

**COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF LICENSURE
OF MARRIAGE AND FAMILY THERAPISTS**

**IN RE: MARRIAGE AND FAMILY THERAPIST LICENSE # 0041
HELD BY ALLEN OLIVER, LMFT**

ALLEN OLIVER


**AGREED ORDER to
VOLUNTARILY SURRENDER LICENSE as if REVOKED**

Parties

WHEREAS, the parties to the Agreed Order herein are the Kentucky Board of Licensure of Marriage and Family Therapists, hereinafter referred to as the "Board," and Allen Oliver, LMFT, hereinafter referred to as the "Respondent."

Jurisdiction

WHEREAS, the Board has jurisdiction over this matter pursuant to KRS Chapter 335 and the related administrative regulations.

History

WHEREAS, on or about March 16, 2009,  filed a complaint with the Board concerning the actions of Allen Oliver, LMFT. He alleged that while Respondent was providing therapy to  and his wife, Respondent engaged in a dual relationship with  wife.  also alleged Respondent had a sexual relationship with  wife while still providing therapy to her and continued to bill the insurance company.  also

alleged that Respondent accepted various gifts from [REDACTED] while still providing therapy to her; and

WHEREAS, on or about November 2, 2009 Respondent filed a response with the Board to the complaint and denied having a sexual relationship with [REDACTED] Hill or billing improperly. Respondent admitted that he accepted a crockpot, groceries, meals and personal medical supplies from [REDACTED] that she purchased for him. Respondent also stated that she paid for one of his prescription medications and was teaching him how to cook healthier to improve his health. Respondent also stated that he allowed [REDACTED] to call him multiple times outside of scheduled therapy sessions, to talk about her husband and he "listened to her until she cried herself to sleep." Respondent also stated that he temporarily operated a cigar business and [REDACTED] attended the grand opening and purchased some of his merchandise. Respondent also stated that his practice closed and is not accepting new patients and discharged those he was seeing. Respondent also verbally relayed the Board's attorney that he does not intend to return to the profession due to various difficult life circumstances;

WHEREAS, the parties mutually desire to settle the issues in an expeditious manner, without the need for a formal hearing;

WHEREAS, Respondent acknowledges he is subject to 201 KAR 32:050, Section 1, Code of Ethics which states:

Section 1. Responsibility to Clients. (1) A marriage and family therapist or a marriage and family therapist associate shall:

(a) Advance and protect the welfare of his client;

(b) respect the rights of persons seeking his assistance; and

(c) Make reasonable efforts to ensure that his services are used appropriately.

(2) A marriage and family therapist or marriage and family therapist associate shall not:

(a) Exploit the trust and dependency of a client;

(b) Engage in a dual relationship with a client, including a social, business, or personal relationship, that may:

1. Impair professional judgment;

2. Incur a risk of exploitation of the client;

or

3. Otherwise violate a provision of this administrative regulation.

If a dual relationship cannot be avoided, and does not impair professional judgment, incur a risk of exploitation of the client, or otherwise violate a provision of this administrative regulation, a therapist or therapist associate shall take appropriate professional precautions to ensure that judgment is not impaired and exploitation of the client does not occur.

(c) Engage in a sexual relationship with a current client or with a former client for two (2) years following the termination of therapy;

(d) Use his professional relationship with a client to further his own interests;

WHEREAS, Respondent, Allen Oliver, LMFT, admits his conduct constitutes violations of the Code of Ethics, 201 KAR 32:050 Section 1(1)(b-c) and Section 1(2)(b) and (d);

The Respondent shall ***voluntarily surrender his license as if revoked.***

Voluntary Waiver of Rights

Respondent has carefully reviewed the Agreed Order herein and enters

into this Agreed Order knowingly, willingly and voluntarily and after having reviewed the due process rights afforded to him under KRS Chapter 335 and the accompanying regulations and no coercion has been exerted upon the Respondent, nor have any promises been made other than those reflected in this Agreed Order.

The Respondent is fully aware of his rights in an administrative proceeding. These rights include: representation by an attorney at the Respondent's own expense, the right to confront and cross-examine witnesses called to testify against the Respondent, the right to present evidence on the Respondent's own behalf, the right to testify on his own behalf, the right to receive written findings of fact and conclusions of law supporting the decision on the merits of the accusation and the right to obtain judicial review of the Board's decision. All of these rights are being voluntarily waived by the Respondent in exchange for the Board's acceptance of this Agreed Order.

Publication of Settlement Agreement

The Respondent acknowledges that, once adopted by the Board, this Agreed Order may be considered a public document, available for inspection at any time by any member of the public under the Kentucky Open Records Act, and may be reportable under federal law.

Complete Agreement

This Settlement Agreement consists of five (5) pages and embodies the entire agreement between the Kentucky Board of Licensure of Marriage and Family Therapists and Allen Oliver, LMFT. It may not be altered, amended or

modified without the express written consent of both parties.

Have Seen, Understood and Approved:



ALLEN OLIVER, LMFT
License No. 0041
Respondent

1/31/2010

Date



ANGELA EVANS
KLMFT Board Counsel

1/20/10

Date



TONY WATKINS, LMFT
KLMFT Chair

3/11/10

Date