

BEFORE THE
BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:)

CASE NO. LC-2002-149

MYNETTE TINA LEE)
818 Gretna Green Way #103)
Los Angeles, CA 90049)

Licensed Clinical Social Worker)
License No. LCS 15972)
Respondent.)

DECISION AND ORDER

The attached Surrender of License and Order is hereby adopted by the Board of Behavioral Sciences of the Department of Consumer Affairs as its Decision in the above-entitled matter.

This Decision shall become effective on October 15, 2003.

IT IS SO ORDERED October 15, 2003.



KAREN PINES, BOARD CHAIR
FOR THE BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS

1 30, 2005, unless renewed. On or about May 23, 2002, the Accusation was
2 served on Respondent. Effective April 21, 2003, Respondent entered into a
3 Stipulated Settlement and Disciplinary Order in the Matter of the Accusation,
4 Case No. LC-2002-149. The Stipulation ordered that Licensed Clinical Social
5 Worker License No. LCS 15972 issued to Respondent Mynette Tina Lee be
6 revoked, revocation stayed, and Respondent placed on five (5) years probation
7 on terms and conditions.

8 Term 13, License Surrender, is as follows:

9 Following the effective date of this decision, if Respondent ceases
10 practicing due to retirement or health reasons, or is otherwise unable to
11 satisfy the terms and conditions of probation, Respondent may voluntarily
12 surrender her license to the Board. The Board reserves the right to evaluate
13 the Respondent's request and to exercise its discretion whether to grant the
14 request or to take any other action deemed appropriate and reasonable under
15 the circumstances. Upon formal acceptance of the tendered license,
16 Respondent will no longer be subject to the terms and conditions of
17 probation. Voluntary surrender of Respondent's license shall be considered
18 to be a disciplinary action and shall become a part of Respondent's license
19 history with the Board. Respondent may not petition the Board for
20 reinstatement of the surrendered license. Should Respondent at any time
21 after voluntary surrender ever reapply to the Board for licensure, Respondent
22 shall meet all current requirements for licensure including, but not limited
23 to, filing a current application, meeting all current educational
24 requirements, and taking and passing any and all written and oral
25 examinations required of new applicants.

//

//

//

1 passing any and all written and oral examinations required of a new
2 applicant.

3 6. Respondent understands and agrees that in the event she files a
4 new and further application for licensure as a Licensed Clinical Social
5 Worker, or other category of registration or license issued by the Board of
6 Behavioral Sciences, the Board, at its option, may deny the application on
7 the basis of this voluntary surrender and refer the application to a
8 Statement of Issues proceeding wherein it will be deemed that the surrender
9 by Respondent was and is the same as revocation of the license for cause.

10 7. Respondent further understands and agrees that with the acceptance
11 by the Board of her license surrender, Respondent may not petition the Board
12 for reinstatement of the surrendered license.

13 ACCEPTANCE

14 I have carefully read the Surrender of License and Order. I understand
15 the effect it will have on my Licensed Clinical Social Worker License, Number
16 LCS 15972. I enter into this Surrender of License and Order voluntarily,
17 knowingly, and intelligently, and agree to be bound by the Decision and Order
18 of the Board of Behavioral Sciences.

19 DATED: 9-12-03.

20 Mynette Tina Lee
21 Mynette Tina Lee
22 Respondent
23
24
25

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

In the Matter of the Accusation Against:

MYNETTE TINA LEE
12221 San Vicente #A205
Los Angeles, CA 90049

Licensed Clinical Social Worker License No.
LCS 15972

Respondent.

Case No. LC-2002-149

OAH No. L-2002070737

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Behavioral Sciences, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on April 21, 2003.

It is so ORDERED March 21, 2003.



