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BEFORE THE
BOARD OF PSYCHOLOGIST EXAMINERS
STATE OF OREGON

In the Matter of:) AGENCY NO: OBPE #2014-014
LUZ MARTHA CALLUM, Ed.D.)
Licensee) NOTICE OF PROPOSED DISCIPLINARY
ACTION
)

The Board of Psychologist Examiners (Board) is the state agency responsible for licensing, regulating and disciplining psychologists, and for regulating the practice of psychology in the State of Oregon. Luz Martha Callum, Ed.D. (Licensee) is licensed by the Board to practice psychology in the State of Oregon.

1.

The Board proposes to take disciplinary action pursuant to ORS 675.070(2) against Licensee, to include requiring her to practice under the supervision by a psychologist pre-approved by the Board Chair for a minimum of one year, and to pay a civil penalty of \$3,000, for violating ORS 675.070(2)(d)(A) and (B), ORS 675.070(2)(h) and the following professional ethical standards; ES 2.01 Boundaries of Competence, ES 2.05 Delegation of Work to Others, ES 3.04 Avoiding Harm, and ES 3.06 Conflict of Interest, as adopted under OAR 858-010-0075.

2.

Licensee conducted custody evaluations under the business name of JMJ Psychological Services. Licensee's acts and conduct alleged to violate certain Board statutes and rules follow:

2.1 Subject A, an adult female, and Subject B, an adult male, were divorced in 2002. During their marriage, they had one daughter, Subject C, who was born in 1997. Subject A had another older daughter from a previous marriage, Subject D. After the divorce, Subject D became estranged from her mother and moved in with her stepfather, Subject B. Over the ensuing years, Subject A maintained custody over Subject C despite several litigated custody

1 disputes with the father, Subject B. In 2012, Subject B initiated a third lawsuit seeking custody
2 of 14 year old Subject C. In October of 2012, Subject B through his attorney obtained and paid
3 for the professional services of Licensee and her business partner Josette Luvmour to conduct a
4 custody evaluation and to prepare a Custody and Parenting Time Evaluation Report [hereinafter
5 Report]. In this Report, which was issued on November 27, 2012, the name of “Josette
6 Luvmour, Ph.D” or “Dr. Luvmour” are frequently referenced. The Report itself is presented as a
7 joint effort between Licensee and Luvmour, whose name and credentials were presented as
8 follows below:

9 Dr. Josette Luvmour, PhD
10 Developmentalist
11 Family Consultant
12 Educator in Human Development

13 Luvmour does not hold a professional license to practice psychology or any other mental health
14 profession in the State of Oregon. Licensee worked with Luvmour in jointly writing the Report,
15 and relied upon observations, interviews and conclusions provided by Luvmour. For instance,
16 the Report states: “Father is the more fit parent (documented by three custodial evaluators—Drs.
17 Loveland, Callum and Luvmour.” The Report also reflects that Luvmour conducted the
18 interviews of a number of collateral sources (to include Dr. Cole, the current wife of Subject B,
19 and Dr. Joshua Payton). The great majority of collateral sources relied upon by Licensee and
20 Luvmour favored Subject B’s point of view. By using the services of Josette Luvmour in the
21 preparation of the Report, Licensee violated ES 2.05, Delegation of Work to Others. In addition,
22 the persons relied upon for the content of the Report and the tone and content of the Report,
23 favored Subject B. The lack of objectivity in the Report violated ES 2.01 Boundaries of
24 Competence and ES 3.06, Conflict of Interest.

25 2.2 The evaluation Report issued by Licensee and Luvmour found that the
26 relationship between Subject C and her mother, Subject A, was not healthy or normal. The
27 ///

1 Report states that Subject A's: "narcissistic parenting style is a manipulative effort to create a
2 dependency in her by her daughter in order to fulfill her own emotional needs." Licensee and
3 Luvmour concluded that Subject A is fostering "**emotional and psychological abuse** that is
4 detrimental to [Subject C]'s development...." The Report found that Subject C had a condition
5 very similar to Stockholm Syndrome, and also raised a "great concern for **probable physical**
6 **abuse** as Subject C "may have indeed been unduly subjected to unnecessary medical treatment."
7 The concern for probable physical abuse had been first raised by Subject B, who believed that
8 Subject C had undergone unnecessary surgery for tethered cord syndrome, which is a recognized
9 neurological disorder. The medical records reflect that Subject A and B had "significant
10 conflict" between them in regard to Subject C's care. A pediatric rheumatologist referred
11 Subject C to a pediatric surgeon out of concern for tethered cord syndrome. A survey of the
12 available medical records do not support Licensee's conclusion that Subject C underwent
13 unnecessary medical treatment. Licensee's unwarranted conclusion violated ES 2.01 Boundaries
14 of Competence.

