

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF PSYCHOLOGY
DISCIPLINARY SUBCOMMITTEE

In the Matter of

GARY E. STOLLAK, PH.D.
License No. 63-01-001860

File No. 63-17-148676

CONSENT ORDER AND STIPULATION

CONSENT ORDER

The Department of Licensing and Regulatory Affairs received information and evidence that Gary E. Stollak, Ph.D. (Respondent) failed to inform authorities of the suspected abuse of a minor patient as required by law. Following investigation and review, the parties engaged in pre-complaint settlement discussions.

By a stipulation incorporated in this document, Respondent agrees that the Disciplinary Subcommittee may enter an order finding that he violated section 16221(a) of the Public Health Code, MCL 333.1101 *et seq.*

Section 16221(a) of the Code provides the Disciplinary Subcommittee with authority to take disciplinary action against a licensee for a violation of general duty, consisting of negligence or failure to exercise due care, including negligent delegation to, or supervision of employees or other individuals, whether or not injury results, or any conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully practice as a psychologist.

Section 16226 of the Code authorizes the Disciplinary Subcommittee to impose sanctions against a person licensed by the Board if, after the opportunity for a hearing, the Disciplinary Subcommittee determines that the licensee violated one or more subdivisions of section 16221.

Section 16231(5) of the Code provides that the Department may submit a stipulation and final order to the Disciplinary Subcommittee for approval if an agreement is reached at any time during an investigation or following the issuance of a complaint.

The parties stipulate that the Disciplinary Subcommittee may execute this consent order for the purpose of resolving this matter without the filing of an administrative complaint against Respondent.

The Disciplinary Subcommittee reviewed the stipulation incorporated in this document and agrees the public interest is best served by resolution of this matter without further administrative process. Therefore, the Subcommittee finds that the factual allegations and violations set forth in the stipulation are true and that Respondent violated section 16221(a) of the Public Health Code.


Accordingly, for this violation, IT IS ORDERED:

Respondent's license to practice psychology is PERMANENTLY SURRENDERED on the effective date of this order. The license shall not be renewed, reinstated, reissued, or reactivated, limited or otherwise, at any future date.

If Respondent violates any term or condition set forth in this order, Respondent will be in violation of Mich Admin Code, R 338.1632, and section 16221(h) of the Public Health Code.

Signed on 27 Sep 2017

MICHIGAN BOARD OF PSYCHOLOGY

By 
Chairperson, Disciplinary Subcommittee

STIPULATION

The parties negotiated a settlement and agree to the following:

1. Respondent desires to resolve and settle all issues related to this matter, in lieu of disputing the disciplinary action in a contested case hearing.
2. Respondent does not contest the allegations of fact and law in the above consent order. Respondent understands that, by pleading no contest, he does not admit the truth of the allegations but agrees that the Disciplinary Subcommittee may treat the allegations as true for resolution of this matter and may enter an order treating the allegations as true.
3. The Department shall report this resolution as a disciplinary sanction to the National Practitioner Data Bank or any other entity, as required by state or federal law. This consent order and stipulation shall be subject to disclosure under the Michigan Freedom of Information Act, MCL 15.231 *et seq.*

4. Respondent understands and intends that by signing this stipulation, he is waiving his rights under the Public Health Code, rules promulgated thereunder, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to (1) require the Department to prove the factual allegations and violations outlined above by presentation of evidence and legal authority, and (2) present a defense to the charges.

5. The Disciplinary Subcommittee may enter the above consent order. An attorney from the Licensing and Regulation Division may discuss this matter with the Disciplinary Subcommittee to recommend acceptance of this resolution.

6. The parties considered the following factors in reaching this agreement:

A. Due to medical issues, Respondent has retired from practice.

7. Respondent freely consents to this order and stipulation without pressure or duress. He acknowledges that he has had an opportunity to seek independent legal advice and review this agreement with counsel of his own choosing.

8. The above consent order is approved as to form and substance by Respondent and the Department, and may be entered as a final order of the Disciplinary Subcommittee in this matter. The parties reserve the right to further administrative proceedings without prejudice to either party if the Disciplinary Subcommittee rejects the proposed consent order.

By signing this stipulation, the parties confirm that they have read, understand, and agree with the terms of the consent order.

AGREED TO BY:

Bridget K. Smith
Bridget K. Smith (P71318)
Assistant Attorney General
Attorney for Complainant
Dated: 7/11/18

AGREED TO BY:

Gary E. Stollak
Gary E. Stollak, Ph.D.
Respondent
Dated: 7/5/2018

Scott L. Feuer
Scott L. Feuer (P88185)
Attorney for Respondent
Dated: 7-9-18

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