

CHERYL D. LUKE (USB 2013)
Assistant Attorney General
MARK L. SHURTLEFF (USB 4666)
Attorney General
Commercial Enforcement Rights Division
Heber Wells Building
160 East 300 South
Box 146741
Salt Lake City, Utah 84114-6741
Telephone: (801) 530-6412

**BEFORE THE DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE : STIPULATION AND ORDER
INVESTIGATION OF :
ELIZABETH RANDOLPH : DOPL 2002-11

ELIZABETH RANDOLPH ("Respondent") and the DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING ("Division") of the Utah Department of Commerce stipulate and agree as follows:

1. Respondent admits the jurisdiction of the Division over her and over the subject matter of this action.
2. Respondent acknowledges she enters into this Stipulation voluntarily, and other than what is contained in this agreement, no promise or threat whatsoever has been made by the Division, or any member, officer, agent or representative of the Division to induce her to enter into this Agreement.
3. Respondent acknowledges she has been informed of her right to be represented by counsel, and has either consulted with an attorney or waives said right and chosen to represent herself.
4. Respondent understands she is entitled to a hearing before a presiding officer appointed by the director, at which time she may present evidence on her behalf, present her own witnesses and confront adverse witnesses. Respondent acknowledges that by executing this document, she waives: (1) the right to a hearing before a presiding officer, (2) the right to present evidence on her behalf, (3) the right to present

her own witnesses, and (4) the right to confront adverse witnesses, together with such other rights as to which she may be entitled in connection with said hearing.

5. Respondent acknowledges that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document and may be released to the public. In addition, the Division is authorized to inform other state and federal agencies of the action taken herein and of the content of this Stipulation and Order.

6. Respondent waives the issuance and service upon her of a Notice of Agency Action and agrees that disciplinary action may be taken in accordance with the terms of this stipulation.

7. Respondent admits she violated Utah Code Annotated as Amended §§ 58-67-501, 58-60-109, and 58-61-501. In particular, Respondent admits the following:

- a. Respondent is not licensed as a physician, surgeon or medical practitioner of any kind in the State of Utah and was not so licensed at any time relevant to this action.
- b. Respondent is not licensed as a psychologist, and was not so licensed at any time relevant to this action.
- c. From approximately May, 1999, Respondent has been administering psychological testing measures to clients, interpreted the results of said testing measures, performing psychological evaluations, authoring written reports which contain a diagnosis, and charging \$350.00 for said report.
- d. On or about May 17, 2001, Respondent performed a "Neurodevelopmental Evaluation" on minor client M.S. (name withheld for confidentiality). On or about May 20, 2001, Respondent authored an evaluative report, which consisted of a medical diagnosis of "Bi-Polar II Disorder, and recommended a specific dosage of a prescription drug for treatment of symptoms.

8. Respondent shall **Cease and Desist** from practicing mental health therapy, medicine, psychology, or any other profession regulated by the Division without first becoming licensed to do so.

9. Respondent acknowledges that this Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this matter. Respondent further acknowledges

that the Director of the Division is not required to accept the terms of this Stipulation and Order and if the Stipulation is not accepted by the Director, it is null and void and without any force or effect whatsoever.

10. This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties. There are no verbal agreements which modify, interpret, construe or effect this Stipulation.

11. Respondent understands that failure to comply with this Order may subject her to a civil penalty of up to \$2,000 (two-thousand dollars) for each day the order is violated pursuant to Utah Code Annotated Section 58-1-503 (1).

DATE January 15, 02
By Cheryl D. Luke
Cheryl D. Luke
Assistant Attorney General

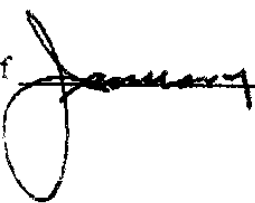
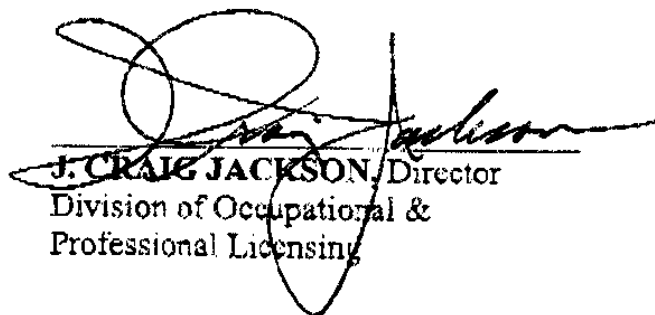
DATE: January 23, 2002
BY: Elizabeth Randolph
Elizabeth Randolph
Respondent
Elizabeth Randolph

Approved as to form
Attorney for Respondent

ORDER

The above Stipulation, IN THE MATTER OF THE INVESTIGATION OF ELIZABETH RANDOLPH, is hereby approved by the Division of Occupational and Professional Licensing, constitutes my Findings of Fact and Conclusions of Law in this matter. The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 25th day of January, 2002.



J. CRAIG JACKSON, Director
Division of Occupational &
Professional Licensing