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8  
9 **BEFORE THE**  
**BOARD OF BEHAVIORAL SCIENCES**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Petition to Revoke  
12 Probation Against:

Case No. 2002014001215

13 **ELIZABETH DANIELLE REESE**  
3020 Children's Way - MC 5115  
14 San Diego, CA 92123

**PETITION TO REVOKE PROBATION**

15 Associate Clinical Social Worker  
16 Registration No. ASW 30190

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Kim Madsen (Complainant) brings this Petition to Revoke Probation solely in her  
21 official capacity as the Executive Officer of the Board of Behavioral Sciences, Department of  
22 Consumer Affairs.

23 2. On or about March 29, 2011, the Board of Behavioral Sciences issued Associate  
24 Clinical Social Worker Registration Number ASW 30190 to Elizabeth Danielle Reese  
25 (Respondent). The Associate Clinical Social Worker Registration was in effect at all times  
26 relevant to the charges brought herein and will expire on March 31, 2015, unless renewed.

27 3. In a disciplinary action entitled "*In the Matter of Accusation Against Elizabeth*  
28 *Danielle Reese, aka Elizabeth Danielle Karnousky*," Case No. AS-2011-1524, the Board of

1 Behavioral Sciences issued a decision effective February 27, 2014, in which Respondent's  
2 Associate Clinical Social Worker Registration was revoked. However, the revocation was stayed  
3 and Respondent's Associate Clinical Social Worker Registration was placed on probation for a  
4 period of three (3) years with certain terms and conditions. A copy of that Decision is attached as  
5 Exhibit A and is incorporated by reference.

#### 6 JURISDICTION

7 4. This Petition to Revoke Probation is brought before the Board of Behavioral Sciences  
8 (Board), Department of Consumer Affairs, under Probation Condition Number 16 of the Decision  
9 and Order. That condition states:

10 **Violation of Probation.** If Respondent violates the conditions of her probation,  
11 the Board, after giving Respondent notice and the opportunity to be heard, may set aside  
12 the stay order and impose the discipline (revocation/suspension) of Respondent's  
13 registration/license provided in the decision.

14 If during the period of probation, an accusation, petition to revoke probation, or  
15 statement of issues has been filed against Respondent's registration/license or application  
16 for licensure, or the Attorney General's office has been requested to prepare such an  
17 accusation, petition to revoke probation, or statement of issues, the probation period set  
18 forth in this decision shall be automatically extended and shall not expire until the  
19 accusation, petition to revoke probation, or statement of issues has been acted upon by  
20 the board. Upon successful completion of probation, Respondent's license  
21 registration/license shall be fully restored.

#### 22 FIRST CAUSE TO REVOKE PROBATION

#### 23 (Psychotherapy)

24 5. At all times after the effective date of Respondent's probation, Condition I stated:

25 Respondent shall participate in ongoing psychotherapy with a California licensed  
26 mental health professional who has been approved by the Board. Within 15 days of the  
27 effective date of this decision, respondent shall submit to the Board or its designee for its  
28 prior approval the name and qualifications of one or more therapists of respondent's  
choice. Such therapist shall possess a valid California license to practice and shall have  
had no prior business, professional, or personal relationship with respondent, and shall  
not be the respondent's supervisor. Counseling shall be at least twice per month (every  
other week) unless otherwise determined by the Board. Respondent shall continue in  
such therapy at the Board's discretion. Cost of such therapy is to be borne by respondent.

Respondent may, after receiving the Board's written permission, receive therapy  
via videoconferencing if respondent's good faith attempts to secure face-to-face  
counseling are unsuccessful due to the unavailability of qualified mental health care  
professionals in the area. The Board may require that respondent provide written  
documentation of his or her good faith attempts to secure counseling via  
videoconferencing.

1 Respondent shall provide the therapist with a copy of the Board's decision no later  
2 than the first counseling session. Upon approval by the Board, respondent shall undergo  
3 and continue treatment until the Board or its designee determines that no further  
4 psychotherapy is necessary.

5 Respondent shall take all necessary steps to ensure that the treating psychotherapist  
6 submits quarterly written reports to the Board concerning respondent's fitness to practice,  
7 progress in treatment, and to provide such other information as may be required by the  
8 Board. Respondent shall execute a Release of Information authorizing the therapist to  
9 divulge information to the Board.

