

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

In the Matter of the Accusation Against:

**REATA LYN RHINE
22792 Centre Drive, No. 102
Lake Forest, CA 92630**

**Licensed Clinical Social Worker License No.
LCS 17031**

Respondent.

Case No. LC-2013-1246

OAH No. 2014080851

DECISION AND ORDER

The attached Stipulated Surrender of License and 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 15, 2015.

It is so ORDERED April 15, 2015.



FOR THE BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS
Attorney General of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 DAVID E. HAUSFELD
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Attorneys for Complainant

8
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DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. LC-2013-1246

12 **REATA LYN RHINE**
13 **22792 Centre Drive, No. 102**
14 **Lake Forest, CA 92630**

OAH No. 2014080851

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 **Licensed Clinical Social Worker License No.**
16 **LCS 17031**

Respondent.

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Kim Madsen (Complainant) is the Executive Officer of the Board of Behavioral
22 Sciences. She brought this action solely in her official capacity and is represented in this matter
23 by Kamala D. Harris, Attorney General of the State of California, by David E. Hausfeld, Deputy
24 Attorney General.

25 2. Reata Lyn Rhine (Respondent) is represented in this proceeding by attorney
26 Christopher J. Zopatti, of Callahan, Thompson, Sherman & Caudill, LLP, whose address is 2601
27 Main St., Suite 800, Irvine, CA 92614.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Christopher J. Zopatti. I understand the stipulation and the effect it will have on my Licensed Clinical Social Worker License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Behavioral Sciences.

DATED: _____
REATA LYN RHINE
Respondent

I have read and fully discussed with Respondent Reata Lyn Rhine the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 3-16-15 _____
CHRISTOPHER J. ZOPATTI
Attorney for Respondent

ENDORSEMENT

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

Dated: _____
Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
JAMES M. LEDAKIS
Supervising Deputy Attorney General

DAVID E. HAUSFELD
Deputy Attorney General
Attorneys for Complainant

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DATED: _____

REATA LYN RHINE
Respondent

I have read and fully discussed with Respondent Reata Lyn Rhine the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: _____

CHRISTOPHER J. ZOPATTI
Attorney for Respondent

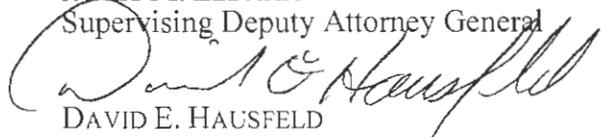
ENDORSEMENT

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

Dated: 3/16/15

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
JAMES M. LEDAKIS
Supervising Deputy Attorney General



DAVID E. HAUSFELD
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. LC-2013-1246

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10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

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12 **REATA LYN RHINE**
13 **22792 Centre Drive, No. 102**
14 **Lake Forest, CA 92630**

A C C U S A T I O N

15 **Licensed Clinical Social Worker License**
No. LCS 17031

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about July 11, 1994, the Board of Behavioral Sciences issued Licensed Clinical
23 Social Worker License Number LCS 17031 to Reata Lyn Rhine (Respondent). The Licensed
24 Clinical Social Worker License expired on December 31, 2013, and has not been renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Behavioral Sciences (Board),
27 Department of Consumer Affairs, under the authority of the following laws. All section
28 references are to the Business and Professions Code (Code) unless otherwise indicated.

1 REGULATORY PROVISIONS

2 7. California Code of Regulations, Title 16, section 1881, states, in pertinent part:

3 As used in Section 4992.3 of the code, unprofessional conduct includes, but
4 is not limited to:

5

6 (c) Aids or abets an unlicensed person to engage in conduct requiring a
license.

7 (d) Intentionally or recklessly causes physical or emotional harm to a client.

8

9 (i) Fails to maintain the confidentiality, except as otherwise required or
10 permitted by law, of all information that has been received from a client during the
course of treatment and all information about the client which is obtained from
11 tests or other such means.

12

13 (m) Commits an act or omission which falls sufficiently below that standard
of conduct of the profession as to constitute an act of gross negligence.

14

15 COST RECOVERY

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

20 FACTS

21 PATIENT KE

22 9. Respondent is a licensed clinical social worker in Orange County, California, doing
23 business as Dance of Life Counseling.

24 10. In February of 2012, patient KE began treating with Respondent, attending individual
25 and group sessions. KE had a history of sexual abuse. Respondent placed her in a group that had
26 similar sexual abuse histories. KE terminated her relationship in January of 2013, after problems
27 arose between her and Respondent.

