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

In the Matter of the Accusation Against:

Case No. MF-2009-659

JEFFREY SCOTT ELLIS
2287 Dudley Street
Pasadena, CA 91104
Marriage and Family Therapist License No.
MFC 33172

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Behavioral Sciences, as its Decision in this matter.

This Decision shall become effective on August 26, 2011.

It is so ORDERED July 27, 2011.



FOR THE BOARD OF BEHAVIORAL SCIENCES

1 KAMALA D. HARRIS
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 NANCY A. KAISER
Deputy Attorney General
4 State Bar No. 192083
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-5794
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

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 **JEFFREY SCOTT ELLIS**
2287 Dudley Street
13 Pasadena, CA 91104
14 **Marriage and Family Therapist License No.**
MFC 33172
15
16 Respondent.

Case No. MF-2009-659.

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

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

22 PARTIES

23 1. Kim Madsen (Complainant) is the Executive Officer of the Board of Behavioral
24 Sciences. She brought this action solely in her official capacity and is represented in this matter
25 by Kamala D. Harris, Attorney General of the State of California, by Nancy A. Kaiser, Deputy
26 Attorney General.

27 2. Respondent Jeffrey Scott Ellis (Respondent) is represented in this proceeding by
28 attorney A. Steven Frankel, Ph.D., Esq., whose address is: 3527 Mt. Diablo Blvd, Suite 269
Lafayette, CA 94549.

1 ORDER

2 IT IS HEREBY ORDERED that Marriage and Family Therapist License No. MFC 33172,
3 issued to Respondent Jeffrey Ellis, is surrendered and accepted by the Board of Behavioral
4 Sciences.

5 14. The surrender of Respondent's Marriage and Family Therapist License and the
6 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
7 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
8 of Respondent's license history with the Board.

9 15. Respondent understands and agrees that if he ever applies for licensure or registration
10 in the State of California, the Board shall treat it as a new application for licensure or registration.
11 Respondent must comply with the laws, regulations and procedures for licensure in effect at the
12 time of the application or petition is filed, and all of the charges and allegations contained in the
13 Accusation shall be deemed to be true, correct, and admitted by Respondent when the Board
14 determines whether to grant or deny the application or petition.

15 16. Respondent shall lose all rights and privileges as a Marriage and Family Therapist in
16 California as of the effective date of the Board's Decision and Order.

17 17. Respondent shall cause to be delivered to the Board both his wall license certificates
18 and current renewal certificates on or before the effective date of the Decision and Order.

19 18. Respondent agrees that with the adoption by the Board of his license surrender,
20 Respondent may not petition the Board for reinstatement of the surrendered licenses.

21 19. If he ever applies for licensure in the State of California, the Board shall treat it as a
22 new application for licensure. Respondent must comply with all the laws, regulations and
23 procedures for licensure in effect at the time the application is filed, and all of the charges and
24 allegations contained in Accusation No. MF-2009-659 shall be deemed to be true, correct and
25 admitted by Respondent when the Board determines whether to grant or deny the application.

26 20. If Respondent should ever apply or reapply for a new license or certification, or
27 petition for reinstatement of a license, with any other health care licensing agency in the State of
28 California, all of the charges and allegations contained in Accusation No. MF-2009-659 shall be

1 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
2 Issues or any other proceeding seeking to deny or restrict licensure.

3 21. Respondent shall pay the Board its costs of investigation and enforcement in the
4 amount of \$3,847.50 prior to issuance of a new registration or license.

5 ACCEPTANCE

6 I have carefully read the above Stipulated Surrender of License and Order. I understand the
7 stipulation and the effect it will have on my Marriage and Family Therapist License and have
8 fully discussed it with my attorney, A. Steven Frankel, Ph.D., Esq. I enter into this Stipulated
9 Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound
10 by the Decision and Order of the Board of Behavioral Sciences.

11
12 DATED:

6/8/11


JEFFREY ELLIS
Respondent

13
14
15 I have read and fully discussed with Respondent Jeffrey Scott Ellis the terms and conditions
16 and other matters contained in the above Stipulated Surrender of License and Order. I approve its
17 form and content.

18 DATED:

5/31/14


A. Steven Frankel, Ph.D., Esq.
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
for consideration by the Board of Behavioral Sciences.

