

State revokes license, fines Kearney doctor

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Hub Staff Writer

LINCOLN — A Kearney psychologist's license to practice psychology has been revoked and he has been fined \$5,000 following allegations he sexually exploited female patients and employees.

The order, made by the Nebraska Health Department Wednesday, also concluded that the psychologist defrauded Medicaid.

The health department revoked the license and ordered the fine paid by Ernest Matuschka, who is a self-employed psychologist at Matuschka Center for Family Therapy, 3003 Central Ave., Kearney.

Matuschka also retired as a psychology professor at Kearney State College this spring.

Assistant State Attorney General Elaine Catlin, who represented the state in the petition filed against Matuschka, said the license revocation and \$5,000 civil fine were not the maximum penalties that could have been leveled against Matuschka.



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STATUTE ALLOWS the health department to impose a civil penalty of up to \$10,000, she said.

Matuschka could appeal the order to district court and ask for a stay or condition that his license not be revoked until the district court has made a ruling, Catlin said.

The license revocation means Matuschka will not be allowed to practice clinical psychology or any other form of psychology.

Matuschka has 10 days to pay the \$5,000 fine.

No charges involving the allegations that the psychologist defrauded Medicaid have been filed in either Buffalo County or at the federal level.

THE HEALTH department's order followed the filing of a petition with the health department by Nebraska Attorney General Robert Spire.

Matuschka's license to practice had been temporarily suspended by the health department as of May 10.

A hearing for Matuschka was held May 24 before health department hearing officer and legal counsel, Teresa Hampton.

The hearing was continued until June 28, but on June 26, both the attorney general's office and Matuschka's counsel agreed to forgo testimony from witnesses and instead submitted to the hearing officer a list of facts pertinent to the case.

A JOINT stipulation of facts was filed June 28,

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with an agreement by Matuschka that his temporary license suspension would continue Aug. 7.

Catlin said the order was made by the health department director, Gregg Wright, following a review of the hearing officer's recommendation.

According to the health department order, the conclusion of the law showed Matuschka having sexual relations with six female patients, employees and/or former students between 1982-1988 and having engaged in unprofessional conduct in violation of statute.

The order's discussion indicated that "during this period the defendant engaged in manipulative and destructive behavior with his patients through his use of psychology and threats."

THE ORDER'S discussion also said Matuschka's "conduct has caused or probably will cause the affected patients long-term mental health problems."

"The evidence shows that the defendant (Matuschka) specifically preyed on the weakness of his patients," the order reads. "He learned of these weaknesses through his professional relationship with them and used his knowledge of psychology to manipulate and control his victims for his sexual gratification and personal gain."

The order says that although Matuschka presented letters from friends, patients and professional contacts that show he is a contributing member of his profession and to his community, Matuschka did not present any evidence that he has sought professional help to deal with his conduct or "that he recognizes its inappropriateness."

THE ORDER also said that Matuschka submitted bills to social services for psychological services for Medicaid payment for sessions that did not occur or "no show" patients and for services provided by uncertified and unlicensed counselors.