FOR THE BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS

1 BILL LOCKYER, Attorney General
of the State of California
2 MARC D. GREENBAUM, State Bar No. 138213
Deputy Attorney General
3 California Department of Justice
300 So. Spring Street, Suite 1702
4 Los Angeles, CA 90013
Telephone: (213) 897-2579
5 Facsimile: (213) 897-2804

6
7 Attorneys for Complainant

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

11 In the Matter of the Accusation Against:
12 MYNETTE TINA LEE
12221 San Vicente #A205
13 Los Angeles, CA 90049
14 Licensed Clinical Social Worker License No.
LCS 15972
15 Respondent.

Case No. LC-2002-149

OAH No. L-2002070737

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16
17 In the interest of a prompt and speedy settlement of this matter, consistent with
18 the public interest and the responsibility of the Board of Behavioral Sciences of the Department
19 of Consumer Affairs, the parties hereby agree to the following Stipulated Settlement and
20 Disciplinary Order which will be submitted to the Board for approval and adoption as the final
21 disposition of the Accusation.

22 PARTIES

23 1. Sherry Mehl (Complainant) is the Executive Officer of the Board of
24 Behavioral Sciences. She brought this action solely in her official capacity and is represented in
25 this matter by Bill Lockyer, Attorney General of the State of California, by Marc D. Greenbaum,
26 Deputy Attorney General.

27 2. Mynette Tina Lee (Respondent) is representing herself in this proceeding
28 and has chosen not to exercise her right to be represented by counsel.

1 all violations of law shall be reported by the Respondent to the Board or its designee in writing
2 within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this
3 term, Respondent shall submit fingerprints through the Department of Justice and Federal Bureau
4 of Investigation within 30 days of the effective date of the decision, unless previously submitted
5 as part of the licensure application process. Respondent shall pay the cost associated with the
6 fingerprint process.

7 2. **File Quarterly Reports.** Respondent shall submit quarterly reports, to the
8 Board or its designee, as scheduled on the "Quarterly Report Form"(rev. 01/12/01). Respondent
9 shall state under penalty of perjury whether she has been in compliance with all the conditions of
10 probation. Notwithstanding any provision for tolling of requirements of probation, during the
11 cessation of practice Respondent shall continue to submit quarterly reports under penalty of
12 perjury.

13 3. **Comply with Probation Program.** Respondent shall comply with the
14 probation program established by the Board and cooperate with representatives of the Board in
15 its monitoring and investigation of the Respondent's compliance with the program.

16 4. **Interviews with The Board.** Respondent shall appear in person for
17 interviews with the Board or its designee upon request at various intervals and with reasonable
18 notice.

19 5. **Tolling of Probation.** Respondent shall notify the Board in writing
20 within 10 days if Respondent leaves California to reside or practice in another state. The written
21 notice to the Board or its designee shall include the dates of departure from California and return.
22 Respondent shall notify the Board within 10 days upon return to California. The period of
23 probation shall be tolled during the time Respondent is residing or practicing outside of
24 California.

25 6. **Change of Place of Employment or Place of Residence.** Respondent
26 shall notify the Board or its designee in writing within 30 days of any change of place of
27 employment or place of residence. The written notice shall include the address, the telephone
28 number and the date of the change.

1 7. **Supervision of Unlicensed Persons.** While on probation, Respondent
2 shall not act as a supervisor for any hours of supervised practice required for any license issued
3 by the Board. Respondent shall terminate any such supervisorial relationship in existence on the
4 effective date of this Decision.

5 8. **Notification to Clients.** Respondent shall notify all clients of any term or
6 condition of probation which will affect their therapy or the confidentiality of their records. Such
7 notification shall be signed by each client prior to continuing or commencing treatment.
8 Respondent shall submit, upon request by the Board or its designee, satisfactory evidence of
9 compliance with this term of probation.

10 9. **Notification to Employer.** Respondent shall provide each of her
11 employers, when performing services that fall within the scope of practice of marriage and
12 family therapy, licensed clinical social work, or licensed educational psychology, a copy of this
13 Decision and the Statement of Issues or Accusation before commencing employment.
14 Notification to the respondent's current employer shall occur no later than the effective date of the
15 Decision. Respondent shall submit, upon request by the Board or its designee, satisfactory
16 evidence of compliance with this term of probation.

