BEFORE THE ARIZONA BOARD

OF BEHAVIORAL HEALTH EXAMINERS

In the Matter of: **Thomas J. Olsen, LAC-18095** **Licensed Associate Counselor,** **In the State of Arizona.** **RESPONDENT**	**CASE NO. 2020-0132** **CONSENT AGREEMENT** **FOR VOLUNTARY SURRENDER**

In the interest of a prompt and speedy settlement of the above captioned matter, consistent with the public interest, statutory requirements and responsibilities of the Arizona State Board of Behavioral Health Examiners ("Board"), and pursuant to A.R.S. §§ 32-3281(F) and 41-1092.07(F)(5), Thomas J. Olsen ("Respondent") and the Board enter into this Consent Agreement, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final disposition of this matter.

RECITALS

Respondent understands and agrees that:

1. Any record prepared in this matter, all investigative materials prepared or received by the Board concerning the allegations, and all related materials and exhibits may be retained in the Board's file pertaining to this matter.

2. Respondent has the right to a formal administrative hearing at which Respondent can present evidence and cross examine the State's witnesses. Respondent hereby irrevocably waives their right to such formal hearing concerning these allegations and irrevocably waives their right to any rehearing or judicial review relating to the allegations contained in this Consent Agreement.

3. Respondent has the right to consult with an attorney prior to entering into this Consent Agreement.

4. Respondent acknowledges and agrees that upon signing this Consent Agreement and returning it to the Board's Executive Director, Respondent may not revoke their acceptance of this Consent Agreement or make any modifications to it. Any modification of this original document is ineffective and void unless mutually approved by the parties in writing.

5. The findings contained in the Findings of Fact portion of this Consent Agreement are conclusive evidence of the facts stated herein between only Respondent and the Board for the final disposition of this matter and may be used for purposes of determining sanctions in any future disciplinary matter. This Consent Agreement and its content are for purposes of this Board matter only; the Consent Agreement and its contents do not constitute admissions or findings as to any matter outside the Board's jurisdiction.

6. This Consent Agreement is subject to the Board's approval, and will be effective only when the Board accepts it. In the event the Board in its discretion does not approve this Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value, nor shall it be relied upon or introduced in any disciplinary action by any party hereto, except that Respondent agrees that should the Board reject this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its review and discussion of this document or of any records relating thereto.

7. Respondent understands that once the Board approves and signs this Consent Agreement, it is a public record that may be publicly disseminated as a formal action of the Board, and that it shall be reported as required by law to the National Practitioner Data Bank.

The Board issues the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent is the holder of License No. LAC-18095 for the practice of counseling in the State of Arizona.

2. From 01/18 – 03/20, Respondent was employed as a Behavioral Health Professional at a behavioral health agency ("Agency").

3. From 08/19 – 03/20, an adult female client ("Client") received behavioral health services from Agency.

4. Respondent was not Client's primary therapist; however, acknowledges engaging in sexual intercourse with Client while Client was receiving services from another therapist at Agency.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over Respondent pursuant to A.R.S. § 32-3251 *et seq.* and the rules promulgated by the Board relating to Respondent's professional practice as a licensed behavioral health professional.

2. The conduct and circumstances described in the Findings of Fact constitute a violation of A.R.S. § 32-3251(16)(v), engaging in any sexual conduct between a licensee and a client or former client.

ORDER

Based upon the foregoing Findings of Fact and Conclusion of Law, the parties agree to the provision and penalties imposed as follows:

1. Respondent's license, LAC-18095, shall be surrendered to the Board, effective from the date of entry as signed below.

2. The surrender shall be considered a revocation of Respondent's license.

PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT

Thomas Olsen
Thomas Olsen (Jun 26, 2020 08:35 PDT)

Thomas J. Olsen

Jun 26, 2020
Date

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BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT

By: _____ 07/13/20

TOBI ZAVALA, Executive Director
Arizona Board of Behavioral Health Examiners

Date

ORIGINAL of the foregoing filed 07/13/20 with:

Arizona Board of Behavioral Health Examiners
1740 West Adams Street, Suite 3600
Phoenix, AZ 85007

EXECUTED COPY of the foregoing sent electronically 07/13/20 to:

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Thomas J. Olsen
Address of Record
Respondent

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