

Marty M. Snyder, KS S.Ct. #11317
Assistant Attorney General
120 SW 10th Avenue, Second Floor
Topeka, KS 66612-1597
(785) 296-2215

BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter of)

AMBER HUGHES, LMSW)
License #8231)
Respondent)

Case No. 16-MS-130

SUMMARY PROCEEDING ORDER OF REVOCATION

NOW, on this 11 day of January, 2017, the above-captioned complaint comes before the Complaint Review Committee [Committee] of the Kansas Behavioral Sciences Regulatory Board [Board].

FINDINGS OF FACT

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

1. Amber Hughes is a Licensed Masters Social Worker, License #8231, which was issued by the Kansas Behavioral Sciences Regulatory Board.
2. At all times relevant to the complaint herein, Licensee was practicing as a Licensed Masters Social Worker within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.

3. The Board received a report of alleged professional misconduct by Respondent and conducted an investigation concerning her alleged violation of statutes and regulations. In a letter dated June 27, 2016, Licensee was informed of the reported information and was requested to respond to the allegations. When she did not respond within 90 days, she was emailed a copy of the complaint and again requested to reply by November 5. She again failed to respond.

4. In a letter dated November 30, 2016, Licensee was informed that the Complaint Review Committee would meet December 12 to discuss the complaint. She did not appear and did not submit any response to date, more than six months after the first request.

5. As a result of the investigation, the Board found probable cause that the following facts were established by a preponderance of clear and convincing evidence:

a. Licensee was employed as a social worker by Labette Center for Mental Health Services, Inc., and placed with Labette Health Family Practice Clinic in Parsons, Kansas. While working there, she took a prescription pad belonging to Ben Cochran, APRN, without authority and wrote at least three prescriptions for herself, forging his signature.

b. Two forged prescriptions for narcotics dated June 1 and June 3, 2016, were filled at the WalMart pharmacy in Chanute. Licensee was in the process of attempting to fill a forged prescription for Hydrocodone at the WalMart pharmacy in Parsons on June 6, 2016, when the pharmacist

recognized the forgery. He called Ben Cochran, who drove immediately to the pharmacy. Licensee was waiting but ran away when she saw Mr. Cochran.

c. Licensee's employment was terminated, but she failed to report the termination to the Board. Criminal charges related to theft and forgery were filed against Licensee in Labette County, Kansas, and Neosho County, Kansas.

d. Licensee failed to cooperate in the investigation of this complaint despite multiple requests by the Investigator.

6. The Complaint Review Committee of the Board found that probable cause existed to believe Licensee violated the following statute and regulations:

A. K.S.A. 65-6311. Grounds for suspension, limitation, revocation or refusal to issue or renew license; procedure.

(a) The board may suspend, limit, revoke, condition or refuse to issue or renew a license of any social worker upon proof that the social worker:

(4) has been found guilty of unprofessional conduct as defined by rules established by the board.

B. K.A.R. 102-2-7. Unprofessional Conduct. Any of the following acts by a licensee or an applicant for a social work license shall constitute unprofessional conduct:

(b)(3) failing to report termination of employment for misfeasance or malfeasance to the Board;

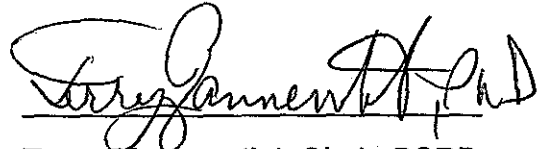
(h) failing to recognize, seek intervention and appropriately respond when one's own personal problems, psychosocial distress or mental health difficulties interfere with or negatively impact professional judgment, professional performance and functioning;

- (w) engaging in professional activities ... involving dishonesty, fraud, deceit or misrepresentation;
- (x) illegally using any controlled substance while performing the duties or services of a licensee; and
- (b)(9) failing to cooperate in a timely manner with any request from the Board for a response or information.

7. The Board concludes that this matter may properly be handled through Summary Proceedings pursuant to K.S.A. 77-537, Kansas Administrative Procedure Act.

WHEREFORE, Licensee Amber Hughes's Licensed Masters Social Worker license should be and is hereby revoked, effective on the date established pursuant to the Notice of Relief below.

IT IS SO ORDERED this 9th day of January, 2017.



Terry Pfannenstiel, Chair, BSRB
Complaint Review Committee

NOTICE OF RELIEF FROM SUMMARY PROCEEDING ORDER

Pursuant to K.S.A. 77-537 and K.S.A. 77-542, this Summary Proceeding Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for hearing to:

Max Foster, Executive Director
Kansas Behavioral Sciences Regulatory Board
Eisenhower State Office Building, #430
Topeka, KS 66603

Any such request must be filed within fifteen (15) days of service of this Notice. If a hearing is not requested in the time and manner stated, this Summary Proceeding Order becomes final and effective upon the expiration of the time for requesting a hearing and will be a Final Order of the Board.

CERTIFICATE OF SERVICE

This is to certify that on this 11 day of January, 2017, a true and correct copy of the above Summary Proceeding Order of Revocation was deposited in the U.S. mail, first class postage prepaid, addressed to:

Amber Hughes
103 S. Walnut
Erie, KS 66733

and emailed to: jaedeane1981@gmail.com

and a copy placed in building mail to:

Marty M. Snyder,
Assistant Attorney General



For the Board