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

12 In the Matter of the First Amended Accusation
Against:

Case No. 600-2019-000941

13 **VINCENT SHANKS, PHD.**
14 **32605 Temecula Pkwy, Ste 219**
Temecula, CA 92592-6840

FIRST AMENDED ACCUSATION

15 **Registered Psychological Associate**
16 **No. 94020884,**

17 Respondent.
18

19
20 **PARTIES**

21 1. Antonette Sorrick (Complainant) brings this First Amended Accusation solely in her
22 official capacity as the Executive Officer of the Board of Psychology, Department of Consumer
23 Affairs.

24 2. On or about August 26, 2014, the Board of Psychology issued Registered
25 Psychological Associate Number 94020884 to VINCENT SHANKS, PhD. (Respondent). The
26 Psychological Associate registration expired on August 19, 2020, and has not been renewed.

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1 **JURISDICTION**

2 3. This First Amended Accusation is brought before the Board of Psychology (Board),
3 Department of Consumer Affairs, under the authority of the following laws. All section
4 references are to the Business and Professions Code (Code) unless otherwise indicated.

5 **STATUTORY PROVISIONS**

6 4. Section 118 of the Code states:

7 (a) The withdrawal of an application for a license after it has been filed with a
8 board in the department shall not, unless the board has consented in writing to such
9 withdrawal, deprive the board of its authority to institute or continue a proceeding
10 against the applicant for the denial of the license upon any ground provided by law or
11 to enter an order denying the license upon any such ground.

12 (b) The suspension, expiration, or forfeiture by operation of law of a license
13 issued by a board in the department, or its suspension, forfeiture, or cancellation by
14 order of the board or by order of a court of law, or its surrender without the written
15 consent of the board, shall not, during any period in which it may be renewed,
16 restored, reissued, or reinstated, deprive the board of its authority to institute or
17 continue a disciplinary proceeding against the licensee upon any ground provided by
18 law or to enter an order suspending or revoking the license or otherwise taking
19 disciplinary action against the licensee on any such ground.

20 (c) As used in this section, "board" includes an individual who is authorized by
21 any provision of this code to issue, suspend, or revoke a license, and "license"
22 includes "certificate," "registration," and "permit."

23 5. Section 2913 of the Code states:

24 A person other than a licensed psychologist may perform psychological
25 functions in preparation for licensure as a psychologist only if all of the following
26 conditions are met:

27 (a) The person shall register himself or herself with the board as a
28 "psychological assistant." This registration shall be renewed annually in accordance
with regulations adopted by the board.

(b) The person (1) has completed a master's degree in psychology or education
with the field of specialization in psychology or counseling psychology, or (2) has
been admitted to candidacy for a doctoral degree in psychology or education with the
field of specialization in psychology or counseling psychology, after having
satisfactorily completed three or more years of postgraduate education in psychology
and having passed preliminary doctoral examinations, or (3) has completed a doctoral
degree that qualifies for licensure under Section 2914.

(c)(1) The psychological assistant is at all times under the immediate
supervision, as defined in regulations adopted by the board, of a licensed
psychologist, or a licensed physician and surgeon who is certified in psychiatry by the
American Board of Psychiatry and Neurology or the American College of
Osteopathic Board of Neurology and Psychiatry, who shall be responsible for

1 insuring that the extent, kind, and quality of the psychological services that the
2 psychological assistant performs are consistent with his or her training and experience
and be responsible for the psychological assistant's compliance with this chapter and
regulations.

3 (2) A licensed psychologist or board certified psychiatrist shall not supervise
4 more than three psychological assistants at any given time. No psychological
assistant may provide psychological services to the public except as a supervisee
5 pursuant to this section.

6 (d) The psychological assistant shall comply with regulations that the board
may, from time to time, duly adopt relating to the fulfillment of requirements in
7 continuing education.

