

**IN THE MATTER OF  
SCOTT BUEHLER, Ph.D.  
LICENSE NO. 02691**

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**BEFORE THE  
MARYLAND BOARD  
OF EXAMINERS OF  
PSYCHOLOGISTS**

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**PRE-CHARGE CONSENT ORDER**

**Background**

On March 27, 2013, the Maryland Board of Examiners of Psychologists (the "Board") received an application from Scott Buehler to reinstate his license to practice psychology in Maryland, License No. 02691. On his application, Dr. Buehler answered "yes" to the question "Has a state, federal, or foreign licensing or disciplinary board or agency (including Maryland and the District of Columbia), or a comparable body in the armed service, denied your application for licensure, reinstatement or renewal?" Dr. Buehler provided an explanation with his application, stating that his application for renewal was denied in March 2011 because he owed back taxes. Dr. Buehler also disclosed that he continued to work without an active license between April 1, 2011, and March 27, 2013.

In lieu of instituting formal proceedings against Dr. Buehler in accordance with the Maryland Psychology Act, Md. Code Ann., Health Occ. § 18-101 *et seq.*, the Board held a Pre-Charge Case Resolution Conference ("CRC") with Dr. Buehler and his counsel on January 24, 2014. As a result, the Board and Dr. Buehler have agreed to resolve this matter as set forth in this Consent Order.

## FINDINGS OF FACT

1. Dr. Buehler was first licensed by the Board to practice psychology in Maryland under License No. 02691 on December 13, 1991. Dr. Buehler's license expired on March 31, 2011.
2. On March 27, 2013, Dr. Buehler submitted an application to reinstate his license to the Board. On his reinstatement application, Dr. Buehler answered "yes" to the question "Has a state, federal, or foreign licensing or disciplinary board or agency (including Maryland and the District of Columbia), or a comparable body in the armed service, denied your application for licensure, reinstatement or renewal?"
3. Dr. Buehler provided an explanation for his "yes" answer with his application. He stated that he attempted to renew his license before it expired in early 2011 but was unable to renew because he owed back taxes to the Comptroller of Maryland.<sup>1</sup> Dr. Buehler also explained that although the "flag" on his account was removed by the Office of the Comptroller in November 2011, he did not find out until December 2012. He also stated that he did not have the necessary funds to pay the Board's reinstatement fee until March 2013.
4. On his reinstatement application, Dr. Buehler also admitted that he treated four patients between April 1, 2011 (the day his license expired), and March 27, 2013 (the day he applied for reinstatement).<sup>2</sup>
5. Dr. Buehler acknowledged his wrongdoing in continuing to practice psychology without an active license and expressed that he had made a terrible error in judgment because he

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<sup>1</sup> Pursuant to Md. Code Ann., Health Occ. § 1-213(b), the Board "shall verify through the office of the Comptroller that the applicant has paid all undisputed taxes" before "any license or permit may be renewed."

<sup>2</sup> Dr. Buehler terminated his treatment of these patients in July 2013.

was concerned about his patients' well-being. Dr. Buehler admitted that he should have taken steps to carefully transfer his patients to other mental health providers during his period of non-licensure.

6. Dr. Buehler also stated that he had, and continues to have, serious financial troubles that contributed to his actions. Dr. Buehler stated that he recently filed for bankruptcy and is about to move in to subsidized housing.
7. Dr. Buehler also informed the Board that he is currently working in a setting that does not require a psychologist's license and does not plan on treating patients again in the near future.

#### CONCLUSION OF LAW

Based on the foregoing Findings of Fact, the Board concludes that Dr. Buehler is subject to disciplinary action in accordance with Md. Code Ann., Health Occ. §§ 18-401 and 18-404, and COMAR 10.36.08.04.

#### ORDER

Based on an affirmative vote of a majority of the Board, it is this 7<sup>th</sup> day of February, 2014, hereby:

**ORDERED** that Dr. Buehler's license to practice psychology be reinstated, provided that he meets the requirements of reinstatement contained in Md. Code Ann., Health Occ. § 18-310; and be it further,

**ORDERED** that upon reinstatement, Dr. Buehler's license be **SUSPENDED** for **SIX (6) MONTHS**, the entire period of which shall be **STAYED**; and be it further,

**ORDERED** that Dr. Buehler's license be placed on immediate **PROBATION** for at least **TWO (2) YEARS**, during which time he shall:

1. Enroll in and complete a Board-approved professional ethics tutorial, the frequency and duration of which will be determined by the tutor, and ensure that the tutor provide a report to the Board detailing the results of the tutorial upon completion of the tutorial; and
2. In lieu of a fine, make a \$10,000 charitable contribution to an organization approved by the Board, in the form of an anonymous payment or at least 100 hours of documented *pro bono* psychological services; and be it further,

**ORDERED** that after two (2) years of probation, Dr. Buehler may petition the Board to terminate probation, provided that he has been fully compliant with the terms of probation and does not have any pending complaints filed against him; and be it further,

**ORDERED** that Dr. Buehler shall agree and consent to the release by the Board to the ethics tutor the complete investigative file in this case; and be it further,

**ORDERED** that if Dr. Buehler violates any of the terms or conditions of probation or this Consent Order, the Board, after notice and an opportunity for a hearing, may, in its discretion, take further disciplinary action against his license, including further probation, suspension, revocation, or a fine; and be it further,

**ORDERED** that this is a formal order of the Maryland Board of Examiners of Psychologists and as such is a public document pursuant to Md. Code Ann., State Gov't § 10-617(h).

5/20/14  
Date

Steven Sobelman  
Steven Sobelman, Ph.D.  
Chair, Board of Examiners of Psychologists

**CONSENT**

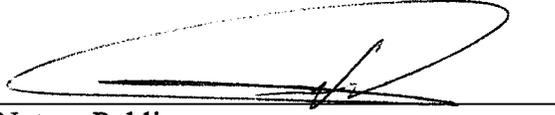
1. By signing this Consent, I submit to the foregoing Consent Order as a resolution of this matter in lieu of formal charges, which process would have afforded me the right to a full evidentiary hearing. I consent and submit to the foregoing Findings of Fact, Conclusions of Law, and Order as if made after a full evidentiary hearing in which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections provided by law.
2. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
3. I acknowledge that this is a formal order of the Board and as such is a public document.
4. I acknowledge the legal authority and the jurisdiction of the Board to enter into and enforce this Consent Order.
5. I sign this Consent Order freely and voluntarily and after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

*May 17th, 2014*  
~~*March 28, 2014*~~  
Date

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Scott Buehler, Ph.D.

STATE OF MARYLAND  
COUNTY/CITY OF Montgomery/Geithersburg

I hereby certify that on this 17<sup>th</sup> day of May, 2014,  
before me, a Notary Public of the State of Maryland and County/city aforesaid, personally  
appeared SCOTT BUEHLER, and made an oath in due form that the foregoing Consent was  
his voluntary act and deed.



Notary Public  
My commission expires: December 28, 2014

**BAHMAN BAHRAMNEJAD**  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires December 28, 2014