10 If the treating psychotherapist finds that respondent cannot practice safely or  
11 independently, the psychotherapist shall notify the Board within three (3) working days.  
12 Upon notification by the Board, respondent shall immediately cease practice and shall  
13 not resume practice until notified by the Board or its designee that respondent may do so.  
14 Respondent shall not thereafter engage in any practice for which a license issued by the  
15 Board is required until the Board or its designee has notified respondent that he/she may  
16 resume practice. Respondent shall document compliance with this condition in the  
17 manner required by the Board.

18 6. Respondent's probation is subject to revocation because she failed to comply with  
19 Probation Condition 1, in that she failed to submit for Board approval the name and qualifications  
20 of one or more therapists of Respondent's choice within 15 days of the effective date of the  
21 Decision, which was March 14, 2014. Respondent has not participated in psychotherapy as  
22 required by Probation Condition 1.

## 23 SECOND CAUSE TO REVOKE PROBATION

### 24 (Education)

25 7. At all times after the effective date of Respondent's probation, Condition 2 stated:

26 Respondent shall take and successfully complete the equivalency of two (2)  
27 semester units in alcohol awareness/substance abuse. All course work shall be taken at  
28 the graduate level at an accredited or approved educational institution that offers a  
qualifying degree for licensure as a marriage and family therapist, clinical social worker,  
educational psychologist, or professional clinical counselor or through a course approved  
by the Board. Classroom attendance must be specifically required. Course content shall  
be pertinent to the violation and all course work must be completed within one year from  
the effective date of this Decision.

Within 90 days of the effective date of the decision respondent shall submit a plan  
for prior Board approval for meeting these educational requirements. All costs of the  
course work shall be paid by the respondent. Units obtained for an approved course shall  
not be used for continuing education units required for renewal of licensure.

8. Respondent's probation is subject to revocation because she failed to comply with  
Probation Condition 2, in that she did not submit a plan to the Board for meeting the educational

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1 requirements of two semester units in alcohol awareness/substance abuse within 90 days of the  
2 effective date of the Decision, which was May 27, 2014.

3 **THIRD CAUSE TO REVOKE PROBATION**

4 **(Abstain From Controlled Substances / Submit to Biological Fluid Testing and Samples)**

5 9. At all times after the effective date of Respondent's probation, Condition 3 stated:

6 Respondent shall completely abstain from the use or possession of controlled or  
7 illegal substances unless lawfully prescribed by a medical practitioner for a bona fide  
8 illness.

8 Respondent shall immediately submit to biological fluid testing, at Respondent's  
9 cost, upon request by the Board or its designee. The length of time and frequency will be  
10 determined by the Board. There will be no confidentiality in test results. Any confirmed  
11 positive finding will be immediately reported to Respondent's current employer and shall  
12 be a violation of probation.

11 10. Respondent's probation is subject to revocation because she failed to comply with  
12 Probation Condition 3, in that she failed to comply with the Board's testing program  
13 administrator, Phamatech. On February 18, 2014, Phamatech mailed to Respondent a "Licensee  
14 Instruction Form" to her address of record. Respondent was instructed to purchase required  
15 forms and begin calling/logging-in on March 1, 2014. Respondent has not complied with the  
16 program requirements, she has not called/logged-in, and she missed fluid test dates on March 4,  
17 March 6, March 12, March 27, April 1, April 4, April 18, April 21, May 6, May 8, May 13, May  
18 14, 2014.

19 **FOURTH CAUSE TO REVOKE PROBATION**

20 **(Abstain From Use of Alcohol / Submit to Biological Fluid Testing and Samples)**

21 11. At all times after the effective date of Respondent's probation, Condition 4 stated:

22 Respondent shall completely abstain from the use of alcoholic beverages during  
23 the period of probation.

24 Respondent shall immediately submit to biological fluid testing, at Respondent's  
25 cost, upon request by the Board or its designee. The length of time and frequency will be  
26 determined by the Board. There will be no confidentiality in test results. Any confirmed  
27 positive finding will be immediately reported to the Respondent's current employer and  
28 shall be a violation of probation.

