

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

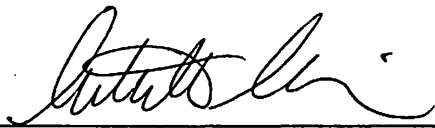
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|--|---|--------------------------|
| In the Matter of the Accusation Against: |) | Case No. 600 2015 000531 |
| |) | |
| CHRISTINA VILLARREAL, PH.D. |) | |
| 220 Montgomery Street, Suite 1019 |) | |
| San Francisco, CA 94104-3434 |) | |
| |) | |
| Psychologist License No. PSY 20996 |) | |
| |) | |
| 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 June 2, 2017

It is so ORDERED May 3, 2017



ANTONETTE SORRICK
EXECUTIVE OFFICER
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS

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6 *Attorneys for Complainant*

7 **BEFORE THE**
8 **BOARD OF PSYCHOLOGY**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 600-2015-000531

11 **CHRISTINA VILLARREAL, Ph.D.**
12 220 Montgomery Street, Suite 1019
San Francisco, CA 94104

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

13 Psychologist License No. PSY 20996

14 Respondent.
15

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

18 PARTIES

19 1. Antonette Sorrick (Complainant) is the Executive Officer of the Board of Psychology
20 (Board). She brought this action solely in her official capacity and is represented in this matter by
21 Xavier Becerra, Attorney General of the State of California, by Jane Zack Simon, Supervising
22 Deputy Attorney General.

23 2. Christina Villarreal, Ph.D. (Respondent) is represented by John L. Fleeer, Esq., 1850
24 Mt. Diablo Blvd. Suite 120, Walnut Creek, CA 94596.

25 3. On August 7, 2006, the Board issued Psychologist License No. PSY 20996 to
26 Respondent. The license is renewed and current with an expiration date of November 30, 2017.

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1 JURISDICTION

2 4. Accusation No. 600-2015-000531(Accusation) was filed before the Board and is
3 currently pending against Respondent. The Accusation and all other statutorily required
4 documents were properly served on Respondent. A copy of the Accusation is attached as Exhibit
5 A.

6 ADVISEMENT AND WAIVERS

7 5. Respondent has carefully read, discussed with counsel, and understands the charges
8 and allegations in the Accusation. Respondent also has carefully read, discussed with counsel,
9 and understands the effects of this Stipulated Surrender of License and Order (Stipulation).

10 6. Respondent is fully aware of her legal rights in this matter, including the right to a
11 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
12 her own expense; the right to confront and cross-examine the witnesses against her; the right to
13 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
14 compel the attendance of witnesses and the production of documents; the right to reconsideration
15 and court review of an adverse decision; and all other rights accorded by the California
16 Administrative Procedure Act and other applicable laws.

17 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
18 every right set forth above.

19 CULPABILITY

20 8. Respondent understands and agrees that the charges and allegations in Accusation
21 No. 600-2015-000531, if proven at a hearing, constitute cause for imposing discipline on her
22 Psychologist License No. PSY 20996.

23 9. For the purpose of resolving the Accusation without the expense and uncertainty of
24 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual
25 basis for the charges in the Accusation. Respondent hereby gives up her right to contest those
26 charges and surrenders Psychologist License No. PSY 20996 for the Board's formal acceptance.

27 10. Respondent understands that by signing this Stipulation she enables the Board to
28 issue an order accepting the surrender of her Psychologist License without further process.

1 CONTINGENCY

2 11. This Stipulation shall be subject to approval by the Board. Respondent understands
3 and agrees that counsel for Complainant and the staff of the Board may communicate directly
4 with the Board regarding this Stipulation, without notice to or participation by Respondent or her
5 counsel. By signing the Stipulation, Respondent understands and agrees that she may not
6 withdraw her agreement or seek to rescind the Stipulation prior to the time the Board considers
7 and acts upon it. If the Board fails to adopt this Stipulation as its Decision and Order, the
8 Stipulation Surrender of License Order shall be of no force or effect, except for this paragraph, it
9 shall be inadmissible in any legal action between the parties, and the Board shall not be
10 disqualified from further action by having considered this matter.