Dated:

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
GREGORY J. SALUTE
Supervising Deputy Attorney General



NANCY A. KAISER
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. MF-2009-659

1 KAMALA D. HARRIS
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 NANCY A. KAISER
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300 So. Spring Street, Suite 1702
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7 *Attorneys for Complainant*

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. MF-2009-659

13 **JEFFREY SCOTT ELLIS**
2287 Dudley Street
14 Pasadena, CA 91104
Marriage and Family Therapist License No.
15 **MFC 33172**

A C C U S A T I O N

16 Respondent.

17
18
19 Complainant alleges:

20 **PARTIES**

- 21 1. Kim Madsen (Complainant) brings this Accusation solely in her official capacity as
22 the Executive Officer of the Board of Behavioral Sciences, Department of Consumer Affairs.
- 23 2. On or about April 30, 1996, the Board of Behavioral Sciences issued Marriage and
24 Family Therapist License Number MFC 33172 to Jeffrey Scott Ellis (Respondent). The Marriage
25 and Family Therapist License was in full force and effect at all times relevant to the charges
26 brought herein and will expire on August 31, 2011, unless renewed.

JURISDICTION

1
2 3. This Accusation is brought before the Board of Behavioral Sciences (Board), under
3 the authority of the following laws. All section references are to the Business and Professions
4 Code unless otherwise indicated.

5 4. Section 4982 states:

6 "The board may deny a license or registration or may suspend or revoke the license or
7 registration of a licensee or registrant [issued pursuant to the Marriage and Family Therapist Act,
8 Code section 4980, et seq.] if he or she has been guilty of unprofessional conduct. Unprofessional
9 conduct includes, but is not limited to, the following:

10 ...

11 "(d) Gross negligence or incompetence in the performance of marriage and family therapy.

12 ...

13 "(i) Intentionally or recklessly causing physical or emotional harm to any client.

14 ...

15 "(k) Engaging in sexual relations with a client, or a former client within two years following
16 termination of therapy, soliciting sexual relations with a client, or committing an act of sexual
17 abuse, or sexual misconduct with a client, or committing an act punishable as a sexually related
18 crime, if that act or solicitation is substantially related to the qualifications, functions, or duties of
19 a marriage and family therapist.

20 ...

21 "(m) Failure to maintain confidentiality, except as otherwise required or permitted by law,
22 of all information that has been received from a client in confidence during the course of
23 treatment and all information about the client which is obtained from tests or other means.

24 ...

25 "(s) Performing or holding oneself out as being able to perform professional services
26 beyond the scope of one's competence, as established by one's education, training, or experience.
27 This subdivision shall not be construed to expand the scope of the license authorized by this
28 chapter.

1 ...
2 "(v) Failure to keep records consistent with sound clinical judgment, the standards of the
3 profession, and the nature of the services being rendered."

4 5. Section 118, subdivision (b), of the Code provides that the suspension, expiration,
5 surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a
6 disciplinary action during the period within which the license may be renewed, restored, reissued
7 or reinstated.

8 COST RECOVERY

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

13 FIRST CAUSE FOR DISCIPLINE

14 **(Unprofessional Conduct - Gross Negligence and/or Incompetence)**

15 7. Respondent's license is subject to disciplinary action under section 4982, subdivision
16 (d), on the grounds of unprofessional conduct, in that he committed gross negligence and/or
17 incompetence in the performance of marriage and family therapy, as follows:

18 a From in or about April 2005, through in or about November 2006, Respondent
19 provided individual therapy sessions on a regular weekly basis to patient T.L.¹, an adult female
20 diagnosed with Dissociative Identity Disorder (DID), formerly known as Multiple Personality
21 Disorder (MPD), who was reportedly "extremely promiscuous" outside of her marriage. Patient
22 T.L. sought counseling to help her with her promiscuity and her marriage.

23 b. During Respondent's treatment of patient T.L., Respondent committed acts that
24 constituted an extreme departure from standard practice and practiced beyond his scope of
25 competence in treating a DID adult, in that he used treatment techniques with patient T.L. that
26 were contraindicated in the treatment of DID, failed to set clear and appropriate boundaries, failed

27 ¹ Initials are used to protect the privacy of the patient. The patient's full name will be
28 provided following a request for discovery.

1 to use standard assessment tools for diagnosis, failed to clarify treatment techniques with the
2 client, failed to educate her regarding the nature of DID according to standard guidelines, created
3 a dual relationship with the patient, failed to maintain the patient's confidentiality, and failed to
4 keep records of the therapy, as more fully described herein below.

5 c. Respondent and Patient T.L. knew each other before therapy commenced as
6 Respondent was a church leader at the church that Patient T.L. and her husband attended, and
7 they traveled together on a church trip to Cambodia. During the time patient T.L. was a therapy
8 client of Respondent, Respondent participated in a video produced by patient T.L.'s husband.

