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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In The Matter Of)
)
EUGENE CAMERON,)
LAC #675)
)
Respondent)
_____)

Case No. 18-AC-0104

Pursuant to K.S.A. 77-536

SUMMARY PROCEEDING ORDER OF SUSPENSION

NOW, on this 6 day of September, 2018, the above-captioned matter comes before the Complaint Review 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 the evidence:

1. Eugene Cameron (“Respondent”) was at all times relevant, a Licensed Addictions Counselor (“LAC”) within the meaning of the Kansas Addictions Counselor Licensure Act, K.S.A. 65-6607, *et seq.*, and amendments thereto.
2. Respondent was employed at Restoration Knox Center in Wichita, Kansas.
3. On or about August 3, 2017, Respondent called to Board staff regarding licensure as a Licensed Master’s Addiction Counselor (“LMAC”). Licensee was advised that he was eligible for this license status at that time.
4. On or about August 31, 2017, Respondent’s LAC license expired.

5. On or about September 5, 2017, Respondent submitted to the Board an incomplete application for an LMAC license. In September 2017, Board staff contacted Respondent regarding his incomplete application for an LMAC license. Board staff informed Respondent that his LAC licensed had expired; therefore, he was not eligible for an LMAC license.

6. On or about December 28, 2017, an audit was completed at Restoration Knox Center. At that time, Restoration Knox Center determined that Respondent's LAC license had been expired almost five (5) months.

7. On or about January 22, 2018, Restoration Knox Center terminated Respondent.

8. On or about March 28, 2018, Respondent contacted Board staff to inquire about a self-report. Board staff explained to Respondent the process of a self-report. However, Respondent did not submit a self-report.

9. On or about May 17, 2018, Board staff sent to Respondent a complaint letter. Board staff directed Respondent to provide a response to the Board no later than June 18, 2018. Respondent did not submit to the Board a response to this letter.

10. On or about July 17, 2018, Board staff sent to Respondent via email and by U.S. Mail a reminder to respond to the complaint letter. Respondent did respond to the email, and he asked for an extension to respond. Board staff then asked Respondent if he was employed and to provide the Board the circumstances related to the need for an extension to be granted. Respondent replied that he was not employed. However, Respondent did not provide any further response related to the allegations regarding this case.

CONCLUSIONS OF LAW

11. Pursuant to K.S.A. 65-6615(c): Administrative proceedings and disciplinary actions regarding licensure under the Addiction Counselor Licensure Act shall be conducted in accordance with the Kansas Administrative Procedure Act.

12. Pursuant to K.S.A. 2017 Supp. 77-537(a) of the Kansas Administrative Procedure Act (“KAPA”), a state agency may use summary proceedings, subject to a party’s request for a hearing on the order, if:

- (1) The use of those proceedings in the circumstances does not violate any provision of law;
- (2) the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties;
- (3) based upon an investigation of the facts by the state agency, beyond receipt of the allegations, the state agency believes in good faith that the allegations will be supported to the applicable standard of proof, provided however that an alleged failure to meet the standards set forth in this subsection shall not be subject to immediate judicial review and shall not invalidate any later agency action that has been supported to the applicable standard of proof; and
- (4) the order does not take effect until after the time for requesting a hearing has expired.

13. Pursuant to K.S.A. 65-6608(b): “Addiction counseling” means the utilization of special skills to assist persons with addictions, and to assist such persons’ families and friends to achieve resolution of addiction through the exploration of the disease and its ramifications, the examination of attitudes and feelings, the consideration of alternative solutions and decisions making, as these relate specifically to addiction. Evaluation and assessment, treatment, including treatment plan development, crisis intervention, referral, record keeping and clinical consultation specifically related to addiction are within the scope of addiction counseling.

14. Pursuant to K.S.A. 65-6608(c): “Licensed addiction counselor” means a person who engages in the practice of addiction counseling limited to substance abuse disorders and who is licensed under this act.

15. Pursuant to K.S.A. 65-6615(a): The board may refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed \$1,000 per violation upon a finding that a licensee or an applicant for license:

- a. K.S.A. 65-6615(a)(5): has violated a provision of the addiction counselor licensure act or one or more rules and regulation of the board.

16. Pursuant to K.A.R. 102-7-11(a): Each of the following acts by an licensed addiction counselor... shall constitute unprofessional conduct:

- a. K.A.R. 102-7-11(a)(3): Has been demoted, terminated, suspended, reassigned, or asked to resign from employment, or has resigned from employment, for some form of misfeasance, malfeasance, or nonfeasance.
- b. K.A.R. 102-7-11(ss): Practicing addiction counseling after one's license expires.
- c. K.A.R. 102-7-11(tt): Using without a license, or continuing to use after a license has expired, any title or abbreviation defined by regulation.

17. Respondent was terminated from his employment with Restoration Knox Center after it was discovered that he had practiced with an expired license. This is a violation of K.A.R. 102-7-11(a)(3).

18. Respondent's LAC license expired on August 31, 2017. Respondent was informed in September 2017 that his LAC license had expired. However, Respondent continued to practice as an LAC until Restoration Knox Center discovered that his license had expired. This is a violation of K.A.R. 102-7-11(ss).

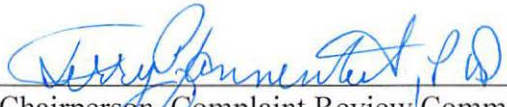
19. Respondent's LAC license expired on August 31, 2017. However, Respondent continued to hold himself out as an LAC until Restoration Knox Center discovered the expired license. This is a violation of K.A.R. 102-7-11(tt).

SANCTION

WHEREFORE, based on the above Findings of Fact and Conclusions of Law and pursuant to the authority granted by K.S.A. 65-6615(a) and KAPA, K.S.A. 77-537, the Complaint Review Committee of behalf of the Board finds that the Kansas License Addictions Counselor license of

Respondent Eugene Cameron should be and is hereby **SUSPENDED** for a period of one hundred eighty (180) days from the effective date of this Summary Proceeding Order as set forth in the Notice of Relief and the Certificate of Service below, and until such order of the Board upon Licensee's demonstration of satisfactory evidence of a clear understanding of the importance of professional requirements to practice.

IT IS SO ORDERED ON THIS 5th DAY OF September, 2018.



Chairperson, Complaint Review Committee
On behalf of the Behavioral Sciences
Regulatory Board

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
Behavioral Sciences Regulatory Board
700 SW Harrison St., Suite 420
Topeka, KS 66603-3929

This written request must be filed within fifteen (15) calendar days from the date indicated in the below Certificate of Service. Pursuant to K.S.A. 77-503(c), the 15-day period begins the day after the date indicated in the Certificate of Service and includes weekends and legal holidays. If the 15th day falls on a Saturday, Sunday, or legal holiday, then the 15-day period runs until 5:00 p.m. on the next day which is not a Saturday, Sunday, or legal holiday. A request is considered "filed" on the date it is received at the Board's office. If a hearing is not requested in the time and manner stated, this Summary Order becomes a final order subject to judicial review. A petition for judicial review should be directed to the above recipient.

CERTIFICATE OF SERVICE

This is to certify that on this 6 day of September 2018, a true and correct copy of the above and foregoing Summary Proceeding Order of Suspension was deposited in the U.S. mail, first class postage prepaid, addressed to:

Eugene Cameron
[REDACTED]
[REDACTED]

and a copy delivered via interoffice mail to:

Jane E. Weiler, Esq.
Assistant Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612
Disciplinary Counsel for the Board

Cindy D'Arcote
For the Board