

BEFORE THE BOARD OF PSYCHOLOGY EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE)	NO. 03-007
STATEMENT OF CHARGES)	
AGAINST)	
)	
Steven Warner, Ph.D.,)	NOTICE OF HEARING
)	
RESPONDENT.)	

COMES NOW the Iowa Board of Psychology Examiners and files this Notice of Hearing pursuant to Iowa Code Section 17A.12(2). Respondent was issued Iowa psychology license no. 301-00385 on December 19, 1981. That license is active and will next expire on June 30, 2008.

A. TIME, PLACE AND NATURE OF HEARING

1. Hearing. A disciplinary contested case hearing will be held on May 4, 2007, before the Board of Psychology Examiners. 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, Des Moines, Iowa.
2. Answer. Within twenty (20) days of the date you are served this Notice of Hearing you are required by 645 Iowa Administrative Code 11.12 to file an Answer. In that Answer, you should also state whether you will require an adjustment of the date and time of the hearing.
3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on prehearing matters, and be present to assist and advise the board at hearing.
4. Hearing Procedures. The procedural rules governing the conduct of the

hearing are found at 645 Iowa Administrative Code Chapter 11. At hearing, you will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. You may appear personally or be represented by counsel at your own expense. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

5. Prosecution. The office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address: Emily Kimes-Schwiesow, Assistant Attorney General, Iowa Attorney General's Office, 2nd Floor, Hoover State Office Building, Des Moines, Iowa 50319.

6. Communications. You may not contact board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing. 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. You should direct any questions to Sharon Dozier, the Board's Administrator at 515.281.6352, or to Assistant Attorney General Emily Kimes-Schwiesow at 515.281.5637.

B. LEGAL AUTHORITY AND JURISDICTION

7. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 17A, 147, 154B, and 272C (2007).

8. 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 (2007) and 645 Iowa Administrative Code Chapter 242.

9. 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 Iowa Administrative Code 11.21.

C. SECTIONS OF STATUTES AND RULES INVOLVED

Count I

10. Respondent is charged pursuant to 645 IAC 242.1(1)(b) (2001) with professional incompetency.

Count II

11. Respondent is charged pursuant to 645 IAC 242.1(14) (2001) with failure to comply with the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association, as published in the December 1, 1992 edition of the American Psychologist, section 1.14 avoiding harm.

Count III

12. Respondent is charged pursuant to 645 IAC 242.1(14) with failure to comply with the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association, as published in the December 1, 1992 edition of the American Psychologist, section 1.23 documentation of professional and scientific work, and 1.24 records and data.

D. STATEMENT OF MATTERS ASSERTED

13. A short and plain Statement of the Matters Asserted was reviewed and approved by the Board at the time this Notice of Hearing was filed. A Statement of the

Matters Asserted shall be furnished to Respondent as an attachment to this Notice, but is not a public record as of the date of issuance of the Notice of Hearing. Upon issuance of the Board's approval of a settlement agreement, the Statement of Matters Asserted is a public record.

E. SETTLEMENT

14. Settlement. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 645 Iowa Administrative Code chapter 12. If you are interested in pursuing settlement of this matter, please contact Assistant Attorney General Emily Kimes-Schwiesow, at 515.281.5637.

F. PROBABLE CAUSE FINDING

15. On this 13th day of March, 2007, the Iowa Board of Psychology Examiners found probable cause to file this Notice of Hearing.

This notice of hearing is approved by the board on March 13, 2007.