

BEFORE THE BEHAVIORAL SCIENCES BOARD
STATE OF KANSAS
712 South Kansas Avenue
Topeka, KS 66603

In the Matter of)
)
) File Nos. 03-CS-0023, 03-CS-0030
)
Brenda S. Hanger,)
LSCSW #1133)
_____)

Pursuant to K.S.A. 77-537

SUMMARY PROCEEDING ORDER

NOW on this 28th day of October, 2003, the above-captioned complaints come before the Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board.

Findings of Fact

The Committee finds that the following findings of facts have been established by clear and convincing evidence:

1. Brenda S. Hanger is a Licensed Specialist Clinical Social Worker, license #1133 issued by the Kansas Behavioral Sciences Regulatory Board (Board).
2. At all times relevant, Licensee has been practicing as Licensed Specialist Clinical Social Worker within the meaning of the Kansas Social Workers Act, K.S.A. 65-6301 *et seq.* and amendments thereto.
3. On or about November 6, 2002, the Board received a complaint (#03-CS-0023) from another LSCSW who practiced in the same building as Licensee. The complaint

alleged that Licensee had failed to appear for numerous scheduled client appointments, failed to return telephone call messages and was not keeping office hours. Numerous clients stated they had been unable to contact Licensee at her home or office. Later it was learned that Licensee had not paid any office rent after October 2002 and finally vacated the office in February 2003 after eviction proceedings were instituted.

4. On or about December 10, 2002, the Board received a second complaint (#03-CS-0030) from a former client of Licensee. The complaint alleged that in November 2002 Licensee assisted the client in obtaining a doctor prescription for hydrocodone (Lortabs), accompanied the client to a pharmacy to fill the prescription and, on November 24, 2002, appropriated more than 100 of the client's Lortab pills for her own use without her client's authorization.

5. Licensee's own medical records reveal that she [REDACTED]
[REDACTED]
[REDACTED] She was counseled by her doctor in September and October of 2002 regarding [REDACTED]
[REDACTED]

6. On November 8, 2002, Licensee received her last prescription for [REDACTED] On that same date, she took a client (the complainant in the second complaint) to a different doctor and falsely claimed the client had obtained Lortabs in the past for pain relief from her chronic illnesses. The client received a prescription for 120 Lortabs. Ten days later on November 18, she took her client to the drug store and refilled the prescription, this time for 180 Lortabs. Six days later on November 24, Licensee went

to her client's home and took all but three or four pills from the bottle of 180.

7. On December 16, 2002, a letter was sent to Licensee requesting a written response to both complaints by January 17, 2003. Licensee failed to respond. On January 22, the investigator left a telephone message for licensee. She returned the call January 23 and claimed she had not opened the letter because she had been out of state for

[REDACTED] A new deadline of February 10 was given. On February 6 Licensee requested and was granted an extension until February 19. On February 20, her response was received. In her two-page letter, Licensee denied taking the client's medication and admitted she had missed some appointments. She claimed a medical condition caused her to miss the appointments but did not respond when requested to provide a medical release to obtain that information from her doctor.

8. The medical records were subpoenaed and reveal the doctor's concerns about

[REDACTED]

[REDACTED]

Conclusions of Law

The Committee finds by clear and convincing evidence that the above facts constitute violations of the following statutes and regulations:

1. K.A.R. 102-2-7(h) - 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 judgement, professional performance and functioning or the client's best interests. Licensee failed to respond appropriately to her physical injury by failing to follow her physician's orders and became addicted to a narcotic drug by not taking it as prescribed. This negatively

impacted her professional judgement and the client's best interests. This is best illustrated by her theft of her client's medication.

2. K.A.R. 102-2-7(k) - treating any client ... in a cruel manner. Licensee failed to make any response to her client's repeated messages that she was in pain and needed her medication to be returned.

3. K.A.R. 102-2-7(w) - engaging in professional activities ... involving dishonesty, fraud, deceit or misrepresentation. Licensee stole her client's medications while assisting her client in her pain management.

4. K.A.R. 102-2-7(aa) - exercising undue influence on any client ... in a manner that will exploit the client ... for the ... personal gratification or advantage of the Licensee. Licensee selected the new doctor for her client. She transported her client to the new doctor. She told the doctor that a certain type of medication had helped the client in the past with her pain from fibromyalgia. Licensee stole the pain medication prescribed for her client. She used her influence as a social worker to exploit her client for her own personal gratification.

5. K.A.R. 102-2-7(mm) - failing to notify the client promptly when termination or interruption of service to the client is anticipated. #03-CS-0030: Licensee was scheduled to take her client to the doctor on November 29, 2002. She did not arrive to transport the client, did not notify the client that she would not be coming and has apparently not been in contact with the client since that time. #03-CS-0023: Licensee ceased client care and abandoned several clients without proper notification to them.

6. K.A.R. 102-2-7(nn) - failing to seek continuation of service, or abandoning or neglecting a client under or in need of professional care without making reasonable

arrangements for that care. #03-CS-0030: Licensee did not arrange for anyone to take her client to the doctor or to continue her care. #03-CS-0023: Licensee failed to assist her clients in transferring their continuing care to other therapists.

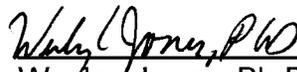
7. K.A.R. 102-2-7(xx) - practicing social work in an incompetent manner. All of the violations listed above state a violation of this section.

Sanction

Based on the above Findings of Fact and Conclusions of Law, the Committee finds pursuant to K.S.A. 65-6311(a)(4) and (6) that the LSCSW license of Brenda S. Hanger should be suspended indefinitely until further order of this Committee.

IT IS SO ORDERED.

Dated this 28th day of October, 2003.



Wesley Jones, Ph.D.
Chair, Complaint Review Committee

NOTICE OF RELIEF FROM THIS SUMMARY PROCEEDING ORDER

Pursuant to K.S.A. 77-537, 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:

Phyllis Gilmore, Executive Director
Kansas Behavioral Sciences Regulatory Board
712 South Kansas Avenue
Topeka, KS 66603

This written request must be filed within fifteen (15) days from the date indicated in the below Certificate of Service. 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 a copy of the above and foregoing Summary Proceeding Order was placed this 20th day of October, 2003, in the U.S. mail, first-class postage prepaid, addressed to:

Ms. Brenda S. Hanger



Cathleen Conneally, Esq.
4051 Broadway, Suite #2
Kansas City, MO 64111

A handwritten signature in cursive script that reads "Marty M. Snyder". The signature is written over a horizontal line.

Marty M. Snyder, S. Ct. #11317
Kansas Attorney General's Office
120 SW10th St., Second Floor
Topeka, KS 66612- 1597
For the Board