8 6. Section 2960 of the Code states:

9 The board may refuse to issue any registration or license, or may issue a
10 registration or license with terms and conditions, or may suspend or revoke the
registration or license of any registrant or licensee if the applicant, registrant, or
11 licensee has been guilty of unprofessional conduct. Unprofessional conduct shall
include, but not be limited to:

12 (a) Conviction of a crime substantially related to the qualifications, functions
13 or duties of a psychologist or psychological assistant.

14 ...

15 (h) Willful, unauthorized communication of information received in
professional confidence.

16 (i) Violating any rule of professional conduct promulgated by the board and set
17 forth in regulations duly adopted under this chapter.

18 (j) Being grossly negligent in the practice of their profession.

19 (k) Violating any of the provisions of this chapter or regulations duly adopted
thereunder.

20 ...

21 (n) The commission of any dishonest, corrupt, or fraudulent act.

22 (o) Any act of sexual abuse, or sexual relations with a patient or former patient
23 within two years following termination of therapy, or sexual misconduct that is
substantially related to the qualifications, functions or duties of a psychologist or
24 registered psychological associate.

25 (p) Functioning outside of his or her particular field or fields of competence as
established by his or her education, training, and experience.

26 ...

27 (r) Repeated acts of negligence.

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1 7. Section 2960.1 of the Code states:

2 Notwithstanding Section 2960, any proposed decision or decision issued under
3 this chapter in accordance with the procedures set forth in Chapter 5 (commencing
4 with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, that
5 contains any finding of fact that the licensee or registrant engaged in any act of sexual
6 contact, as defined in Section 728, when that act is with a patient, or with a former
7 patient within two years following termination of therapy, shall contain an order of
8 revocation. The revocation shall not be stayed by the administrative law judge.

9 8. Section 2963 of the Code states:

10 A plea or verdict of guilty or a conviction following a plea of nolo contendere
11 made to a charge which is substantially related to the qualifications, functions and
12 duties of a psychologist or psychological assistant is deemed to be a conviction within
13 the meaning of this article. The board may order the license suspended or revoked, or
14 may decline to issue a license when the time for appeal has elapsed, or the judgment
15 of conviction has been affirmed on appeal or when an order granting probation is
16 made suspending the imposition of sentence, irrespective of a subsequent order under
17 Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of
18 guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or
19 dismissing the accusation, information or indictment.

20 9. Section 2964.3 of the Code states:

21 Any person required to register as a sex offender pursuant to Section 290 of the
22 Penal Code, is not eligible for licensure or registration by the board.

23 10. Section 490 of the Code provides, in pertinent part, that a board may suspend or
24 revoke a license on the ground that the licensee has been convicted of a crime substantially
25 related to the qualifications, functions, or duties of the business or profession for which the
26 license was issued.

27 11. Section 726 of the Code states:

28 (a) The commission of any act of sexual abuse, misconduct, or relations with a
patient, client, or customer constitutes unprofessional conduct and grounds for
disciplinary action for any person licensed under this or under any initiative act
referred to in this division.

(b) This section shall not apply to consensual sexual contact between a licensee
and his or her spouse or person in an equivalent domestic relationship when that
licensee provides medical treatment, to his or her spouse or person in an equivalent
domestic relationship.

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1 12. Section 729 of the Code states:

2 (a) Any physician and surgeon, psychotherapist, alcohol and drug abuse
3 counselor or any person holding himself or herself out to be a physician and surgeon,
4 psychotherapist, or alcohol and drug abuse counselor, who engages in an act of sexual
5 intercourse, sodomy, oral copulation, or sexual contact with a patient or client, or
6 with a former patient or client when the relationship was terminated primarily for the
7 purpose of engaging in those acts, unless the physician and surgeon, psychotherapist,
8 or alcohol and drug abuse counselor has referred the patient or client to an
9 independent and objective physician and surgeon, psychotherapist, or alcohol and
10 drug abuse counselor recommended by a third-party physician and surgeon,
11 psychotherapist, or alcohol and drug abuse counselor for treatment, is guilty of sexual
12 exploitation by a physician and surgeon, psychotherapist, or alcohol and drug abuse
13 counselor.

