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

1	XAVIER BECERRA	
2	Attorney General of California JANE ZACK SIMON	
3	Supervising Deputy Attorney General State Bar No. 116564	
4	455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004	
5	Telephone: (415) 703-5544 Facsimile: (415) 703-5480	
6	E-mail: janezack.simon@doj.ca.gov Attorneys for Complainant	
7	BEFORE THE BOARD OF PSYCHOLOGY	
8	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	
9	STATE OF CALIFORNIA	
10	In the Matter of the Accusation Against: Case No. 600-2015-000531	
11	CHRISTINA VILLARREAL, Ph.D. 220 Montgomery Street Suite 1019 LICENSE AND ORDER	
12	220 Montgomery Street, Suite 1019 LICENSE AND ORDER San Francisco, CA 94104 LICENSE AND ORDER	
13	Psychologist License No. PSY 20996	
14	Respondent.	
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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. Fleer, 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 Stipulated Surrender of License and Order (Christina Villarreal, Ph.D.)	
	Stipulated Surrender of License and Order (Christian Vinantua, 1 m2.)	

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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	<u>CULPABILITY</u>
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.
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	Stipulated Surrender of License and Order (Christina Villarreal, Ph.D.)

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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.
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	Stipulated Surrender of License and Order (Christina Villarreal, Ph.D.)

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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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Stipulated Surrender of License and Order (Christina Villarreal, Ph.D.)

APPROVAL 1 I have read and fully discussed with Respondent Christina Villarreal the terms and 2 conditions and other matters contained in the above Stipulated Surrender of License and Order. I 3 approve its form and content. 4 5 4-18-17 DATED: 6 JOHN L. FLEER, ESQ. Morney for Respondent 7 8 **ENDORSEMENT** 9 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted 10 for consideration by the Board of Psychology. 11 4/18/17 XAVIER BECERRA 12 Dated: Attorney General of California 13 14 ZACK SIMON Supervising Deputy Attorney General 15 Attorneys for Complainant 16 17 18 I 19 20 21 22 23 24 25 26 27 28 5 Stipulated Surrender of License and Order (Christina Villarreal, Ph.D.)

1	XAVIER BECERRA
2	Attorney General of California JANE ZACK SIMON
3	Supervising Deputy Attorney General State Bar No. 116564
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5	Telephone: (415) 703-5544 Facsimile: (415) 703-5480
6	E-mail: janezack.simon@doj.ca.gov Attorneys for Complainant
7	BEFORE THE
8	BOARD OF PSYCHOLOGY DEPARTMENT OF CONSUMER AFFAIRS
9	STATE OF CALIFORNIA
10	In the Matter of the Accusation Against: Case No. 600-2015-000531
11	CHRISTINA VILLARREAL, Ph.D. 220 Montgomery St, Ste. 1019A C C U S A T I O N
12	San Francisco, CA 94104-3434
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 otherwise indicated.
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	l ACCUSATION (Christina Villarreal, Ph.D.)

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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 chapterthat contains any finding of fact that the licenseeengaged in
22	any act of sexual contactwhen 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
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ļ	ACCUSATION (Christina Villarreal, Ph.D.)

standard of care in all Board enforcement policies and disciplinary case evaluations. 1 F. American Psychological Association Ethical Principles of Psychologists and Code 2 3 of Conduct, Ethical Standard 10.05, Sexual Intimacies with Current Therapy Clients/Patients, provides that "Psychologists do not engage in sexual intimacies with 4 5 current therapy clients/patients. Ethical Standard 10.08, Sexual Intimacies with Former Therapy Clients/Patients, provides that "Psychologists do not engage in sexual intimacies 6 with former clients/patients for at least two years after cessation or termination of 7 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 termination of therapy and of having no sexual contact with the former client/patient bear 11 the burden of demonstrating that there has been no exploitation, in light of all relevant 12 13 factors, including (1) the amount of time that has passed since therapy terminated; (2) the nature, duration, and intensity of the therapy; (3) the circumstances of termination; (4) the 14 15 client's/patient's personal history; (5) the client's/patient's current mental status; (6) the likelihood of adverse impact on the client/patient; and(7) any statements or actions made 16 by the therapist during the course of therapy suggesting or inviting the possibility of a post 17 18 termination sexual or romantic relationship with the client/patient." G. American Psychological Association Ethical Principles of Psychologists and Code 19 of Conduct, Ethical Standard 3.04, Avoiding Harm, provides that psychologists must take 20 reasonable steps to avoid harming their clients/patients and to minimize harm where it is 21 foreseeable and unavoidable. 22 H. Section 125.3 of the Code provides, in part, that the Board may request the 23 administrative law judge to direct any licentiate found to have committed a violation or 24

of the investigation and enforcement of the case.
I. Section 2964.6 of the Code provides that an administrative disciplinary decision that

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imposes terms of probation may include, among other things, a requirement that the

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violations of the licensing act, to pay the Board a sum not to exceed the reasonable costs

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

FIRST CAUSE FOR DISCIPLINE

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

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

8 5. Patient ² sought psychotherapy from Respondent in approximately May 2009 to
9 address depression following a difficult breakup with a girlfriend. Patient saw Respondent on a
10 weekly basis from May 2009 through November 2009. Over the course of therapy, Respondent
11 and Patient began to engage in social interactions such as emailing and on line communications,
12 and discussing their personal lives during therapy sessions.

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

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

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

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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	<u>PRAYER</u>
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.
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19	DATED: April 12, 2017
20	ANTONETTE SORRICK Executive Officer
21	Board of Psychology Department of Consumer Affairs State of California
22	Complainant
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	5 ACCUSATION (Christina Villarreal, Ph.D.)
I	ACCOSATION (Clustina vinalital, Fil.D.)

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