
CITATION NUMBER: MF-2009-1108
DATE OF ISSUANCE: June 14, 2011
NAME: Antje Petersen
ADDRESS: Luttelforst 113
D 41366 Schwalmtal, Germany

Pursuant to Sections 125.9 and 148 of the Business and Professions Code, and Title 16, California Code of Regulations (CCR) section 1886, KIM MADSEN issues this citation in her official capacity as the Executive Officer for the Board of Behavioral Sciences (hereinafter referred to as the "Board").

Registration/Licensing History

The records of the Board reflect that **Antje Petersen** was issued Marriage and Family Therapist license number **MFC 42087** on **June 17, 2005**; said license expired on **June 30, 2010**.

Citation

A citation containing a fine and Order of Abatement is hereby issued to you in accordance with Title 16, California Code of Regulations Sections 1886, 1886.20, 1886.30, and 1886.40 for the violation(s) described below.

Applicable Statutes and Regulations

Violation of section **4980(b)** of the Business and Professions Code, which reads, in part, as follows:

"No person may engage in the practice of marriage and family therapy...unless he or she holds a valid license as a marriage and family therapist, or unless he or she is specifically exempted from that requirement...."

Violation of section **1804** of Title 16, California Code of Regulations, which reads as follows:

"Each person or professional corporation regulated by the board shall maintain a current mailing address with the board and shall notify the board within thirty (30) days concerning any change of address giving both the old and new addresses.

Cause for Citation

Investigation revealed that between on or about July 1, 2008, through on or about May 26, 2009, you practiced marriage and family therapy while your license was in a delinquent status due to a dishonored check.

In your letter to the Board dated February 6, 2011, you reported that in June 2009 there was a statement on the Board's website saying your license was inactive. However, your license was never placed on an inactive status, it was delinquent. You said you became aware of your license status when the Blue Shield and Blue Cross credentialing units contacted you. You then explained that the credentialing units "allowed" you to continue to provide therapeutic services "since they were sure that a mistake must have occurred since I was in possession in June of 2009 of my MFT 42087 license, which did not expire until June 2010." (NOTE: The Board issues renewal certificates on a good faith basis that your renewal payment will clear your financial institution). You further explained that the problem was your check did not clear since you had changed financial institutions and you apologized for "not checking my checks cashed more closely...."

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The Board attempted several times in 2009 and 2010 to contact you in regard to a complaint filed by two clients¹ and to inform you of your dishonored check and delinquent status. However, we were not able to contact you as you did not provide a change of address within the required 30 days.

Cause exists for the Board to take enforcement action against your license. Accordingly, a citation, which includes a fine, has been ordered for this violation of the Business and Professions Code and California Code of Regulations as stated in this citation.

Orders

(1) Order of Abatement:

The Board of Behavioral Sciences orders you to:

1. Obey all laws governing your license as a Marriage and Family Therapist.

Within 30 days from the date of this citation, but no later than **July 14, 2011**, you **must** submit proof that you have brought yourself into compliance with the order imposed by the Board of Behavioral Sciences as stated above. Proof of compliance should be sent to the Board to the attention of the Enforcement Unit at 1625 North Market Blvd., Suite S200, Sacramento, CA 95834.

(2) Order to Pay Administrative Fine:

In addition, you must pay an administrative penalty (fine) in the amount of **\$500.00**, within thirty (30) days from the date this citation was served, but no later than **July 14, 2011**. In assessing this penalty, the Board considered you practiced for almost one year with an expired license, you cooperated with the investigation and that you have no prior history of such a violation.

Payment of the administrative penalty should be made to the Board of Behavioral Sciences (BBS), 1625 North Market Blvd., Suite S200, Sacramento, CA 95834. Please note your citation number on the check or money order.

You may contest this citation, or any portion thereof, by requesting either an Informal Citation Conference or a Formal Administrative Hearing, or both (Title 16, CCR Section 1886.70). Any request you make either for the formal or informal hearing or for both of them must be in writing and must be submitted to the Board within (30) calendar days after service of the citation. If you request both an Informal Citation Conference and a Formal Administrative Hearing, and an Informal Citation Conference is held, your request for a Formal Administrative Hearing shall be deemed withdrawn. Following the conclusion of the Informal Citation Conference, the Executive Officer shall either, affirm, modify, or dismiss the citation. If the citation is affirmed or modified, you will then have the opportunity to contest it by filing a written request with the Board for a Formal Administrative Hearing within (30) calendar days after service of the affirmed or modified citation. The Formal Administrative Hearing shall be held pursuant to the Administrative Procedures Act, Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. (Please refer to the enclosed Instructions to Cited Person for additional appeal information.)

You may withdraw a Request for Informal Citation Conference at any time prior to the date of the conference. You may withdraw a Request for Administrative Hearing anytime prior to the date of the hearing.

¹ The Board previously notified you of the complainants' identities. Complainants' full names will be made available to you upon request.

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Failure to request an Informal Citation Conference or Administrative Hearing in a timely manner will waive your right to contest this citation. If the citation is not contested, or if the citation is contested and you do not prevail, failure to abate the violation or to pay the assessed fine within the time allowed shall constitute a violation and a failure to comply with the citation or order of abatement.

Further, failure to timely comply with an order of abatement or pay an assessed fine may result in disciplinary action being taken by the board or other appropriate judicial action being taken against you. If you have been issued an order of abatement and you are unable to complete the correction(s) within the time set forth in the citation because of conditions beyond your control after the exercise of reasonable diligence, you may request an extension of time in which to complete the correction from the executive officer of the board. Such a request shall be in writing and shall be made within the time set forth for abatement. (Title 16, CCR section 1886.60.)

Pursuant to Business and Professions code section 125.9, if you do not request a formal Administrative Hearing, payment of the fine does not constitute an admission of the violation(s) alleged. Further, where a fine is paid to satisfy an assessment based on the finding of a violation, payment of the fine shall be represented as satisfactory resolution of the matter for purposes of public disclosure.

IF YOU NEITHER PAY THE FINE NOR REQUEST AN INFORMAL CITATION CONFERENCE OR ADMINISTRATIVE HEARING WITHIN THE ALLOTTED TIME FRAME, YOUR LICENSE WILL NOT BE RENEWED FOR THE NEXT RENEWAL PERIOD UNTIL THE FINE IS PAID.



KIM MADSEN
Executive Officer

Date: June 14, 2011

Attachments: Statement of Rights
Section 125.9, Business and Professions Code
Section 1886.70, Title 16, California Code of Regulations
Notice of Appeal
Acknowledgment Receipt of Citation form