12. Respondent's probation is subject to revocation because she failed to comply with  
Probation Condition 4, in that she failed to comply with the Board's testing program

1 administrator, Phamatech. On February 18, 2014, Phamatech mailed to Respondent a "Licensee  
2 Instruction Form" to her address of record. Respondent was instructed to purchase required  
3 forms and begin calling/logging-in on March 1, 2014. Respondent has not complied with the  
4 program requirements, she has not called/logged-in, and she missed fluid test dates on March 4,  
5 March 6, March 12, March 27, April 1, April 4, April 18, April 21, May 6, May 8, May 13, May  
6 14, 2014.

7 **FIFTH CAUSE TO REVOKE PROBATION**

8 **(Attend Dependency Support Group)**

9 13. At all times after the effective date of Respondent's probation, Condition 6 stated:

10 Respondent shall attend a dependency support program no less than two (2) times  
11 per week. Respondent shall provide proof of attendance at said program with each  
12 quarterly report that Respondents submits during the period of probation. Failure to  
attend, or to show proof of attendance, shall constitute a violation of probation.

13 14. Respondent's probation is subject to revocation because she failed to comply with  
14 Probation Condition 6, in that she did not provide proof of attendance at a dependency support  
15 group.

16 **SIXTH CAUSE TO REVOKE PROBATION**

17 **(File Quarterly Reports)**

18 15. At all times after the effective date of Respondent's probation, Condition 8 stated:

19 Respondent shall submit quarterly reports, to the Board or its designee, as  
20 scheduled on the "Quarterly Report Form"(rev. 01/12/01). Respondent shall state under  
21 penalty of perjury whether she has been in compliance with all the conditions of  
22 probation. Notwithstanding any provision for tolling of requirements of probation,  
during the cessation of practice Respondent shall continue to submit quarterly reports  
under penalty of perjury.

23 16. Respondent's probation is subject to revocation because she failed to comply with  
24 Probation Condition 8, in that she did not file the Quarterly Reports that were due no later than  
25 April 7, 2014 and July 7, 2014.

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1 **SEVENTH CAUSE TO REVOKE PROBATION**

2 **(Comply With Probation Program)**

3 17. At all times after the effective date of Respondent's probation, Condition 9 stated:

4 Respondent shall comply with the probation program established by the Board and  
5 cooperate with representatives of the Board in its monitoring and investigation of the  
6 Respondent's compliance with the program.

7 18. Respondent's probation is subject to revocation because she failed to comply with  
8 Probation Condition 9, as demonstrated herein.

9 **EIGHTH CAUSE TO REVOKE PROBATION**

10 **(Interviews With the Board)**

11 19. At all times after the effective date of Respondent's probation, Condition 10 stated:

12 Respondent shall appear in person for interviews with the Board or its designee  
13 upon request at various intervals and with reasonable notice.

14 20. Respondent's probation is subject to revocation because she failed to comply with  
15 Probation Condition 10, referenced above. On February 19, 2014, Respondent's probation  
16 monitor mailed a "Probation Compliance Meeting" letter to Respondent at her address of record.  
17 Respondent was directed to be available for a telephone conference on February 27, 2014 at  
18 11:00 a.m. Respondent did not appear for the teleconference, and failed to return two voicemail  
19 messages left with her regarding her compliance. The letter was returned to the Board by the  
20 U.S. Postal Service on March 5, 2014, marked "Return to Sender – Attempted Not Known –  
21 Unable to Forward."

22 **PRAYER**

23 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
24 and that following the hearing, the Board of Behavioral Sciences issue a decision:

25 1. Revoking the probation that was granted by the Board of Behavioral Sciences in Case  
26 No. AS-2011-1524 and imposing the disciplinary order that was stayed thereby revoking  
27 Associate Clinical Social Worker Registration No. ASW 30190 issued to Elizabeth Danielle  
28 Reese;

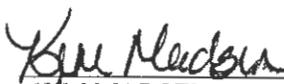
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2. Revoking or suspending Associate Clinical Social Worker Registration No. ASW  
30190, issued to Elizabeth Danielle Reese;

3. Taking such other and further action as deemed necessary and proper.

DATED: July 23, 2014

  
KIM MADSEN  
Executive Officer  
Board of Behavioral Sciences  
Department of Consumer Affairs  
State of California  
*Complainant*

SD2014707414

# **Exhibit A**

**Decision and Order**

**Board of Behavioral Sciences Case No. AS-2011-1524**