17 10. **Violation of Probation.** If Respondent violates the conditions of
18 her probation, the Board, after giving Respondent notice and the opportunity to be heard, may set
19 aside the stay order and impose the discipline revocation of Respondent's license provided in the
20 decision.

21 If during the period of probation, an accusation, petition to revoke probation, or
22 statement of issues has been filed against Respondent's license or application for licensure, or the
23 Attorney General's office has been requested to prepare such an accusation, petition to revoke
24 probation, or statement of issues, the probation period set forth in this decision shall be
25 automatically extended and shall not expire until the accusation, petition to revoke probation, or
26 statement of issues has been acted upon by the board. Upon successful completion of probation,
27 Respondent's license shall be fully restored.

28 ///

1 **11. Law and Ethics Course.** Respondent shall take and successfully
2 complete the equivalency of two semester units in law and ethics. Course work shall be taken at
3 the graduate level at an accredited educational institution. Classroom attendance must be
4 specifically required; workshops are not acceptable. Within 90 days of the effective date of this
5 Decision, Respondent shall submit a plan for prior Board approval for meeting this educational
6 requirement. Said course must be taken and completed within one year from the effective date of
7 this Decision. The costs associated with the law and ethics course shall be paid by the
8 Respondent. Units obtained for an approved course in law and ethics shall not be used for
9 continuing education units required for renewal of licensure.

10 **12. Maintain Valid License.** Respondent shall, at all times while on
11 probation, maintain a current and active license with the Board, including any period during
12 which suspension or probation is tolled. Should Respondent's license, by operation of law or
13 otherwise, expire, upon renewal Respondent's license shall be subject to any and all terms of this
14 probation not previously satisfied.

15 **13. License Surrender.** Following the effective date of this decision, if
16 Respondent ceases practicing due to retirement or health reasons, or is otherwise unable to
17 satisfy the terms and conditions of probation, Respondent may voluntarily surrender her license
18 to the Board. The Board reserves the right to evaluate the Respondent's request and to exercise
19 its discretion whether to grant the request or to take any other action deemed appropriate and
20 reasonable under the circumstances. Upon formal acceptance of the tendered license,
21 Respondent will no longer be subject to the terms and conditions of probation.

22 Voluntary surrender of Respondent's license shall be considered to be a
23 disciplinary action and shall become a part of Respondent's license history with the Board.
24 Respondent may not petition the Board for reinstatement of the surrendered license. Should
25 Respondent at any time after voluntary surrender ever reapply to the Board for licensure,
26 Respondent must meet all current requirements for licensure including, but not limited to, filing a
27 current application, meeting all current educational requirements, and taking and passing any and
28 all written and oral examinations required of new applicants.

1 14. **Instruction of Coursework Qualifying for Continuing Education.**
2 Respondent shall not be an instructor of any coursework for continuing education credit required
3 by any license issued by the Board.

4 15. **Notification to Referral Services.** Respondent shall immediately send a
5 copy of this decision to all referral services registered with the Board in which Respondent is a
6 participant. While on probation, Respondent shall send a copy of this decision to all referral
7 services registered with the Board that Respondent seeks to join.

8 16. **Cost Recovery.** Respondent shall pay the Board three thousand dollars
9 (\$3,000.00) as and for the reasonable costs of the investigation and prosecution of Case No. LC-
10 2002-149. Respondent shall make such payments as follows: fifty-five dollars and fifty-five
11 cents (\$55.55) for 54 consecutive months beginning the first month of probation. Respondent
12 shall make the check or money order payable to the Board of Behavioral Sciences and shall
13 indicate on the check or money order that it is the cost recovery payment for Case No. LC-2002-
14 149. Should any part of cost recovery not be paid in accordance with the outlined payment
15 schedule, Respondent shall be considered to be in violation of probation.

16 17. **Psychological Evaluation.** Within 90 days of the effective date of this
17 decision, and on a periodic basis thereafter as may be required by the Board or its designee,
18 Respondent shall complete a psychological evaluation by such licensed psychologists or
19 psychiatrists as are appointed by the Board. The cost of such evaluation shall be borne by
20 Respondent. Failure to pay for the report in a timely fashion constitutes a violation of probation.

