

**BEFORE THE  
BOARD OF PSYCHOLOGY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:	) Case No. 1F 2012 222289
	)
<b>ROBERT ARTHUR ALLEN, PH.D.</b>	) OAH No. 2014120074
<b>3120 Telegraph Avenue</b>	)
<b>Berkeley, CA 94705</b>	)
	)
<b>Psychologist License No. PSY 7158</b>	)
	)
Respondent.	)
_____	)

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Psychology, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on February 5, 2017.

It is so ORDERED January 6, 2017.



\_\_\_\_\_  
Antonette Sorrick  
Executive Officer  
Board of Psychology  
Department of Consumer Affairs

1 KAMALA D. HARRIS  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General  
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Deputy Attorney General  
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6 Telephone: (916) 445-3496  
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7

8 *Attorneys for Complainant*

9 **BEFORE THE**  
10 **BOARD OF PSYCHOLOGY**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

14 **ROBERT ARTHUR ALLEN, PH.D.**  
1079 Sunrise Ave., Ste. B-306  
Roseville, CA 95661

15 **Psychologist License No. PSY 7158**

16 Respondent.

Case No. 1F-2012-222289

OAH No. 2014120074

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

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. Antonette Sorrick (Complainant) is the Executive Officer of the Board of Psychology  
22 (Board). She brought this action solely in her official capacity and is represented in this matter by  
23 Kamala D. Harris, Attorney General of the State of California, by Jannsen Tan, Deputy Attorney  
24 General.

25 2. Robert Arthur Allen, Ph.D. (Respondent) is represented in this proceeding by attorney  
26 Bruce W. Ebert, Ph.D., J.D., whose address is 300 Harding Blvd., Suite 116, Roseville, CA  
27 95661.

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1 CULPABILITY

2 8. Respondent understands that the charges and allegations in Accusation No. 1F-2012-  
3 222289, if proven at a hearing, constitute cause for imposing discipline upon his Psychologist  
4 License.

5 9. For the purpose of resolving the Accusation without the expense and uncertainty of  
6 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual  
7 basis for the charges in the Accusation and that those charges constitute cause for discipline.  
8 Respondent hereby gives up his right to contest that cause for discipline exists based on those  
9 charges.

10 10. Respondent understands that by signing this stipulation he enables the Board to issue  
11 an order accepting the surrender of his Psychologist License without further process.

12 RESERVATION

13 11. The admissions made by Respondent herein are only for the purposes of this  
14 proceeding, or any other proceedings in which the Board of Psychology or other professional  
15 licensing agency is involved, and shall not be admissible in any other criminal or civil  
16 proceeding.

17 CONTINGENCY

18 12. This stipulation shall be subject to approval by the Board. Respondent understands  
19 and agrees that counsel for Complainant and the staff of the Board may communicate directly  
20 with the Board regarding this stipulation and surrender, without notice to or participation by  
21 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he  
22 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board  
23 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,  
24 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this  
25 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not  
26 be disqualified from further action by having considered this matter.

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1 13. The parties understand and agree that Portable Document Format (PDF) and facsimile  
2 copies of this Stipulated Surrender of License and Order, including Portable Document Format  
3 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

4 14. In consideration of the foregoing admissions and stipulations, the parties agree that  
5 the Board may, without further notice or formal proceeding, issue and enter the following Order:

6 **ORDER**

7 IT IS HEREBY ORDERED that Psychologist's License No. PSY 7158, issued to  
8 Respondent Robert Arthur Allen, Ph.D., is surrendered and accepted by the Board of Psychology.

9 1. Respondent shall lose all rights and privileges as a psychologist in California as of the  
10 effective date of the Board's Decision and Order.

11 2. Respondent shall cause to be delivered to the Board his pocket license and, if one was  
12 issued, his wall certificate on or before the effective date of the Decision and Order.

13 3. Respondent may not petition for reinstatement of a revoked or surrendered  
14 license/registration for three years from the effective date of this Decision and Order.

15 4. If Respondent ever files an application for licensure or a petition for reinstatement in  
16 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
17 comply with all the laws, regulations and procedures for reinstatement of a revoked license in  
18 effect at the time the petition is filed, and all of the charges and allegations contained in  
19 Accusation No. 1F-2012-222289 shall be deemed to be true, correct and admitted by Respondent  
20 when the Board determines whether to grant or deny the petition.

21 5. Respondent shall pay the Board its costs of investigation and enforcement in the  
22 amount of \$ 44,884.00 prior to issuance of a new or reinstated license.

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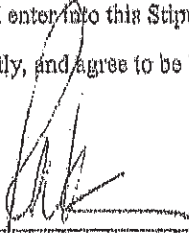
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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Bruce W. Ebert, Ph.D., J.D.. I understand the stipulation and the effect it will have on my Psychologist 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 Psychology.

