

**BEFORE THE BOARD OF PSYCHOLOGIST EXAMINERS  
STATE OF NEW MEXICO**

**Case No. 08-12**

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**FINAL AGENCY DECISION AND ORDER**

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**IN THE MATTER OF SUSAN B. MORSE, PH.D., LICENSE NO. 096,**

**Respondent.**

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This matter came before the New Mexico Board of Psychologist Examiners (Board) during a duly noticed special meeting on December 2, 2011, for a final agency decision and order.

**PROCEDUREAL HISTORY**

On November 22, 2010, the Board issued to the Respondent a Notice of Contemplated Action Charge and Order to Show Cause (Notice). The Board issued the Notice based upon a finding that the Board had sufficient evidence which, if not rebutted or refuted, would allow the Board to take disciplinary action against the Respondent pursuant to the New Mexico Uniform Licensing Act, § 61-1-1, et seq., NMSA (1978) (the Uniform Licensing Act) and the New Mexico Professional Psychologist Act, § 61-9-1, et seq., NMSA (1978) (the Professional Psychologist Act). On November 11, 2010, the Respondent filed a response to the Notice and on December 1, 2010, the Respondent requested a hearing. Prior to hearing, the parties agreed to an extension of time in which to attempt to resolve the matters that were raised in the Notice. The parties were unsuccessful in their efforts and this matter was set for hearing on October 21, 2011, before Mr. Max Sheppard, the Board's appointed Hearing Officer. The Respondent was properly notified of the hearing. The Respondent did not appear at the October 21, 2011, hearing and the Hearing Officer proceeded with the case. On November 17, 2011 the Hearing Officer issued his report which is attached hereto as Attachment A.

On December 2, 2011, with a quorum present and being duly apprised of the premises, five Board members voted to enter this Final Agency Decision and Order in conformance with § 61-9-13 of the Professional Psychologist Act. One Board member abstained from voting.

## **ISSUE**

Whether the Respondent engaged in conduct in violation of New Mexico Administrative Code §§ 16.22.2.8, 16.22.2.14, 16.22.2.15, 16.22.2.18 and 16.22.2.19; the Uniform Licensing Act, and; the Professional Psychologist Act thus warranting the imposition of discipline. See § 61-9-6 (B) (3) of the Professional Psychologist Act; see also New Mexico Administrative Code § 16.22.2.6.

## **FINDINGS OF FACT**

Based upon a review of the full record, the Board adopts, and incorporates by reference, the Findings of Fact set forth in the November 17, 2011, Hearing Officer's report. See Attachment A. The Board further finds as fact that:

1. The Respondent is licensed under the Professional Psychologist Act and is subject to the jurisdiction of the Board.
2. The Respondent's license has lapsed and is not currently active.
3. The Notice was properly served upon the Respondent in accordance with the Uniform Licensing Act and the Respondent received proper notice of the proceedings before the Board.

## **CONCLUSIONS OF LAW**

Based upon the foregoing Findings of Fact, the Board adopts, and incorporates by reference, the Conclusions of Law set forth in the November 17, 2011, Hearing Officer's report. See Attachment A. The Board further concludes as a matter of law that:

1. The Respondent is subject to the jurisdiction of the Board pursuant to the Uniform Licensing Act and the Professional Psychologist Act.
2. The Notice was properly served upon the Respondent in accordance with the Uniform Licensing Act and she received proper notice of the proceedings before the Board.
3. The Board has the authority to impose discipline against the Respondent's license. See § 61-9-6 (B) (3) of the Professional Psychologist Act; see also New Mexico Administrative Code § 16.22.2.6.

**ORDER**

Based upon the above Findings of Fact and Conclusions of Law, the Board enters the following Order:

1. Due to the extent and seriousness of the Respondent's violations, the Respondent's license, which has lapsed, shall be withheld from her and shall not be re-activated for a period a twenty years from the date of the entry of the Board's Final Agency Decision and Order. At the end of the twenty year period, the Respondent may apply for re-activation of her license. Because the Respondent is not licensed to practice psychology in New Mexico, she is prohibited from practicing psychology in the State of New Mexico pursuant to §§ 61-9-3 and 61-9-4.1 of the Professional Psychologist Act.

2. Due to the extent and seriousness of the Respondent's violations, the Board shall place the Respondent's name on the national data reporting database reporting her as an individual who has committed fraudulent billing, abusive practices, inaccurate record keeping, and aided and abetted another to practice psychology without a license.

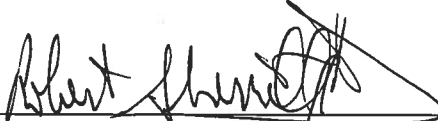
The Board's Final Agency Decision and Order shall be served upon The Respondent in accordance with applicable law pursuant to §§ 61-1-5 and 61-1-14, NMSA (1978) of the Uniform Licensing Act and § 39-3-1.1 (B) (3), NMSA (1978).

Chairman, Robert Sherrill, Jr., Ph.D. is designated by the Board to sign the Final Agency Decision and Order.

**FOR THE NEW MEXICO  
BOARD OF PSYCHOLOGIST EXAMINERS**

Done and signed 20 Dec, 2011.



  
ROBERT SHERRILL, JR., PH.D.  
Board Chairman

## APPEAL RIGHTS

A person who is entitled to a hearing provided for in the Uniform Licensing Act, who is aggrieved by an adverse decision of a board issued after a hearing, may obtain a review of the decision in district court pursuant to § 39-3-1.1, NMSA (1978). See § 61-1-17, NMSA (1978). Unless standing is further limited by a specific statute, a person aggrieved by a final decision may appeal the decision to the district court by filing a notice of appeal in the district court within thirty days of the date of the filing of the final decision. See § 39-3-1.1 (C) NMSA (1978). The filing date of the Board's Final Agency Decision and Order is set forth below. The appeal may be taken to the district court for the county in which the agency maintains its principal office or the district court of any county in which a hearing on the matter was conducted. When notices of appeal are filed in more than one district court, all appeals not filed in the district court in which the first appeal was properly filed shall be dismissed without prejudice. An appellant whose appeal is dismissed without prejudice pursuant to § 39-3-1.1 (C) NMSA (1978) shall have fifteen days after receiving service of the notice of dismissal to file a notice of appeal in the district court in which the first appeal was properly filed.

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the **Final Agency Action and Order** including attachments were sent via certified U.S. mail, return receipt requested to:

Susan B. Morse, Ph.D.  
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and

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Dated this December 21<sup>ST</sup>, 2011.

  
Robert Hollingsworth  
Compliance Liaison