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1 11. In November and December of 2012, Respondent was unable to conduct her group
2 sessions and allowed Luke Benoit to act as the facilitator of KE's group on November 26, 2012,
3 December 3, 2012 and December 10, 2012.

4 12. Luke Benoit had his marriage and family therapist license revoked in August of 2011,
5 based upon his sexual contact with a client.

6 13. Before leaving her group in the hands of Benoit, Respondent did not disclose to KE
7 that Benoit did not hold a license. Respondent also did not disclose Benoit's status as a revoked
8 license holder and his history of violating sexual boundaries with a client.

9 14. When KE found out about Benoit's history she confronted Respondent as to why she
10 would leave the group in the hands of an unlicensed sexual predator. Respondent stated that she
11 did not believe it was necessary to disclose to KE, Benoit's past history, since he was now a "Life
12 Coach" and he had changed. Respondent then did not support her client and told KE the problem
13 was her own and that KE had trust issues stemming from her past history of sexual abuse.

14 Respondent also convinced other members of the group to attack her as well.

15 15. Respondent left the group in tears, questioning her own sanity, and sought a different
16 therapist to address the issues related to Respondent's treatment of her.

17 16. KE suffered considerable psychological damage as a result of her experience with
18 Respondent.

19 **PATIENT CW**

20 17. In October of 2008, patient CW began treating with Respondent, attending individual
21 and group sessions. CW had a history of sexual abuse. Respondent placed him in a group that
22 had similar sexual abuse histories. CW terminated his relationship in January of 2013, after
23 problems arose between him and Respondent.

24 18. In November and December of 2012, Respondent was unable to conduct her group
25 sessions and allowed Luke Benoit to act as the facilitator of CW's group on November 28, 2012,
26 December 5, 2012 and December 12, 2012.

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1 19. CW had previously treated with Benoit in 2009, when Benoit was still licensed as a
2 marriage and family therapist. After the three sessions with Benoit, Respondent returned to the
3 group.

4 20. CW felt uncomfortable with Benoit and told Respondent of his concerns. Respondent
5 told CW the problem was with his own trust issues and it had nothing to do with Benoit. After
6 Respondent continued to defend Benoit and placed the blame on CW's own issues, CW
7 researched Benoit's license on the BBS website. He discovered that Benoit's license had been
8 revoked and the reason for the revocation.

9 21. CW confronted Respondent as to why she did not disclose Benoit's past history and
10 the fact that he was unlicensed. Respondent stated that she did not believe it was necessary to
11 disclose to CW, Benoit's past history. Respondent told CW that Benoit was rehabilitated and he
12 was allowed to facilitate group therapy. Respondent also defended her position by stating that
13 Benoit was now a "Life Coach" and not a therapist.

14 22. CW was emotionally injured by Respondent's placement of Benoit in charge of the
15 group when she knew the emotional struggles CW suffered from sexual abuse.

16 23. Due to the distrust generated by Respondent's conduct, CW stopped therapy
17 completely, even though he believes he needs further therapy.

18 **PATIENT HT**

19 24. In September of 2008, patient HT began treating with Respondent, attending sessions
20 involving individual therapy, group therapy, marriage therapy, clinical workshops and group
21 retreats. HT met her future husband, patient CW, at a group retreat facilitated by Respondent in
22 Costa Rica. HT terminated her relationship in February of 2013, after problems arose between
23 her and Respondent.

24 25. HT was not in any group session with Benoit. HT went with CW when he confronted
25 Respondent regarding allowing Benoit to act on Respondent's behalf in the group sessions.
26 Respondent's explanations and the manner in which she treated CW caused emotional distress to
27 HT such that she lost all confidence in Respondent's therapeutic skills and her ability to make
28 good decisions for her clients.

1 26. When HT confronted Respondent in one of her group sessions regarding the
2 inappropriateness of the use of Benoit in her husband's group, Respondent turned the group
3 against her and refused to accept responsibility for her actions.

4 27. During the time that HT was treated by Respondent, there were multiple occasions in
5 which Respondent crossed therapist/client boundaries by socializing with her clients outside the
6 office setting, resulting in an improper dual relationship. Respondent attended HT's marriage to
7 CW. Respondent recommended her son-in-law's half sister to HT as a possible donor for HT
8 and CW for in vitro fertilization. Respondent held Native American Naming Ceremonies on the
9 beach in Orange County with members of her groups and others. Respondent would attend social
10 events with HT. Respondent gave Christmas presents and other gifts to HT.