21 Such evaluator shall furnish a written report to the Board or its designee regarding
22 Respondent's judgment and ability to function independently and safely as a counselor and such
23 other information as the Board may require. Respondent shall execute a Release of Information
24 authorizing the evaluator to release all information to the Board. Respondent shall comply with
25 the recommendations of the evaluator.

26 If Respondent is determined to be unable to practice independently
27 and safely, upon notification, Respondent shall immediately cease practice and shall not resume
28 practice until notified by the Board or its designee. Respondent shall not engage in any practice

1 for which a license issued by the Board is required, until the Board or its designee has notified
2 the Respondent of its determination that Respondent may resume practice.

3 **18. Supervision of Respondent's Practice.** Within 30 days of the effective
4 date of this decision, Respondent shall submit to the Board or its designee, for its prior approval,
5 the name and qualification of one or more proposed supervisors and a plan by each supervisor.
6 The supervisor shall be a current California licensed practitioner in Respondent's field of
7 practice, who shall submit written reports to the Board or its designee on a quarterly basis
8 verifying that supervision has taken place as required and including an evaluation of
9 Respondent's performance. The supervisor shall be independent, with no prior business,
10 professional or personal relationship with Respondent. Failure to file the required reports in a
11 timely fashion shall be a violation of probation. Respondent shall give the supervisor access to
12 Respondent's fiscal and client records.

13 **19. Psychotherapy.** Respondent shall participate in ongoing psychotherapy
14 with a California licensed mental health professional who has been approved by the Board.
15 Counseling shall be at least once a week unless otherwise determined by the Board. Respondent
16 shall continue in such therapy at the Board's discretion. Cost of such therapy is to be borne by
17 Respondent.

18 Within 60 days of the effective date of this decision, Respondent shall submit to
19 the Board or its designee for its prior approval the name and qualifications of one or more
20 therapists of Respondent's choice. Such therapist shall possess a valid California license to
21 practice and shall have had no prior business, professional, or personal relationship with
22 Respondent, nor shall the psychotherapist be the Respondent's supervisor. Respondent shall
23 provide the therapist with a copy of the Board's decision no later than the first counseling
24 session. Upon approval by the Board, Respondent shall undergo and continue treatment until the
25 Board or its designee determines that no further psychotherapy is necessary.

26 Respondent shall take all necessary steps to ensure that the treating
27 psychotherapist submits quarterly written reports to the Board concerning Respondent's fitness to
28 practice, progress in treatment, and to provide such other information as may be required by the

1 Board. Respondent shall execute a Release of Information authorizing the therapist to divulge
2 information to the Board.

3 If the treating psychotherapist finds that Respondent cannot practice safely or
4 independently, the psychotherapist shall notify the Board within three (3) working days. Upon
5 notification by the Board, Respondent shall immediately cease practice and shall not resume
6 practice until notified by the Board or its designee that Respondent may do so. Respondent shall
7 not thereafter engage in any practice for which a license issued by the Board is required until the
8 Board or its designee has notified Respondent that she may resume practice. Respondent shall
9 document compliance with this condition in the manner required by the Board.

10 **20. Education.** Respondent shall take and successfully complete the
11 equivalency of three (3) semester units in the area of alcohol/drug abuse. All course work shall
12 be taken at the graduate level at an accredited educational institution. Classroom attendance
13 must be specifically required; workshops are not acceptable. Course content shall be pertinent to
14 the violation and all course work must be completed within the second year of probation.

15 Within 90 days of the effective date of the decision Respondent shall submit a
16 plan for prior Boar approval for meeting these educational requirements. All costs of the course
17 work shall be paid by the Respondent.