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

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

16 ORDER

17 IT IS HEREBY ORDERED that Psychologist License No. 20996, issued to Respondent
18 Christina Villarreal, Ph.D., is surrendered and accepted by the Board of Psychology.

19 1. The surrender of Respondent's Psychologist License and the acceptance of the
20 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
21 This Stipulation constitutes a record of the discipline and shall become a part of Respondent's
22 license history with the Board.

23 2. Respondent shall lose all rights and privileges as a psychologist in California as of the
24 effective date of the Board's Decision and Order.

25 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was
26 issued, her wall certificate, to the extent they are in her possession or under her control, on or
27 before the effective date of the Decision and Order.

28

1 4. Respondent agrees that she will not apply for re-licensure or petition for reinstatement
2 in less than three years. If Respondent ever applies for licensure or petitions for reinstatement in
3 the State of California, the Board shall treat it as a new application for licensure. Respondent
4 must comply with all the laws, regulations and procedures for licensure in effect at the time the
5 application or petition is filed, and all of the charges and allegations contained in Accusation No.
6 600-2015-000531 shall be deemed to be true, correct and admitted by Respondent when the
7 Board determines whether to grant or deny the application or petition.

8 5. If Respondent should ever apply or reapply for a new license or certification, or
9 petition for reinstatement of a license, by any other health care licensing agency in the State of
10 California, all of the charges and allegations contained in Accusation No. 600-2015-000531 shall
11 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
12 Issues or any other proceeding seeking to deny or restrict licensure.

13 5. Respondent shall pay the Board costs of investigation and enforcement incurred in
14 this matter in the amount of \$8,812.00, payable to the Board, prior to or at the time of filing a
15 petition for reinstatement of her Psychologist License.

16 **ACCEPTANCE**

17 I have carefully read and discussed with my attorney the Stipulated Surrender of License
18 and Order. I understand the Stipulation and the effect it will have on my Psychologist License
19 and I understand that as of the effective date of the Decision on this Stipulation, I will no longer
20 be authorized to practice psychology in the State of California. I enter into this Stipulated
21 Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound
22 by the Decision and Order of the Board of Psychology.

23 DATED: 04/17/17


24 **CHRISTINA VILLARREAL**
Respondent

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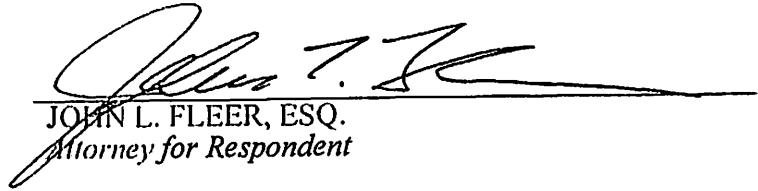
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APPROVAL

I have read and fully discussed with Respondent Christina Villarreal the terms and conditions and other matters contained in the above Stipulated Surrender of License and Order. I approve its form and content.

DATED:

4-18-17


JOHN L. FLEER, ESQ.
Attorney for Respondent

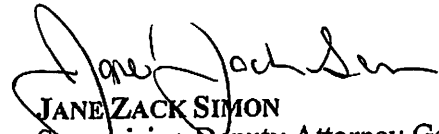
ENDORSEMENT

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

Dated:

4/18/17

XAVIER BECERRA
Attorney General of California


JANE ZACK SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

I

1 XAVIER BECERRA
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6 *Attorneys for Complainant*

7 **BEFORE THE**
8 **BOARD OF PSYCHOLOGY**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 600-2015-000531

12 **CHRISTINA VILLARREAL, Ph.D.**
220 Montgomery St, Ste. 1019
San Francisco, CA 94104-3434

A C C U S A T I O N

13 Psychologist License No. PSY 20996

14 Respondent.

15
16 Complainant alleges:

17 **PARTIES**

18 1. Antonette Sorrick (Complainant) brings this Accusation solely in her official capacity
19 as the Executive Officer of the Board of Psychology (Board), Department of Consumer Affairs.