11 **PATIENT DA**

12 28. In 1992, patient DA began treating with Respondent, attending sessions involving
13 individual therapy, group therapy, clinical workshops and group retreats. DA terminated her
14 relationship in early 2011, after problems arose between her and Respondent.

15 29. Respondent began to host weekend work shops inviting most of her clients to attend.
16 This commingling of the different groups led to a loss of confidentiality for the individuals in the
17 groups.

18 30. DA and patient HT were friends and both were treated by Respondent. Respondent
19 told DA that she could not maintain a friendship with HT and remain in group sessions. DA
20 ended her treatment with Respondent.

21 31. After DA ended her 18 year relationship with Respondent she was a topic of
22 discussion in group sessions facilitated by Respondent with HT. Respondent had witnessed a
23 conflict between DA and HT. At her group session Respondent encouraged HT to disassociate
24 from DA and spoke of HT in a negative context discussing information Respondent had learned
25 in individual and group sessions with DA.

26 32. DA received no response when she attempted to contact Respondent in October and
27 November of 2012.

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1 FIRST CAUSE FOR DISCIPLINE

2 (Incompetence)

3 33. Respondent is subject to disciplinary action under section 4996.11 on the grounds of
4 unprofessional conduct, as defined in section 4992.3, subdivision (d), in that Respondent was
5 incompetent in the performance of clinical social work in the treatment of her clients, as more
6 particularly set forth in paragraphs 9 through 32 above.

7 SECOND CAUSE FOR DISCIPLINE

8 (Gross Negligence)

9 34. Respondent is subject to disciplinary action under section 4996.11 on the grounds of
10 unprofessional conduct, as defined in section 4992.3, subdivision (e), in that Respondent's acts
11 and omissions fell sufficiently below the standard of conduct of the profession as to constitute
12 gross negligence in the treatment of her clients, as more particularly set forth in paragraphs 9
13 through 32 above.

14 THIRD CAUSE FOR DISCIPLINE

15 (Violating Statutes and Regulations)

16 35. Respondent is subject to disciplinary action under section 4996.11 on the grounds of
17 unprofessional conduct, as defined in section 4992.3, subdivision (f), in that Respondent violated
18 statutes and regulations adopted by the Board in the treatment of her clients, as more particularly
19 set forth in paragraphs 9 through 32 above.

20 FOURTH CAUSE FOR DISCIPLINE

21 (Aiding or Abetting an Unlicensed Person)

22 36. Respondent is subject to disciplinary action under section 4996.11 on the grounds of
23 unprofessional conduct, as defined in section 4992.3, subdivision (i), in that Respondent aided
24 and abetted the unlicensed practice of clinical social work, as more particularly set forth in
25 paragraphs 9 through 32 above.

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1 FIFTH CAUSE FOR DISCIPLINE

2 (Intentionally or Recklessly Causing Physical or Emotional Harm to Clients)

3 37. Respondent is subject to disciplinary action under section 4996.11 on the grounds of
4 unprofessional conduct, as defined in section 4992.3, subdivision (j), in that Respondent
5 intentionally or recklessly caused physical or emotional harm to her clients, as more particularly
6 set forth in paragraphs 9 through 32 above.

7 SIXTH CAUSE FOR DISCIPLINE

8 (Failure to Maintain Confidentiality)

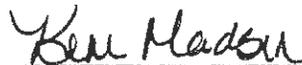
9 38. Respondent is subject to disciplinary action under section 4996.11 on the grounds of
10 unprofessional conduct, as defined in section 4992.3, subdivision (n), in that Respondent failed to
11 maintain the confidentiality of her clients, as more particularly set forth in paragraphs 9 through
12 32 above.

13 **PRAYER**

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

- 16 1. Revoking or suspending Licensed Clinical Social Worker License Number LCS
17 17031, issued to Reata Lyn Rhine;
- 18 2. Ordering Reata Lyn Rhine to pay the Board of Behavioral Sciences the reasonable
19 costs of the investigation and enforcement of this case, pursuant to Business and Professions
20 Code section 125.3;
- 21 3. Taking such other and further action as deemed necessary and proper.
- 22

23 DATED: April 2, 2014



24 KIM MADSEN
25 Executive Officer
26 Board of Behavioral Sciences
27 Department of Consumer Affairs
28 State of California
Complainant

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