18 **21. Rehabilitation Program.** Within fifteen (15) days from the effective
19 date of the decision, Respondent shall submit to the Board or its designee for prior approval the
20 name of a rehabilitation program consisting of weekly twelve-step meetings. Respondent shall
21 enter the rehabilitation and monitoring program within fifteen (15) days after notification of the
22 board's approval of such program. Respondent shall successfully complete such treatment
23 contract as may be recommended by the program and approved by the Board or its designee.
24 Respondent shall submit proof satisfactory to the Board or its designee of compliance with this
25 term of probation. Respondent shall sign a release allowing the program to release to the Board
26 all information the Board deems relevant.

27 Components of the treatment contract shall be relevant to the violation and to the
28 Respondent's current status in recovery or rehabilitation. The components may include, but are

1 and intelligently, and agree to be bound by the Decision and Order of the Board of Behavioral
2 Sciences.

3 DATED: 1-20-03.

4
5 
6 MYNETTE TINA LEE
7 Respondent

8
9 ENDORSEMENT

10 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
11 submitted for consideration by the Board of Behavioral Sciences of the Department of Consumer
12 Affairs.

13
14 DATED: 1/22/03.

15 BILL LOCKYER, Attorney General
16 of the State of California

17 
18 MARC D. GREENBAUM
19 Deputy Attorney General

20 Attorneys for Complainant

21 DOJ Docket Number: 03564110-LA2002AD0327

22
23
24
25
26
27
28

EXHIBIT A

1 BILL LOCKYER, Attorney General
of the State of California
2 MARC D. GREENBAUM, State Bar No. 138213
Deputy Attorney General
3 California Department of Justice
300 So. Spring Street, Suite 1702
4 Los Angeles, CA 90013
Telephone: (213) 897-2579
5 Facsimile: (213) 897-2804
6 Attorneys for Complainant

7
8 **BEFORE THE**
9 **BOARD OF BEHAVIORAL SCIENCES**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. LC-2002-149

13 MYNETTE TINA LEE
12221 San Vicente #A205
Los Angeles, CA 90049

ACCUSATION

14 Licensed Clinical Social Worker License
No. LCS 15972

15 Respondent.

16
17 Complainant alleges:

18 PARTIES

19 1. Sherry Mehl ("Complainant") brings this Accusation solely in her official
20 capacity as the Executive Officer of the Board of Behavioral Sciences, Department of Consumer
21 Affairs.

22 2. On or about February 13, 1992, the Board of Behavioral Sciences issued
23 Licensed Clinical Social Worker License No. LCS 15972 to Mynette Tina Lee ("Respondent").
24 The Licensed Clinical Social Worker License was in full force and effect at all times relevant to
25 the charges brought herein and will expire on September 30, 2003, unless renewed.

26 ///

27 ///

28 ///

1 registration when the time for appeal has elapsed, or the judgment of conviction has been
2 affirmed on appeal, or, when an order granting probation is made suspending the
3 imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the
4 Penal Code allowing the person to withdraw a plea of guilty and enter a plea of not
5 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or
6 indictment.

7 (c) Administering to himself or herself any controlled substance or using of any of
8 the dangerous drugs specified in Section 4211, or of any alcoholic beverage to the extent,
9 or in a manner, as to be dangerous or injurious to the person applying for a registration or
10 license or holding a registration or license under this chapter, or to any other person, or to
11 the public, or, to the extent that the use impairs the ability of the person applying for or
12 holding a registration or license to conduct with safety to the public the practice
13 authorized by the registration or license, or the conviction of more than one misdemeanor
14 or any felony involving the use, consumption, or self-administration of any of the
15 substances referred to in this subdivision, or any combination thereof. The board shall
16 deny an application for a registration or license or revoke the license or registration of any
17 person who uses or offers to use drugs in the course of performing clinical social work.

18 (e) Violating, attempting to violate, or conspiring to violate this chapter or any
19 regulation adopted by the board.

20 6. Section 4996.11 of the Code states that “[t]he board may suspend or
21 revoke the license of any person who is guilty on the grounds set forth in Section 4992.3. The
22 proceedings for the suspension or revocation of licenses under this article shall be conducted in
23 accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2
24 of the Government Code, and the board shall have all the powers granted in that chapter.”

