

BEFORE THE IOWA BOARD OF PSYCHOLOGY

In the Matter of:) Case Nos. 11-001, 11-005, 12-003
)
DEANN NEREM, Psy.D.,) NOTICE OF HEARING AND
) STATEMENT OF CHARGES
RESPONDENT.)

COMES NOW the Iowa Board of Psychology (Board) and files this Notice of Hearing and Statement of Charges pursuant to Iowa Code sections 17A.12(2), 17A.18(3), and 645 Iowa Administrative Code (IAC) 11.6. Respondent was issued Iowa license # 00918 on August 17, 2001. Respondent's license is current and will expire on June 30, 2014. Respondent's mailing address as reported to the Board is 226 1/2 W. 2nd Street, Madrid, IA 50156.

A. TIME, PLACE AND NATURE OF HEARING

Hearing. A disciplinary contested case hearing shall be held on August 8, 2014, before the Board of Psychology. The hearing shall begin at 9:00 a.m. and shall be located in the Lucas State Office Building, Fifth Floor, Board Conference Room 526, at 321 E. 12th Street, Des Moines, Iowa.

Answer. Within twenty (20) days of the date you are served this Notice of Hearing and Statement of Charges you are required by 645 IAC 11.12 to file an Answer. The Answer should specifically admit, deny, or otherwise answer all allegations contained in sections C and D of this Notice of Hearing and Statement of Charges. Pleadings shall be filed with the Board at the following address: Board of Psychology, Lucas State Office Building, 5th Floor, 321 E. 12th Street, Des Moines, Iowa, 50319.

Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on pre-hearing matters, and be present to assist and advise the board at hearing.

Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 645 IAC chapter 11. At hearing, you may appear personally or be represented by legal counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at hearing. If you need to request an alternative time or date for hearing, you must comply with the requirements of 645 IAC 11.18. The hearing may be open to the public or closed to the public at your discretion.

Pre-hearing Conference. Any party may request a pre-hearing conference to discuss evidentiary issues related to the hearing. The Board's rules regarding pre-hearing conferences are contained at 645 IAC 11.17.

Prosecution. The Office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Copies of pleadings should be provided to counsel for the State at the following address: David Van Compernelle, Assistant Attorney General, Iowa Attorney General's Office, Hoover State Office Building, 2nd Floor, 1305 E. Walnut Street, Des Moines, Iowa 50319.

Communications. You may not contact Board members in any manner, including by phone, letter, or e-mail, about this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties have

notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case.

B. LEGAL AUTHORITY AND JURISDICTION

Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 154B, and 272C.

Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A, 147, 154B, and 272C and 645 IAC chapter 242.

Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 645 IAC 11.21.

C. SECTIONS OF STATUTES AND RULES INVOLVED

Count I

Respondent is charged with professional incompetence in violation of 645 IAC sections 242.2(3)(c) and (d).

Count II

Respondent is charged with negligence by the licensee in the practice of the profession in violation of 645 IAC section 242.2(11).

Count III

Respondent is charged with failing to comply with the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association, as published in the December 2002 edition of American Psychologist in violation of 645 IAC section 242.2(1).

D. FACTUAL CIRCUMSTANCES

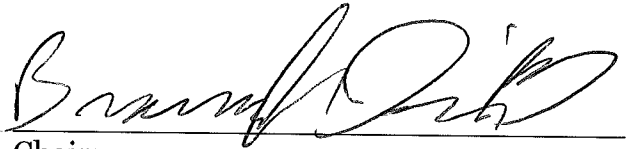
1. At all relevant times hereto, Respondent was licensed to practice as a psychologist in the State of Iowa.
2. In late 2009 through 2010, Respondent provided neuropsychological assessments to at least three different children but failed to complete or deliver written reports of her findings and recommendations.
3. The failure to provide such reports adversely impacted the families' ability to maintain continuity of state provided services.
4. The failure to provide such reports adversely impacted the families' ability to use the assessments for Individual Educational Plan revisions.
5. Because of Respondent's failures, the children at issue had to endure the taking of additional assessments and the delay in services and the parents had to endure similar inconvenience, delays, uncertainty and unnecessary anxiety.

E. SETTLEMENT

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 645 IAC chapter 12. If you are interested in pursuing settlement of this matter, please contact David Van Compernelle, Assistant Attorney General, at 515-281-7262.

F. PROBABLE CAUSE FINDING

On this 30th day of May, 2014, the Iowa Board of Psychology found probable cause to file this Notice of Hearing and Statement of Charges.



Chairperson
Iowa Board of Psychology

Copies to:

Deann Nerem, Psy.D.,
6165 Northwest 86th Street
Johnston, IA 50131

David Van Compernelle
Assistant Attorney General
Iowa Attorney General's Office
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