (“the Board”) has jurisdiction over the parties and the subject matter pursuant to Iowa Code chapter 17A, 154B and 272C.

2. Licenses issued by the Board are subject to the laws of the State of Iowa, to the administrative rules of the Board.

3. Respondent Susan Marie Guenther, Ph.D. (“Respondent”) was at all times during the following events licensed to practice psychology in the State of Iowa. Respondent was issued license No. 301-00502 to practice psychology in the State of Iowa on November 18, 1985, as recorded in the permanent records in the office of the Board and her license is current until June 30, 2006.

4. Respondent’s last known address is 2800 Rutland, Des Moines, Iowa 50311.

5. Respondent has engaged in conduct that violates the laws and rules governing the Board’s licensees and provides the Board with jurisdiction to take disciplinary action.

COUNT ONE

Respondent is charged with violating Iowa Code section 272C.10(3), 645 Iowa Admin. Code section 242.2(1), 645 Iowa Admin. Code sections 242.2(3)(a), (b), (c) and (d), 645 Iowa Admin. Code section 242.2(11); and section 3.04 of the Code of the *Ethical Principles of Psychologists and Code of Conduct* [“Code of Conduct”] incorporated by

reference in rule 645-242.2(1). Respondent violated these provisions and demonstrated professional incompetence and negligence, engaged in unethical conduct or practices detrimental to the public, and failed to avoid harm to a patient, by her failure to take reasonable steps to avoid harming a patient and her failure to minimize such harm when it was foreseeable and avoidable. See Circumstances.

COUNT TWO

Respondent is charged with violating Iowa Code section 272C.10(3), 645 Iowa Admin. Code section 242.2(1), 645 Iowa Admin. Code sections 242.2(3)(a) through (d); and sections 3.04 and 3.05 of the Code of Conduct. Respondent violated these provisions by engaging in multiple relationships with patients, by failing to maintain appropriate personal boundaries with patients; and by failing to take reasonable steps to avoid harm to patients. See Circumstances ¶ A-D.

COUNT THREE

Respondent is charged with violating Iowa Code section 272C.10(3), 645 Iowa Admin. Code section 242.2(1), 645 Iowa Admin. Code section 242.2(4); and sections 3.04 and 4.01 of the Code of Conduct by failing to take reasonable precautions to protect patient confidentiality. See Circumstances ¶ E.

COUNT FOUR

Respondent is charged with violating Iowa Code section 272C.10(3), 645 Iowa Admin. Code section 242.2(1), 645 Iowa Admin. Code section 242.2(4); and sections 3.04, 3.08 and 6.05 of the Code of Conduct, by engaging in bartering arrangements with patients in return for psychological services when bartering was both clinically contraindicated and the resulting bartering arrangement exploited patients. See Circumstances ¶ A, F-H.

COUNT FIVE

Respondent is charged with violating Iowa Code section 272A.10(3), 645 Iowa Admin. Code section 242.2(1), 645 Iowa Admin. Code sections 242.2(3)(a)-(d), Iowa

Admin. Code section 242.2(4); and section 10.10 of the Code of Conduct by failing to terminate therapy when it became reasonably clear that the patient(s) were not benefiting and were being harmed by continued service. See Circumstances ¶ I.

CIRCUMSTANCES

- A. Respondent admits to having bartering arrangements with patients.
- B. Respondent participated in a support group in which at least one of her patients was also a participant. During meetings of this support group Respondent self-disclosed her personal issues.
- C. Respondent participated in social events with patients, including bike rides, movies and other social events. She also functioned in multiple roles with her patients, including therapist, employer, friend, and fellow client in therapy/support groups.
- D. Respondent engaged in bartering arrangements with her patients in exchange for psychological services that involved her patients in performing personal errands, work at her home and other tasks of an inappropriate nature.
- E. Respondent failed to take reasonable steps to prevent patients from access to confidential material in the files of other clients in the course of their activities as office and household help under bartering arrangements with Respondent. Respondent failed to prevent access to telephone answering machine messages on her business telephone by unauthorized persons. Respondent allowed patients to use Respondent's computer when this computer's hard drive stored unencrypted electronic files containing confidential information concerning other patients.
- F. Respondent's bartering arrangements with patients in exchange for psychological services have resulted in patients becoming significantly indebted to her.
- G. Respondent's bartering arrangements with patients were one-sided, exploitive and

not fair or equitable to patients.

- H. The Respondent's bartering arrangement with one patient was clinically contraindicated because it perpetuated the patient's dependence on the therapy relationship and on Respondent personally and was exploitive.
- I. Respondent maintained an ineffective therapy relationship with a patient for almost ten (10) years with no appreciable benefit to the patient. This practice perpetuated dependence in the therapy relationship with this patient. Respondent failed to consult with, or refer the patient to, another professional despite the patient's deteriorating condition.

**This Statement of Charges is approved by the board on
November 12, 2004.**