

SOUTH DAKOTA DEPARTMENT OF SOCIAL SERVICES  
STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS

IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS OF ROGER BELISLE, PH.D.  (LICENSE NUMBER 577)	DOSS 23-226  AGREED DISPOSITION
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Roger Belisle, PH.D. (Licensee), by and through counsel, Shane Eden, and the South Dakota Board of Examiners of Psychologists (Board), by and through counsel, Assistant Attorney General Trevor Thielen, hereby enter into this Agreed Disposition regarding the above-entitled matters currently pending before the Board.

Roger Belisle, PH.D. is licensed to practice psychologist in the State of South Dakota and holds license number 577.

On or about March 7, 2023, the Board received a complaint regarding a potential Code of Conduct violation of the Licensee. On behalf of the Board, an investigatory committee was formed to review the allegations made against the Licensee. Subsequently, on or about, May 1, 2023, a formal Complaint was served on the Licensee citing grounds for disciplinary action against the Licensee. In response, on or about May 11, 2023, a timely Answer was submitted by the Licensee.

The Board and the Licensee agree it would be in the best interest of all concerned to resolve the pending Complaint without holding a formal contested case hearing pursuant to SDCL chs. 1-26 and 36-1C. This Agreed Disposition is intended to resolve all allegations contained within the Complaint. The intent of this Agreed Disposition is to provide for a disposition of the licensing issues presented by the

Licensee's conduct, in a professional manner, without the necessity of further hearings and proceedings herein, and to provide for a reasonable resolution.

The following factual basis is hereby stipulated and agreed to as follows:

1. The Licensee had been employed as a psychologist with Pennington County Sheriff's Office for approximately five years.
2. One of the Licensee's duties, as a psychologist with the Pennington County Sheriff's Office, was to conduct pre-employment psychological assessments for potential new Sheriff's Office employees.
3. In the course of this duty, the Licensee conducted a pre-employment psychological assessment for applicant M.H. on January 26, 2023.
4. After the pre-employment psychological assessment, the Licensee then reached out to M.H. via text message and Instagram and engaged in a conversation that was personal in nature with M.H. The Licensee continued to communicate with M.H. in the days following pre-employment psychological assessment.
5. During the licensee's communication with M.H. the licensee asked to meet M.H. several times at his office or at her residence. The Licensee also sending a picture of himself as a teenager to M.H..
6. On January 28, 2023, M.H. stopped replying to the Licensee's messages. Nevertheless, the Licensee continued attempted communication with M.H. as recently as February 9, 2023, to which M.H. did not respond.
7. On February 15, 2023, the licensee was notified that the Sheriff's Office had received a report concerning the Licensee's behavior, as related to M.H..
8. When questioned, the Licensee admitted that he and M.H. were friendly with each other. The Licensee further admitted to "bi-directional passive flirting" with M.H.. The Licensee indicated their interaction started as professional but became confusing due to later comments by M.H.
9. When questioned further about the Licensee's request to meet with M.H., the Licensee indicated that his intentions were purely innocent. However, when asked if he intended to meet with M.H. for a sexual purpose, the Licensee indicated that the thought did cross his mind, but that he did not believe he would

have acted on such thoughts. Ultimately, there was no evidence that any verbal or physical sexual contact occurred between Licensee and M.H.

10. On February 17, 2023, the Licensee resigned by mutual agreement with the Pennington County Sheriff's Office.
11. The Licensee acknowledges that he engaged in conduct that is grounds for disciplinary action under SDCL § 36-27A-28(6), in that the Licensee did engage in conduct in violation of the ASPPB Code of Conduct § B.2.b., in that the Licensee failed to take all reasonable steps to ensure that a multiple relationship with M.H. did not impair either: (1) the Licensee's professional judgment, and/or (2) result in a conflict of interest, with M.H. being a client or a relevant person.

Based upon the above, it is hereby stipulated and agreed as follows:

1. The Board has jurisdiction over the person of the Licensee and the subject matter of this Agreed Disposition.
2. The Board received a complaint alleging the Licensee failed to take all reasonable steps to ensure that a multiple relationship with M.H. did not impair either (1) the Licensee's professional judgment, and/or (2) result in a conflict of interest, with M.H. being a client or a relevant person.
3. The Licensee recognizes that the matter complained of are of a nature that could constitute grounds for discipline on Licensee's license to practice as a Psychologist in the State of South Dakota.
4. The Licensee understands that the Licensee may have a right to a contested case hearing pursuant to SDCL 1-26 regarding the allegations in the pending complaint and that such rights under SDCL 1-26 include, but are not limited to, the right to be represented by counsel; the right to notice and a due process hearing at which the Licensee has the right to introduce evidence and testimony on his behalf, to call witnesses and cross-examine any adverse witness; and the right to appeal the Board's decision to a South Dakota Circuit Court and the South Dakota Supreme Court.

5. By entering into this Agreed Disposition with the Board, the Licensee hereby knowingly and voluntarily waives the above rights.
6. This Agreed Disposition is a public record of the Board and the State of South Dakota, and it may be published and/or reported for the national data banks and all other entities deemed necessary by the Board in compliance with state and federal law. The Licensee understands that the Board has reporting requirements and he consents to the documents relating to this matter being provided to the required entities and to state licensing authorities upon request.
7. The Licensee has been given the opportunity to discuss this Agreed Disposition with an attorney of the Licensee's choice and is aware of the rights outlined above. The Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or other rights. The Licensee is entering into this stipulation voluntarily and without duress or compulsion.
8. Based upon the foregoing acknowledgements, the Board and Licensee hereby agree that these matters shall be resolved according to the disciplinary procedures outlined in SDCL 36-1C-6, by an Agreed Upon Disposition.
9. The Board requires, and the Licensee agrees to the following:
  - a. The Licensee is hereby publicly reprimanded by the Board for his conduct related to this case.
  - b. Within 1 (one) year from the signing of this Agreed Disposition, the Licensee must have successfully completed a total of 40 (forty) hours of preapproved continuing education units in the field of Multiple Relationships. Evidence of completion, along with a curriculum overview, must be provided to the Board.
  - c. The Licensee will be responsible for any and all costs associated with the completion of this Agreed Disposition.
10. The Licensee acknowledges that failure to comply with the terms of the Agreed Disposition is grounds for further disciplinary action and may allow the Board to institute or reinstate formal proceedings.


This Agreed Disposition must be presented to, and agreed upon, by the full South Dakota Board of Examiners of Psychologists. In the event that the Board does

not approve this Agreed Disposition, any argument that the Board members considering this Agreed Disposition should be disqualified from later rendering a decision in any subsequent contested case hearing regarding the complaints herein is hereby waived.

#### ACKNOWLEDGEMENT

Roger Belisle, PH.D. (Licensee), by his signature acknowledges he is aware of the substance of the allegations made against him, he acknowledges that he has had an opportunity to consult with legal counsel of his choice, and he states that he understands the terms of this Agreed Disposition and knowingly, intelligently, and voluntarily enters into this Agreed Disposition.


Dated this 6 day of July, 2023.

  
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Roger Belisle, PH.D. (Licensee),

Dated this 6 day of July, 2023.

  
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Shane Eden  
Attorney for Roger Belisle, PH.D. (Licensee)

Dated this 6<sup>th</sup> day of July, 2023.

  
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Trevor Thielen  
Assistant Attorney General