9 d. During therapy sessions with patient T.L., Respondent engaged in sexualized
10 conversation with patient T.L. He told patient T.L. that he wanted to have sex with her and told
11 her that "I am certain you could give me sex better than I've ever had before in my life because of
12 your sexual prowess and expertise." Respondent frequently touched bare feet with patient T.L. in
13 session, hugged her, allowed the patient to sit on his lap, put her head on his chest, and put his
14 arms around her and pulled her close. On one occasion, Respondent placed his hand on patient
15 T.L.'s chest while the patient straddled him and asked her several times if she wanted him to
16 move his hand down her body or remove his hand. Respondent told patient T.L. that he loved
17 her, wanted to take care of her, and "would kill" for her.

18 e. Patient T.L. became dependent on Respondent. Respondent supported patient T.L.'s
19 request to change her name to include his last name, suggested a variation of it and stated "it
20 could be a cool secret between us." Respondent accepted gifts from patient T.L. Respondent met
21 with patient T.L. in his home on one occasion, visited patient T.L.'s office on one occasion, and
22 disclosed personal information to patient T.L. on many occasions. Respondent originally
23 diagnosed patient T.L. with Borderline Personality Disorder and later changed the diagnosis to
24 MPD. Respondent did not inform patient T.L. of her MPD or DID diagnosis. As a result of her
25 therapy with Respondent, Patient T.L. suffered emotional injury and made several suicide
26 attempts.

27 f. Respondent discussed patient T.L.'s treatment, including her diagnosis, with a pastor
28 at their church to whom Respondent knew T.L. was attracted, without patient T.L.'s consent and

1 acknowledged patient T.L. as his therapy client to clergy members of their church. Respondent
2 also disclosed information about patient T.L.'s therapy to her husband without her consent.

3 g. Respondent did not make any progress notes or maintain any treatment records of his
4 treatment of patient T.L., such as intake, informed consent, assessment, diagnosis, treatment plans
5 or signed releases of information for his treatment of patient T.L.

6 **SECOND CAUSE FOR DISCIPLINE**

7 **(Unprofessional Conduct – Engaged in Sexual Misconduct with a Client)**

8 8. Respondent's license is subject to disciplinary action under section 4982, subdivision
9 (k), on the grounds of unprofessional conduct, in that Respondent engaged in sexual misconduct
10 with Patient T.L. The allegations contained in paragraph 7 above are incorporated by reference as
11 if fully set forth.

12 **THIRD CAUSE FOR DISCIPLINE**

13 **(Unprofessional Conduct – Recklessly Causing Emotional Harm)**

14 9. Respondent's license is subject to disciplinary action under section 4982, subdivision
15 (i), on the grounds of unprofessional conduct in the form of recklessly causing emotional harm.
16 The allegations contained in paragraphs 7 and 8 above are incorporated by reference as if fully set
17 forth.

18 **FOURTH CAUSE FOR DISCIPLINE**

19 **(Unprofessional Conduct – Failure to Maintain Confidentiality)**

20 10. Respondent's license is subject to disciplinary action under section 4982, subdivision
21 (m), on the grounds of unprofessional conduct, in that Respondent failed to maintain patient
22 T.L.'s confidentiality. The allegations contained in paragraphs 7 above are incorporated by
23 reference as if fully set forth.

24 **FIFTH CAUSE FOR DISCIPLINE**

25 **(Unprofessional Conduct – Failure to keep records)**

26 11. Respondent's license is subject to disciplinary action under section 4982, subdivision
27 (v), on the grounds of unprofessional conduct, in that Respondent failed to keep records
28 consistent with sound clinical judgment, the standards of the profession, and the nature of the

1 services being rendered, in that he failed to keep sufficient clinical records with regard to his
2 therapy with Patient T.L. The allegations contained in paragraph 7 above are incorporated by
3 reference as if fully set forth.

4 **SIXTH CAUSE FOR DISCIPLINE**

5 **(Unprofessional Conduct)**

6 12. Respondent's license is subject to disciplinary action under section 4982, in that
7 Respondent committed unprofessional conduct during the treatment of Patient T.L. The
8 allegations contained in paragraphs 7 through 11 above are incorporated by reference as if fully
9 set forth.

10 **PRAYER**

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

13 1. Revoking or suspending Marriage and Family Therapist License Number MFC
14 33172, issued to Jeffrey Scott Ellis;

15 2. Ordering Jeffrey Scott Ellis to pay the Board of Behavioral Sciences the reasonable
16 costs of the investigation and enforcement of this case, pursuant to Business and Professions
17 Code section 125.3; and,

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

19 DATED: January 28, 2011



20 KIM MADSEN
21 Executive Officer
22 Board of Behavioral Sciences
23 State of California
24 Complainant

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