14 (b) Sexual exploitation by a physician and surgeon, psychotherapist, or alcohol
15 and drug abuse counselor is a public offense:

16 (1) An act in violation of subdivision (a) shall be punishable by imprisonment
17 in a county jail for a period of not more than six months, or a fine not exceeding one
18 thousand dollars (\$1,000), or by both that imprisonment and fine.

19 (2) Multiple acts in violation of subdivision (a) with a single victim, when the
20 offender has no prior conviction for sexual exploitation, shall be punishable by
21 imprisonment in a county jail for a period of not more than six months, or a fine not
22 exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

23 (3) An act or acts in violation of subdivision (a) with two or more victims shall
24 be punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the
25 Penal Code for a period of 16 months, two years, or three years, and a fine not
26 exceeding ten thousand dollars (\$10,000); or the act or acts shall be punishable by
27 imprisonment in a county jail for a period of not more than one year, or a fine not
28 exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(4) Two or more acts in violation of subdivision (a) with a single victim, when
the offender has at least one prior conviction for sexual exploitation, shall be
punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal
Code for a period of 16 months, two years, or three years, and a fine not exceeding
ten thousand dollars (\$10,000); or the act or acts shall be punishable by imprisonment
in a county jail for a period of not more than one year, or a fine not exceeding one
thousand dollars (\$1,000), or by both that imprisonment and fine.

(5) An act or acts in violation of subdivision (a) with two or more victims, and
the offender has at least one prior conviction for sexual exploitation, shall be
punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal
Code for a period of 16 months, two years, or three years, and a fine not exceeding
ten thousand dollars (\$10,000).

For purposes of subdivision (a), in no instance shall consent of the patient or
client be a defense. However, physicians and surgeons shall not be guilty of sexual
exploitation for touching any intimate part of a patient or client unless the touching is
outside the scope of medical examination and treatment, or the touching is done for
sexual gratification.

(c) For purposes of this section:

1 (1) "Psychotherapist" has the same meaning as defined in Section 728.

2 (2) "Alcohol and drug abuse counselor" means an individual who holds himself
3 or herself out to be an alcohol or drug abuse professional or paraprofessional.

4 (3) "Sexual contact" means sexual intercourse or the touching of an intimate
5 part of a patient for the purpose of sexual arousal, gratification, or abuse.

6 (4) "Intimate part" and "touching" have the same meanings as defined in
7 Section 243.4 of the Penal Code.

8 (d) In the investigation and prosecution of a violation of this section, no person
9 shall seek to obtain disclosure of any confidential files of other patients, clients, or
10 former patients or clients of the physician and surgeon, psychotherapist, or alcohol
11 and drug abuse counselor.

12 (e) This section does not apply to sexual contact between a physician and
13 surgeon and his or her spouse or person in an equivalent domestic relationship when
14 that physician and surgeon provides medical treatment, other than psychotherapeutic
15 treatment, to his or her spouse or person in an equivalent domestic relationship.

16 (f) If a physician and surgeon, psychotherapist, or alcohol and drug abuse
17 counselor in a professional partnership or similar group has sexual contact with a
18 patient in violation of this section, another physician and surgeon, psychotherapist, or
19 alcohol and drug abuse counselor in the partnership or group shall not be subject to
20 action under this section solely because of the occurrence of that sexual contact.

21 13. Section 1014 of the California Evidence Code states:

22 Subject to Section 912 and except as otherwise provided in this article, the
23 patient, whether or not a party, has a privilege to refuse to disclose, and to prevent
24 another from disclosing, a confidential communication between patient and
25 psychotherapist if the privilege is claimed by:

26 (a) The holder of the privilege.

27 (b) A person who is authorized to claim the privilege by the holder of the
28 privilege.

(c) The person who was the psychotherapist at the time of the confidential
communication, but the person may not claim the privilege if there is no holder of the
privilege in existence or if he or she is otherwise instructed by a person authorized to
permit disclosure.