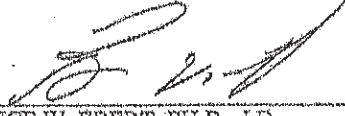
DATED: 12/12/16



ROBERT ARTHUR ALLEN, PH.D.  
*Respondent*

I have read and fully discussed with Respondent Robert Arthur Allen, Ph.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 12/14/2016



BRUCE W. EBERT, PH.D., J.D.  
*Attorney for Respondent*

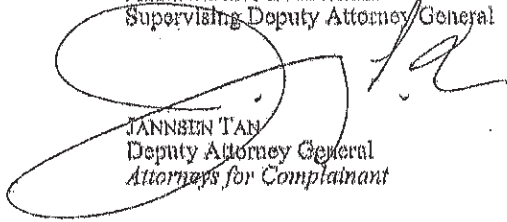
ENDORSEMENT

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

Dated: 12/16/2016

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General



JANSEEN TAN  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 1F-2012-222289**

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JOSE R. GUERRERO  
Supervising Deputy Attorney General  
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*Attorneys for Complainant*

FILED  
STATE OF CALIFORNIA  
BOARD OF PSYCHOLOGY  
SACRAMENTO October 30, 2014  
BY [Signature]

**BEFORE THE  
BOARD OF PSYCHOLOGY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:  
**ROBERT ARTHUR ALLEN, PH.D.**  
700 Sunrise Ave., Ste. B  
Roseville, CA 95661  
  
Psychologist's License No. PSY 7158  
  
Respondent.

Case No. 1F-2012-222289  
**ACCUSATION**

Complainant alleges:

**PARTIES**

1. Antonette Sorrick ("Complainant") brings this Accusation solely in her official capacity as the Executive Officer of the Board of Psychology, Department of Consumer Affairs.
  2. On January 4, 1982, the Board of Psychology issued Psychologist License Number PSY 7158 to Robert Arthur Allen, Ph.D. ("Respondent"). The Psychologist License was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2015, unless renewed.
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JURISDICTION

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

4. Section 2960 of the Code states:

"The board may refuse to issue any registration or license, or may issue a registration or license with terms and conditions, or may suspend or revoke the registration or license of any registrant or licensee if the applicant, registrant, or licensee has been guilty of unprofessional conduct. Unprofessional conduct shall include, but not be limited to:

"(a) Conviction of a crime substantially related to the qualifications, functions or duties of a psychologist or psychological assistant.

"(b) Use of any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or dangerous drug, or any alcoholic beverage to an extent or in a manner dangerous to himself or herself, any other person, or the public, or to an extent that this use impairs his or her ability to perform the work of a psychologist with safety to the public.

"(c) Fraudulently or neglectfully misrepresenting the type or status of license or registration actually held.

"(d) Impersonating another person holding a psychology license or allowing another person to use his or her license or registration.

"(e) Using fraud or deception in applying for a license or registration or in passing the examination provided for in this chapter.

"(f) Paying, or offering to pay, accepting, or soliciting any consideration, compensation, or remuneration, whether monetary or otherwise, for the referral of clients.

"(g) Violating Section 17500.

"(h) Willful, unauthorized communication of information received in professional confidence.

"(i) Violating any rule of professional conduct promulgated by the board and set forth in regulations duly adopted under this chapter.

1           "(j) Being grossly negligent in the practice of his or her profession.

2           "(k) Violating any of the provisions of this chapter or regulations duly adopted thereunder.

3           "(l) The aiding or abetting of any person to engage in the unlawful practice of psychology.

4           "(m) The suspension, revocation or imposition of probationary conditions by another state  
5 or country of a license or certificate to practice psychology or as a psychological assistant issued  
6 by that state or country to a person also holding a license or registration issued under this chapter  
7 if the act for which the disciplinary action was taken constitutes a violation of this section.

8           "(n) The commission of any dishonest, corrupt, or fraudulent act.

9           "(o) Any act of sexual abuse, or sexual relations with a patient or former patient within two  
10 years following termination of therapy, or sexual misconduct that is substantially related to the  
11 qualifications, functions or duties of a psychologist or psychological assistant or registered  
12 psychologist.

13           "(p) Functioning outside of his or her particular field or fields of competence as established  
14 by his or her education, training, and experience.

15           "(q) Willful failure to submit, on behalf of an applicant for licensure, verification of  
16 supervised experience to the board.

17           "(r) Repeated acts of negligence."