20 2. On August 7, 2006, the Board issued Psychologist License Number PSY 20996 to
21 Christina Villarreal, Ph.D. (Respondent). The license is renewed and current, with an expiration
22 date of November 30, 2017.

23 **JURISDICTION**

24 3. This Accusation is brought before the Board of Psychology under the authority of the
25 following laws and regulations:¹

26 _____
27 ¹ All statutory references are to the California Business and Professions Code (Code) unless
28 otherwise indicated.

1 A. Section 726 of the Business and Professions Code provides that the commission of
2 any act of sexual abuse, misconduct, or relations with a patient, client or customer
3 constitutes unprofessional conduct and grounds for disciplinary action.

4 B. Section 729 of the Code provides that a psychologist who engages in sexual
5 contact with a patient or client, or with a former patient or client when the relationship was
6 terminated primarily for the purpose of engaging in those acts, is guilty of sexual
7 exploitation.

8 C. Section 2960 of the Business and Professions Code states in pertinent part that the
9 Board of Psychology may suspend, revoke, or place on probation a licensee for
10 unprofessional conduct which is defined to include, but is not limited to any of the
11 following causes:

12 (i) Violating any rule of professional conduct promulgated by the board and set
13 forth in regulations duly adopted under [Chapter 6.6 of Division 2 of the Business
14 and Professions Code].

15 (k) Violating any of the provisions of [Chapter 6.6 of Division 2 of the Business and
16 Professions Code] or regulations duly adopted thereunder.

17 (o) Any act of sexual abuse, or sexual relations with a patient or former patient
18 within two years following termination of therapy, or sexual misconduct that is
19 substantially related to the qualifications, functions or duties of a psychologist.

20 D. Section 2960.1 of the Code provides that “any proposed decision or decision
21 issued under this chapter...that contains any finding of fact that the licensee...engaged in
22 any act of sexual contact...when that act is with a patient, or with a former patient within
23 two years following termination of therapy, shall contain an order of revocation. The
24 revocation shall not be stayed by the administrative law judge.”

25 E. Section 2936 of the Business and Professions Code provides that the Board shall
26 establish as its standards of ethical conduct relating to the practice of psychology, the
27 “Ethical Principles and Code of Conduct” published by the American Psychological
28 Association (APA). Those standards shall be applied by the Board as the accepted

1 standard of care in all Board enforcement policies and disciplinary case evaluations.

2 F. American Psychological Association Ethical Principles of Psychologists and Code
3 of Conduct, Ethical Standard 10.05, Sexual Intimacies with Current Therapy
4 Clients/Patients, provides that “Psychologists do not engage in sexual intimacies with
5 current therapy clients/patients. Ethical Standard 10.08, Sexual Intimacies with Former
6 Therapy Clients/Patients, provides that “Psychologists do not engage in sexual intimacies
7 with former clients/patients for at least two years after cessation or termination of
8 therapy,” and “Psychologists do not engage in sexual intimacies with former
9 clients/patient even after a two-year interval except in the most unusual circumstances.
10 Psychologists who engage in such activity after the two years following cessation or
11 termination of therapy and of having no sexual contact with the former client/patient bear
12 the burden of demonstrating that there has been no exploitation, in light of all relevant
13 factors, including (1) the amount of time that has passed since therapy terminated; (2) the
14 nature, duration, and intensity of the therapy; (3) the circumstances of termination; (4) the
15 client’s/patient’s personal history; (5) the client’s/patient’s current mental status; (6) the
16 likelihood of adverse impact on the client/patient; and(7) any statements or actions made
17 by the therapist during the course of therapy suggesting or inviting the possibility of a post
18 termination sexual or romantic relationship with the client/patient.”