25 7. Section 490 of the Code states:

26 “A board may suspend or revoke a license on the ground that the licensee has
27 been convicted of a crime, if the crime is substantially related to the qualifications,
28 functions, or duties of the business or profession for which the license was issued. A

1 conviction within the meaning of this section means a plea or verdict of guilty or a
2 conviction following a plea of nolo contendere. Any action which a board is permitted to
3 take following the establishment of a conviction may be taken when the time for appeal
4 has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order
5 granting probation is made suspending the imposition of sentence, irrespective of a
6 subsequent order under the provisions of Section 1203.4 of the Penal Code.”

7 8. Section 125.3 of the Code provides, in pertinent part, that the Board may
8 request the administrative law judge to direct a licentiate found to have committed a violation or
9 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
10 and enforcement of the case.

11 FIRST CAUSE FOR DISCIPLINE

12 (Conviction of Crimes)

13 9. Respondent has subjected her license to discipline pursuant to section
14 4992.3 of the Code on the grounds of unprofessional conduct, as defined in sections 4992.3(a)
15 and 490, as follows:

16 a. On or about July 18, 2000, Respondent was convicted by the Court on a
17 plea of nolo contendere to one count of violating Vehicle Code section 23152(a) (driving under
18 the influence of alcohol or drugs), a felony, and one count of violating Vehicle Code section
19 23152(b), (driving while having a 0.08% or higher blood alcohol) a felony, in the Superior Court
20 of Los Angeles, West Judicial District, County of Los Angeles, State of California, Case No.
21 SA038448, entitled *The People of the State of California v. Mynette Tina Lee*.

22 b. The circumstances surrounding the convictions are that on or about
23 February 11, 2000, in the County of Los Angeles, Respondent was arrested for driving a vehicle
24 while under the influence of an alcoholic beverage. Respondent consented to a breath test. The
25 results were .22 and .20% blood alcohol content.

26 c. On or about June 5, 1997, Respondent was convicted by the Court on a
27 plea of nolo contendere to one count of violating Penal Code section 242 (battery), a
28 misdemeanor, in the Municipal Court of Santa Monica Judicial District, County of Los Angeles,

1 State of California, Case No. 6SM01571, entitled *The People of the State of California v.*
2 *Mynette Tina Lee.*

3 d. The circumstances surrounding this conviction are that on or about March
4 31, 1996, in Santa Monica, California, Respondent was arrested for wilfully and unlawfully
5 using force or violence upon another person.

6 e. On or about June 5, 1997, Respondent was convicted by the Court on a
7 plea of nolo contendere to one count of violating Vehicle Code section 23153(a) (driving under
8 the influence of alcohol/drugs causing bodily injury), a felony, in the Municipal Court of Santa
9 Monica Judicial District, County of Los Angeles, State of California, Case No. SA024976,
10 entitled *The People of the State of California v. Mynette Tina Lee.*

11 f. The circumstances surrounding this conviction are that on or about March
12 20, 1996, in the County of Los Angeles, Respondent was arrested for driving a vehicle while
13 under the influence of an alcoholic beverage and/or drugs, after colliding head-on with another
14 vehicle, causing bodily injury to the driver of the other vehicle and to herself. Her blood alcohol
15 content was found to be .26%. Additionally, eight (8) vials of prescription drugs were found in
16 Respondent's vehicle.

17 g. On or about July 8, 1993, Respondent was convicted by the court on a plea
18 of nolo contendere to one count of violating Vehicle Code section 23152(a) (driving under the
19 influence of alcohol and/or drugs), a misdemeanor, in the Municipal Court of Compton Judicial
20 District, County of Los Angeles, State of California, Case No. 93M06136, entitled *The People of*
21 *the State of California v. Mynette Tina Lee.*

22 h. The circumstances surrounding the conviction are that on or about May
23 29, 1993, Respondent was arrested for driving a vehicle while under the influence of an alcoholic
24 beverage and/or drugs.

25 ///

26 ///

27 ///

28 ///