COST RECOVERY

14. Section 125.3 of the Code states:

(a) Except as otherwise provided by law, in any order issued in resolution of a
disciplinary proceeding before any board within the department or before the
Osteopathic Medical Board, upon request of the entity bringing the proceeding, the
administrative law judge may direct a licensee found to have committed a violation or
violations of the licensing act to pay a sum not to exceed the reasonable costs of the
investigation and enforcement of the case.

1 (b) In the case of a disciplined licensee that is a corporation or a partnership,
the order may be made against the licensed corporate entity or licensed partnership.

2 (c) A certified copy of the actual costs, or a good faith estimate of costs where
3 actual costs are not available, signed by the entity bringing the proceeding or its
designated representative shall be prima facie evidence of reasonable costs of
4 investigation and prosecution of the case. The costs shall include the amount of
investigative and enforcement costs up to the date of the hearing, including, but not
5 limited to, charges imposed by the Attorney General.

6 (d) The administrative law judge shall make a proposed finding of the amount
of reasonable costs of investigation and prosecution of the case when requested
7 pursuant to subdivision (a). The finding of the administrative law judge with regard
to costs shall not be reviewable by the board to increase the cost award. The board
8 may reduce or eliminate the cost award, or remand to the administrative law judge if
the proposed decision fails to make a finding on costs requested pursuant to
9 subdivision (a).

10 (e) If an order for recovery of costs is made and timely payment is not made as
directed in the board's decision, the board may enforce the order for repayment in any
11 appropriate court. This right of enforcement shall be in addition to any other rights
the board may have as to any licensee to pay costs.

12 (f) In any action for recovery of costs, proof of the board's decision shall be
conclusive proof of the validity of the order of payment and the terms for payment.

13 (g)(1) Except as provided in paragraph (2), the board shall not renew or
14 reinstate the license of any licensee who has failed to pay all of the costs ordered
under this section.

15 (2) Notwithstanding paragraph (1), the board may, in its discretion,
16 conditionally renew or reinstate for a maximum of one year the license of any
licensee who demonstrates financial hardship and who enters into a formal agreement
17 with the board to reimburse the board within that one-year period for the unpaid
costs.

18 (h) All costs recovered under this section shall be considered a reimbursement
19 for costs incurred and shall be deposited in the fund of the board recovering the costs
to be available upon appropriation by the Legislature.

20 (i) Nothing in this section shall preclude a board from including the recovery
21 of the costs of investigation and enforcement of a case in any stipulated settlement.

22 (j) This section does not apply to any board if a specific statutory provision in
23 that board's licensing act provides for recovery of costs in an administrative
disciplinary proceeding.

24 (k) Notwithstanding the provisions of this section, the Medical Board of
25 California shall not request nor obtain from a physician and surgeon, investigation
and prosecution costs for a disciplinary proceeding against the licensee. The board
26 shall ensure that this subdivision is revenue neutral with regard to it and that any loss
of revenue or increase in costs resulting from this subdivision is offset by an increase
27 in the amount of the initial license fee and the biennial renewal fee, as provided in
subdivision (e) of Section 2435.

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FACTUAL ALLEGATIONS

Client A

15. As a psychological associate, Respondent provided therapeutic services to Client A¹ from June 2017 until January 2018. Client A presented to Respondent after her mother passed away from breast cancer, invoking fears of her own demise. Client A wanted to address her anxiety, panic attacks, and depression stemming from this fear of breast cancer.

16. During her first session with Respondent, Client A explained that she was molested as a child and feared that she would die like her mother. Respondent indicated that he too had been sexually abused, and he could prevent her from getting breast cancer because he was a psychic healer.

17. Throughout the course of the therapeutic relationship, Respondent repeatedly stated that he had special abilities using spiritual healing, energy work, and astral projection.² Respondent told Client A that he could make sure she did not need preventative surgery (i.e., a prophylactic double mastectomy) through his energy work.