19 G. American Psychological Association Ethical Principles of Psychologists and Code
20 of Conduct, Ethical Standard 3.04, Avoiding Harm, provides that psychologists must take
21 reasonable steps to avoid harming their clients/patients and to minimize harm where it is
22 foreseeable and unavoidable.

23 H. Section 125.3 of the Code provides, in part, that the Board may request the
24 administrative law judge to direct any licentiate found to have committed a violation or
25 violations of the licensing act, to pay the Board a sum not to exceed the reasonable costs
26 of the investigation and enforcement of the case.

27 I. Section 2964.6 of the Code provides that an administrative disciplinary decision that
28 imposes terms of probation may include, among other things, a requirement that the

1 licensee who is being placed on probation pay the monetary costs associated with
2 monitoring the probation.

3 **FIRST CAUSE FOR DISCIPLINE**

4
5 (Unprofessional Conduct, Sexual Relations with Patient/Former Patient,
6 Violation of Rules of Professional Conduct)

7 4. At all times relevant to this matter, Respondent has been licensed as a psychologist
8 in the State of California.

9 5. Patient² sought psychotherapy from Respondent in approximately May 2009 to
10 address depression following a difficult breakup with a girlfriend. Patient saw Respondent on a
11 weekly basis from May 2009 through November 2009. Over the course of therapy, Respondent
12 and Patient began to engage in social interactions such as emailing and on line communications,
13 and discussing their personal lives during therapy sessions.

14 6. In late November 2009, Patient informed Respondent during a scheduled therapy
15 session that he planned to discontinue his therapy. Patient and Respondent discussed the fact they
16 wished to engage in a social, dating relationship. Respondent informed Patient that the
17 psychologist patient relationship had to end before they could begin a personal relationship, and
18 admonished him not to tell anyone as she could lose her license. Patient and Respondent
19 arranged a social date for approximately a week after the last therapy session.

20 7. Between December 2009 and September 2013, Respondent and Patient had an
21 intermittent sexual relationship. The sexual relationship continued even after Patient moved away
22 from the Bay Area. Respondent and Patient continued to exchange email and text messages until
23 approximately May 2014.

24 8. Respondent is subject to disciplinary action pursuant to Business and Professions
25 Code sections 2960 [unprofessional conduct]; and/or 726 [sexual misconduct]; and/or 729 [sexual
26 exploitation]; and/or 2960(k) [violating laws or regulations governing the practice of
27 psychology]; and/or 2960(o) [sexual relations with a patient or former patient]; and/or 2936

28 ² The patient in question is unidentified to protect privacy. Respondent is aware of
Patient's identity.

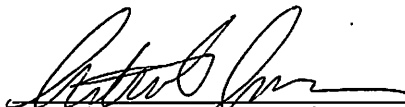
1 [violation of APA Code of Ethics]; and/or the AMA Ethical Principles of Psychologists and Code
2 of Conduct, Ethical Standards 10.03 and/or 10.08 [sexual intimacies with current and/or former
3 patient); and/or Ethical Standard 3.04 [Avoiding Harm]. Respondent proposed a social/sexual
4 relationship with Patient during a therapy session, terminated therapy with Patient in order to
5 enter into a social/sexual relationship, and engaged in a personal and sexualized relationship with
6 Patient within days of termination of therapy. Respondent acted upon her own perceived desire
7 for a relationship in a manner that was not designed to avoid or minimize foreseeable harm to
8 Patient.

9 **PRAYER**

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

- 12 1. Revoking or suspending Psychology License No. Psy. 20996 issued to Christina
13 Villarreal, Ph.D.
- 14 2. Ordering Respondent to pay the reasonable costs of the investigation and
15 enforcement of this case, and if placed on probation, the costs of probation monitoring;
- 16 3. Taking such other and further action as the Board deems necessary and proper.

17
18
19 DATED: April 12, 2017


20 ANTONETTE SORRICK
21 Executive Officer
22 Board of Psychology
23 Department of Consumer Affairs
24 State of California
25 Complainant