

Whitney L. Casement, KS S. Ct. #25466
Office of the Kansas Attorney General
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Topeka, KS 66612-1597

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BY: _____

BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter of)
)
John Speckhals, LAC)
License #528,)
Respondent)

Case No. 14-AC-0118

SUMMARY PROCEEDING ORDER

NOW, on this 7 day of May, 2015, the above-captioned matter comes before the Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board (the "Board").

FINDINGS OF FACT

The Board finds that the following facts have been established by a preponderance of the evidence:

1. John Speckhals is currently, and was at all times relevant to this Consent Agreement and Order, a Licensed Addiction Counselor (LAC) licensed by the BSRB in the State of Kansas.

2. On April 28, 2014, the Board received a report of Alleged Violation stating Licensee may have violated certain statutes and regulations governing unprofessional conduct. Licensee was given the opportunity to respond to the Report of Alleged Violation and did so.

3. The report and subsequent investigation revealed that, beginning in February 2014, Licensee used illegal substances, including methamphetamines, while working as a LAC at the Guidance Center in Oskaloosa, Kansas. Licensee provided services as an addiction

counselor while impaired by illegal substances.

CONCLUSIONS OF LAW

4. The Complaint Review Committee of the Board finds that Licensee has violated the following statute and regulations:

A. K.S.A. 65-6615. Refusal to grant licensure; other licensure actions; grounds. The board may refuse to grant licensure to, or may suspend, revoke, condition, limit, qualify or restrict the licensure issued under this act of any individual who the board, after the opportunity for a hearing, determines:

- (c) has violated a provision of the addictions counselor licensure act or one or more of the rules and regulations of the board;
- (g) has been found guilty of unprofessional conduct as defined by rules and regulations established by the board;

B. K.A.R. 102-7-11. Unprofessional Conduct. Each of the following acts shall be considered unprofessional conduct for a licensed addiction counselor, a licensed clinical addiction counselor, or an applicant for an addiction counselor license or a clinical addiction counselor license:

- (g) failing to recognize, seek intervention, and otherwise appropriately respond when one's own personal problems, psychosocial distress, or mental health difficulties interfere with or negatively impact professional judgment, professional performance and functioning, or the ability to act in the client's best interests;
- (u) using alcohol or any illegal drug or misusing any substance that could cause impairment while performing the duties or services of an addiction counselor;

5. Proceedings under the Kansas Addiction Counselor Licensure Act are subject to the Kansas Administrative Procedure Act (K.S.A. 77-501, et seq.) ("KAPA") pursuant to K.S.A. 65-6619. K.S.A. 77-537 of KAPA provides that the Board may use summary proceedings when necessary and appropriate.

6. The Board is authorized to take disciplinary action against a Licensed Addiction Counselor pursuant to K.S.A. 65-6615.

7. The Board has jurisdiction over Licensee because Licensee was at all times relevant hereto a Licensed Addiction Counselor within the meaning of the Kansas Addiction

CERTIFICATE OF SERVICE

This is to certify that on this 7 day of May, 2015, a true and correct copy of the above and foregoing Summary Proceeding Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

John Speckhals



and a copy delivered via interoffice mail to:

Whitney L. Casement
Assistant Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612
Disciplinary Counsel for the Board

Cindy D'Ercole
For the Board