18. In or about July 2017, Respondent performed his first “psychic healing” on Client A’s breast. Respondent asked her to remove her bra, and proceeded to put his hands under her shirt and held her breasts. Respondent slowly rotated his hands in a circular motion for about ten minutes.

19. Client A presented to Respondent on at least two additional occasions, between July and September 2017, where Respondent again performed “psychic healing” of her breasts.

20. On another unknown date, Client A mentioned to Respondent that she and her husband were trying to have children. Respondent claimed that he could help and he put his hand on her bare stomach, claiming that it was a healing technique.

21. In or about January 2018, Client A terminated her therapeutic relationship with Respondent because she did not feel right about him touching her. Additionally, Client A heard

¹ Client A is designated as such to address privacy concerns.

² Astral projection is the supposed act of leaving your body while sleeping.

1 that Respondent may have had an affair with a former patient and that yet another patient may
2 have filed a complaint against Respondent.

3 22. On or about October 2, 2019, in the case of *The People of the State of California v.*
4 *Vincent Shanks*, Superior Court of California for the County of Riverside, case number
5 SWF1900632, Respondent was charged with three counts of felony assault and battery, in
6 violation of Penal Code section 243.4, subdivision (c).

7 23. On or about June 20, 2023, Respondent pleaded guilty to one count of felony sexual
8 battery, in violation of Penal Code section 243.4, subdivision (c). The remaining counts were
9 dismissed.

10 24. Respondent was sentenced to a four-year prison term, but the sentence was suspended
11 and Respondent was placed on formal probation for 24 months. Respondent was also ordered to
12 serve 119 days in the Work Release Program and was ordered to enroll in the state certified
13 sexual offender program for 10 years (Penal Code 290-Tier 1). Additionally, Respondent was
14 ordered to pay restitution and waive renewal of his psychological associate registration.

15 **Clients B through F**

16 25. Clients B through F³ are a family who first sought services from Respondent's boss,
17 M.A., in or about March 2018. Specifically, the family sought care and treatment for Client F,
18 who was developmentally delayed and had serious psychological, behavioral, and social
19 problems. M.A. referred to the family to Respondent, who was a new associate in his office.

20 26. Respondent first treated Client F on or about March 29, 2018. His sessions with
21 Client F continued through May 22, 2019.

22 27. On an unknown date, Respondent told Clients B through E that they, along with
23 Client F, should start family counseling to work through conflicts, particularly those concerning
24 Client F. The family agreed to enter into a family counseling relationship with Respondent.

25 28. Client E also began individual therapy with Respondent on or about September 5,
26 2018. Client E ended their patient-therapist relationship on or about February 25, 2019.

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³ Clients B through F are designated as such to address privacy concerns.

1 **SECOND CAUSE FOR DISCIPLINE**

2 (Conviction of a Crime)

3 37. Respondent is subject to disciplinary action under Code sections 490, 2960,
4 subdivision (a), and 2963 in that he was convicted of a crime substantially related to the
5 qualifications, functions, and duties of a registered psychological associate, as more particularly
6 alleged in paragraphs 15 through 24, above, which are hereby incorporated by reference as if fully
7 set forth.

8 **THIRD CAUSE FOR DISCIPLINE**

9 (Registration as a Sexual Offender)

10 38. Respondent is subject to disciplinary action under Code section 2964.3 in that he is
11 required to register as a sexual offender for 10 years pursuant to Penal Code section 290, as more
12 particularly alleged in paragraphs 15 through 24, above, which are hereby incorporated by
13 reference as if fully set forth herein.

14 **FOURTH CAUSE FOR DISCIPLINE**

15 (Gross and Repeated Negligence)

16 39. Respondent is subject to disciplinary action under Code section 2960, subdivisions (j)
17 and (r), in that he was grossly and repeatedly negligent in his treatment of Clients A through F.
18 The circumstances are as follows:

19 **Client A**

20 40. The allegations of the First Cause for Discipline, in paragraphs 32 through 36, above,
21 are incorporated herein by reference and re-alleged as if fully set forth.

