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BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD  
OF THE STATE OF KANSAS

IN THE MATTER                    )  
  )  
      OF                                )  
  )  
ANTHONY BEAUCHAMP            )

Case No. 229

ORDER

This matter comes on for hearing on January 12, 1989, before the Behavioral Sciences Regulatory Board (Board). Board members present are William Albott, Ph.D., Bettie Duncan, Clarice Harris, M.S.W. and John Preble, Chairperson presiding. Petitioner appears by and through its attorney, Steve A. Schwarm, Assistant Attorney General. Respondent Anthony Beauchamp appears in person and by and through his attorney Kenneth Peirce. Also appearing is Darrel McCool, Administrator of Medical Center, P.A., Hutchinson, Kansas. The Board, having been advised and presented copies of the Petition and Notice of Hearing, determined that statutory notice of these proceedings and the possibility of default have been served on Respondent in compliance with the Kansas Administrative Procedures Act.

Both parties indicate they are prepared and ready for hearing.

On a preliminary matter, Mr. Peirce advises this Board his client is prepared to enter a plea of nolo contendere to the charge listed as Count I in the Petition

Respondent's plea of nolo contendere is entered after Respondent has been advised that the plea of no contest may lead directly to the imposition of disciplinary sanctions. Respondent has indicated he understands the options associated with entering a plea, that he is waiving his right as a Respondent in the case to hear the evidence against him, to confront and cross-examine the Petitioner's witnesses and to present evidence and witnesses on his behalf.

Thereupon, the Board having heard the plea of Respondent and arguments of counsel and reviewing the record made, the following Findings of Fact and Conclusions of law are hereby made and entered.

#### FINDINGS OF FACT

1. Respondent Anthony C. Beauchamp has been issued license number 381 by the Behavioral Sciences Regulatory Board of the State of Kansas. Respondent was at the time of the incident, as set forth in the Petition and still is, a licensed social worker in the State of Kansas.

2. On or about March 18, 1987 until February 8, 1988, Respondent, while engaged in a licensed professional in the State of Kansas as a licensed social worker, pursuant to K.S.A. 1987 Supp. 75-5346 et seq., did practice as a social worker in the State of Kansas, while his license to practice as such was suspended pursuant to an Order of Behavioral Sciences Regulatory Board.

#### CONCLUSIONS OF LAW

1. Behavioral Sciences Regulatory Board (Board) has jurisdiction over Respondent Anthony C. Beauchamp, license number 381, pursuant to K.S.A. 1987 Supp. 75-4346 et seq.

Respondent has been found guilty of a violation as set forth in K.S.A. 1987 Supp. 75-5356.

3. K.S.A. 1988 Supp. 75-5356 permits the Board to suspend, limit, revoke, refuse to issue or renew the license of any social worker upon proof that the social worker has been found guilty of a provision as set forth in K.S.A. 1988 Supp. 75-5356.

4. The Board recognizes the incident as set forth in Court I of the Petition, spanned the time covered by 1987 Supp. 75-5356 and K.S.A. 1988 Supp. 75-5356. The Board shall recognize the authority given to the Board in K.S.A. 1988 Supp. 75-5356 to limit the license of the Respondent in the case currently in front of the Board. Respondent has no objection.

(a) Respondent, having entered a plea of nolo contendere to the act as set forth in Count I of the Petition, constitutes a violation of K.S.A. 1987/1988 Supp. 75-5356(a)(4) as defined in 1987 Supp. 102-2-7(b)(12) and K.S.A. 1987/1988 Supp. 75-5356(a)(5).

5. The Board further finds in the case of In re: Matter of Anthony C. Beauchamp, Respondent is fully competent and capable of entering an informed plea and that his plea of nolo contendere is a knowing and voluntary plea supported by independent basis and fact containing each of the essential elements of the Count as set forth in the Petition. The Board finds that the plea of nolo contendere is therefore accepted.

THEREFORE, pursuant to a motion duly made, seconded, and unanimously passed, Respondent is adjudged guilty of K.S.A. 1988 Supp. 75-5356(a)(4) and 75-5356(a)(5).

Behavioral Sciences Regulatory Board v. Anthony C. Beauchamp, B.S.R.B Case No. 130. The Board further finds that the Respondent, Anthony C. Beauchamp is currently involved in a supervisory agreement to stay suspension as set forth in B.S.R.B. Case No. 130. The conditions are specifically set forth on pages 3 and 4 of this Board's Order of November 30, 1988. It is the finding of this Board that the supervisory agreement set forth in Case No. 130 for a period of one hundred and eighty (180) days shall be extended to a period not to exceed two hundred and seventy (270) days. The imposition of disciplinary sanction by this Board in Case No. 229, being the ninety (90) additional days, to run consecutive with the one hundred and eighty (180) days as set forth in B.S.R.B. Case No. 130. B.S.R.B. Case No. 130 disciplinary sanction supervisory agreement lasting one hundred and eighty days (180) and disciplinary sanction B.S.R.B. Case No. 229, ninety (90) days, places the Respondent under a supervisory agreement for a total of two hundred-seventy (270) days, showing combination of Case No. 130 and Case No. 229. It is further noted by the Board that the supervisory relationship as specified and set forth in B.S.R.B. Case No. 130 started on December 1, 1988. The two hundred-seventy (270) days in consolidation of disciplinary sanction of B.S.R.B. Case No. 130 and B.S.R.B. Case No. 229 will run two hundred-seventy (270) days from December 1, 1988. All conditions and specifications for the supervisory agreement as set forth in B.S.R.B. Case No. 130 shall apply to the ninety (90) additional days applied in B.S.R.B. Case No. 229. The November 30, 1988 Board Order of Case No. 130 is hereby incorporated and adopted as though fully set forth herein. All conditions and specifications, as set forth in B.S.R.B. Case No. 130

IT IS THEREFORE ORDERED AND DECREED BY THE BOARD that Respondent's license to practice as a social worker in the State of Kansas is hereby limited, effective January 12, 1989, subject to the conditions as set forth above. This order is effective upon service, pursuant to K.S.A. 77-530. Any party, within fifteen (15) after service of this final order, may file a Petition for Reconsideration, pursuant to K.S.A. 77-529.

IT IS SO ORDERED this 2nd day of February, 1989.

*Mary Ann Sahel*

BEHAVIORAL SCIENCES REGULATORY BOARD

CERTIFICATE OF MAILING

I hereby certify that a copy of the above and foregoing ORDER was served by depositing same in the United States Mail, first class postage prepaid, this 2nd day of ~~January~~, 1989, to:  
February

Kenneth E. Peirce  
P. O. Box 1868  
Hutchinson, KS 67501

Anthony C. Beauchamp



*Mary Ann Sahel*