18           5. Business and Professions Code section 125.3. states that:

19           "(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary  
20 proceeding before any board within the department or before the Osteopathic Medical Board upon  
21 request of the entity bringing the proceedings, the administrative law judge may direct a licentiate  
22 found to have committed a violation or violations of the licensing act to pay a sum not to exceed  
23 the reasonable costs of the investigation and enforcement of the case.

24           "(b) In the case of a disciplined licentiate that is a corporation or a partnership, the order  
25 may be made against the licensed corporate entity or licensed partnership.

26           "(c) A certified copy of the actual costs, or a good faith estimate of costs where actual costs  
27 are not available, signed by the entity bringing the proceeding or its designated representative  
28 shall be prima facie evidence of reasonable costs of investigation and prosecution of the case.

1 The costs shall include the amount of investigative and enforcement costs up to the date of the  
2 hearing, including, but not limited to, charges imposed by the Attorney General.

3 "(d) The administrative law judge shall make a proposed finding of the amount of  
4 reasonable costs of investigation and prosecution of the case when requested pursuant to  
5 subdivision (a). The finding of the administrative law judge with regard to costs shall not be  
6 reviewable by the board to increase the cost award. The board may reduce or eliminate the cost  
7 award, or remand to the administrative law judge if the proposed decision fails to make a finding  
8 on costs requested pursuant to subdivision (a).

9 "(e) If an order for recovery of costs is made and timely payment is not made as directed in  
10 the board's decision, the board may enforce the order for repayment in any appropriate court. This  
11 right of enforcement shall be in addition to any other rights the board may have as to any  
12 licentiate to pay costs.

13 "(f) In any action for recovery of costs, proof of the board's decision shall be conclusive  
14 proof of the validity of the order of payment and the terms for payment.

15 "(g)(1) Except as provided in paragraph (2), the board shall not renew or  
16 reinstate the license of any licentiate who has failed to pay all of the costs ordered  
17 under this section.

18 (2) Notwithstanding paragraph (1), the board may, in its discretion,  
19 conditionally renew or reinstate for a maximum of one year the license of any  
20 licentiate who demonstrates financial hardship and who enters into a formal  
21 agreement with the board to reimburse the board within that one-year period for the  
22 unpaid costs.

23 "(h) All costs recovered under this section shall be considered a reimbursement for costs  
24 incurred and shall be deposited in the fund of the board recovering the costs to be available upon  
25 appropriation by the Legislature.

26 "(i) Nothing in this section shall preclude a board from including the recovery of the costs  
27 of investigation and enforcement of a case in any stipulated settlement.

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1 Thereafter the patient came over to where Respondent was sitting and they kissed. At the next  
2 therapy session, Respondent and patient E.F. had sexual intercourse in his private office.

3 9. The pattern of weekly or bi-weekly therapy sessions that was paid for by patient E.F.,  
4 followed by sexual intercourse after some sessions, continued until on or about January 2005,  
5 when patient E.F. told Respondent that she did not want to pay him anymore for "therapy."  
6 Respondent stopped billing patient E.F. at that point, but they continued to meet at least weekly at  
7 his office for therapy, followed by sexual intercourse. Respondent continued to take notes during  
8 the first part of 2005 through April 21, 2005. Respondent at this point stopped taking notes.  
9 During 2006, Respondent's office was a place they would meet and then proceed to go  
10 somewhere else (i.e. out for lunch). During 2004, Respondent and patient E.F. had sexual  
11 intercourse at Respondent's apartment on multiple occasions. Sometime in late December 2004,  
12 Respondent moved to a condominium in Citrus Heights. During 2005, Respondent and patient  
13 E.F. had sexual intercourse in Respondent's condominium on multiple occasions. During an  
14 argument in 2007, E.F. demanded a refund of the money she had paid for therapy. A week later,  
15 Respondent paid patient E.F. a sum of money in either cash or a money order with an attached  
16 note from Respondent.

17 10. The last time patient E.F. saw Respondent was on March 19, 2010, when she drove  
18 Respondent to Sutter Hospital in Roseville for a medical appointment. Approximately an hour  
19 later, Respondent returned to the car with a bandage over his lip. When patient E.F. took off the  
20 bandage and saw his lip was bruised, she believed that Respondent had engaged in oral sex with  
21 someone at the hospital. After initial denial, Respondent admitted to patient E.F. that he went to  
22 the hospital to have sexual intercourse with someone. Later that day when patient E.F. returned  
23 Respondent's car to him, Respondent gave her a check for \$10,000. Respondent said the money  
24 was for treatment and that they both needed to move on.

25 SECOND CAUSE FOR DISCIPLINE  
26 (Gross Negligence)

27 11. Complainant hereby incorporates paragraphs 8 through 10 of the Accusation as  
28 though fully set forth herein.