15 2.3 On November 27, 2012, Luvmour met with the parties and their attorneys, and
16 stated that Subject A should immediately give up custody of Subject C to Subject B (the father).
17 If not, Licensee and Luvmour would file a child abuse report. Four days later, Luvmour called
18 the Department of Human Services (DHS) in Yamhill County to Report that Subject C was the
19 victim of psychological and emotional abuse in the home of Subject A. DHS subsequently
20 received the Custody and Parenting Time Evaluation Report, and noted that the recommendation
21 of Licensee and Luvmour was that Subject C "was diagnosed as Failure to Thrive and Emotional
22 and Psychological Abuse by [Subject A]. Their recommendation (Licensee and Luvmour) was
23 for Subject C to immediately go home with her father, [Subject B], which did not happen." DHS
24 conducted an investigation that included interviewing past and present counselors and teachers
25 who were well acquainted with Subject A and Subject C, but had not been previously
26 interviewed by Licensee or Luvmour. DHS also asked a licensed psychologist to conduct a

1 comprehensive evaluation of Subject C. His diagnostic impression of Subject C was
2 “Adjustment Disorder with Mixed Anxiety and Depressed Mood.” The psychologist did “not
3 find any information that would support an opinion that [Subject C] has been emotionally abused
4 by her mother and cannot think independently.” The DHS investigation concluded that there
5 were no signs of mental abuse and that Subject C “appears to be a typical teenager who is
6 connected to her community and friends.” The content of the DHS investigation report and
7 findings, as compared to Licensee and Luvmour’s Report, reveal that Licensee and Luvmour
8 conducted an evaluation that favored Subject B in its tone and content, and relied upon collateral
9 sources that favored Subject B’s point of view. The opinions of Subject B, her teachers,
10 counselors and psychologist (Dr. Joshua Payton) are either not mentioned as “collateral sources”
11 or given very little credence in their Report. The threatened loss of custody and the ensuing DHS
12 investigation was disruptive and emotionally distressing to both Subject A and C. The content of
13 the Report prepared by Licensee and Luvmour violated ORS 675.070(2)(d)(A) and (B), in that it
14 was not consistent with the recognized standards of ethics for the profession, and was contrary to
15 recognized standards of practice. Furthermore, it violated ORS 675.070(2)(h) and the following
16 professional ethical standards; ES 2.01 Boundaries of Competence, ES 3.04 Avoiding Harm, and
17 ES 3.06 Conflict of Interest, as adopted under OAR 858-010-0075.

18 3.

19 The Board has authority to require Licensee to practice under supervision and to impose
20 other sanctions, to include a civil penalty, pursuant to ORS 675.070(1) and (2); ORS 675.110(4)
21 and (5); and OAR 858-010-0075. The Board has authority to investigate complaints under ORS
22 675.110(8). The Board reserves the right to amend this Notice and impose additional sanctions
23 as allowed under the Board’s authority. The Board alleges that the acts and conduct of Licensee
24 described above constitute violations of the following statutes, rules, and Ethical Standard (ES’s)
25 as more fully explained below:

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5.

If Licensee requests a hearing, the request must be made in writing to the Board, must be received by the Board within thirty (30) days from the mailing of this notice, and must be accompanied by a written answer to the charges contained in this notice. Before commencement of the hearing, Licensee will be given information on the procedures, right of representation and other rights of parties relating to the conduct of the hearing as required under ORS 183.413-415.

6.

NOTICE TO ACTIVE DUTY SERVICEMEMBERS: Active duty servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information, contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 800-452-7500, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

7.

If Licensee fails to request a hearing within 30 days, or fails to appear at the hearing as scheduled, the Board may issue a final order by default and impose the proposed sanctions and terms against Licensee. Licensee’s submissions to the Board to-date regarding the subject of this disciplinary case and all information in the Board’s files relevant to the subject of this case automatically become part of the evidentiary record of this disciplinary action upon default for the purpose of proving a *prima facie* case. ORS 183.417(4).

DATED this 2nd day of OCTOBER, 2015.

BOARD OF PSYCHOLOGIST EXAMINERS
State of Oregon
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Charles Hill ✓
Executive Director