22 41. Respondent's violation of *Ethical Principles of Psychologists and Code of Conduct*,
23 Standard 10.05, by repeatedly touching Client A's breasts constitutes sexual contact and is an
24 extreme departure from the standard of care.

25 42. *Ethical Principles of Psychologists and Code of Conduct*, Standard 3.04 Avoiding
26 Harm, states:

27 (a) Psychologists take reasonable steps to avoid harming their clients/patients,
28 students, supervisees, research participants, organizational clients, and others with
whom they work, and to minimize harm where it is foreseeable and unavoidable.

1 (b) Psychologists do not participate in, facilitate, assist, or otherwise engage in
2 torture, defined as any act by which severe pain or suffering, whether physical or
3 mental, is intentionally inflicted on a person, or in any other cruel, inhuman, or
4 degrading behavior that violates 3.04(a).

5 43. The standard of care requires that no practitioner commit an act that is likely to cause
6 a patient harm. An act does not have to be shown to have caused actual harm to a patient to be
7 considered a violation of the standard of care.

8 44. Respondent knew, or should have known, that a sexualized relationship with Client A
9 would cause her risk of harm, including harm to her self-esteem, trust in herself and others, and
10 even risk of anxiety, confusion, and shame.

11 45. Further, Client A reported a history of sexual abuse to Respondent, and his actions
12 triggered negative feelings regarding her past abuse. As such, his actions caused patient harm and
13 constitutes an extreme departure from the standard of care.

14 46. *Ethical Principles of Psychologists and Code of Conduct*, Standard 2.04 Bases for
15 Scientific and Professional Judgments, states, “Psychologists’ work is based upon established
16 scientific and professional knowledge of the discipline.”

17 47. Respondent’s practice consisted of “energy work,” “spiritual healing,” and “astral
18 projection.” Respondent also indicated he had “special abilities.” None of these methods are
19 accepted methods of psychological treatment for anxiety, depression, or panic attacks.

20 48. Respondent’s representation that his unaccepted and unsubstantiated methods of
21 treatment were effective constitutes a fraudulent act and an extreme departure from the standard
22 of care.

23 49. Moreover, treating a patient with unsubstantiated methods of treatment, with
24 knowledge that the treatment has no scientific foundation, and failing to provide Client A with an
25 established effective treatment, are incompetent acts and constitute extreme departures from the
26 standard of care.

27 50. The standard of care requires psychologists and psychological associates to obtain
28 informed consent using language that is reasonably understandable to the client(s). Practitioners
must also appropriately document written or oral consent, permission, and assent.

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1 51. *Ethical Principles of Psychologists and Code of Conduct*, Standard 10.01 Informed
2 Consent to Therapy, states in pertinent part:

3 (b) When obtaining informed consent for treatment for which generally
4 recognized techniques and procedures have not been established, psychologists
5 inform their clients/patients of the developing nature of the treatment, the potential
6 risks involved, alternative treatments that may be available, and the voluntary nature
7 of their participation.

8 52. Respondent failed to have Client A sign an informed consent document for his
9 unsupported treatment. Further, he failed to explain the lack of scientific support for the
10 treatment used, or offer evidence-based alternative treatments. The failure to obtain and
11 document an informed consent, from Client A, is a departure from the standard of care.

12 **Clients B through F**

13 53. The first step in a therapeutic relationship is to establish a working diagnosis through
14 an initial evaluation. Respondent failed to conduct an initial evaluation of Client E and Client F,
15 who both saw Respondent for individual therapy. This constitutes a departure from the standard
16 of care.

17 54. Respondent failed to have Clients B through F sign informed consent documents for
18 his family counseling treatment. Additionally, Respondent failed to document any of the family
19 counseling sessions. These failures constitute a departure from the standard of care.

20 **FIFTH CAUSE FOR DISCIPLINE**

21 (Commission of Any Dishonest or Fraudulent Act)

22 55. Respondent is subject to disciplinary action under Code section 2960, subdivision (n),
23 in that he committed dishonest and fraudulent acts. The circumstances are as follows:

24 56. The allegations in paragraphs 15 through 24 and 46 through 49, above, are
25 incorporated herein by reference and re-alleged as if fully set forth.

26 57. On or about May 29, 2019, Respondent was interviewed by a deputy and investigator
27 from the Riverside County Sheriff's Department. During his interview, Respondent stated that
28 Client A has Borderline Personality Disorder (BPD) and denied ever doing energy work on her.
Respondent indicated that Client A misconstrued the situation and he never performed energy
work on any patient. He also stated that he never used tarot cards during his sessions.

1 **SEVENTH CAUSE FOR DISCIPLINE**

2 (Confidentiality)

3 66. Respondent is subject to disciplinary action under Code section 2960, subdivision (h),
4 and California Evidence Code section 1014, in that he violated patient confidentiality. The
5 circumstances are as follows:

6 67. On or about an unknown date in August 2017, Respondent brought another client,
7 E.D., into Client A’s session. Client A did not consent to her presence and did not know she
8 would be there. Respondent explained that he helped E.D. in the same way he was trying to help
9 Client A. He indicated that E.D.’s mammogram was clear, as a result of his treatment.

10 68. Client A felt obligated to allow E.D. to stay in her session because E.D.’s husband
11 supervised Client A’s husband. During the session, Respondent and E.D. discussed his special
12 abilities and Respondent read tarot cards about Client A. Respondent also had Client A complete
13 a “cold read,” after viewing a picture of E.D. and her family, and indicated that she also had
14 special abilities.

15 69. The standard of care in California requires that patient confidentiality be protected.

16 70. *Ethical Principles of Psychologists and Code of Conduct*, Standard 4.01 Maintaining
17 Confidentiality, states:

18 Psychologists have a primary obligation and take reasonable precautions to
19 protect confidential information obtained through or stored in any medium,
20 recognizing that the extent and limits of confidentiality may be regulated by law or
established by institutional rules or professional or scientific relationship.

21 71. Respondent’s practice of allowing another patient to attend and participate in Client
22 A’s session, without her consent, constitutes an extreme departure of the standard of care.

23 **EIGHTH CAUSE FOR DISCIPLINE**

24 (Unprofessional Conduct)

25 72. Respondent is subject to disciplinary action under Code section 2960 in that he
26 engaged in unprofessional conduct. The circumstances are as follows:

27 73. The allegations in the First through Seventh Causes for Discipline, in paragraphs 32
28 through 71, above, are incorporated herein by reference as if fully set forth.

1 **DISCIPLINARY CONSIDERATIONS**


2 74. To determine the degree of discipline, if any, to be imposed on Respondent,
3 Complainant alleges that on or about June 20, 2023, in the case of *The People of the State of*
4 *California v. Vincent Shanks*, Riverside Superior Court Case No. SWF 1900632, Respondent
5 filed “Defendant’s Waiver of Professional License with the Board of Psychology.” In that
6 Superior Court filing, Respondent/Defendant states that, “pursuant to the plea agreement, I hereby
7 waive renewal of my professional license with the California Board of Psychology, License No.
8 94020884. My professional license has not been renewed and is currently cancelled.”

9 **PRAYER**

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

- 12 1. Revoking or suspending Registered Psychological Associate Number PSB 94020884,
13 issued to VINCENT SHANKS, PhD.;
- 14 2. Ordering Vincent Shanks to pay the Board of Psychology the reasonable costs of the
15 investigation and enforcement of this case, and, if placed on probation, the costs of probation
16 monitoring; and,
- 17 3. Taking such other and further action as deemed necessary and proper.

18
19
20 DATED: July 10, 2023 _____



ANTONETTE SORRICK
Executive Officer
Board of Psychology
Department of Consumer Affairs
State of California
Complainant

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