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BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD
712 South Kansas Avenue
Topeka, Kansas 66603-3817

In the Matter of)
)
JOHN HIXON, LSCSW)
License #1927)
Respondent)
_____)

Case No. 05-CS-35,
05-CS-42, 08-CS-32

EMERGENCY ORDER
OF TEMPORARY SUSPENSION

NOW on this 3rd day of January, 2008, the above-captioned complaint comes before the Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board [Board] pursuant to KSA 77-536 and KSA 65-6311.

Findings of Fact

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

1. John D. Hixon is a Licensed Specialist Clinical Social Worker, License #1927, which was issued by the Kansas Behavioral Sciences Regulatory Board in 1998.
2. At all times relevant to the complaint herein, Licensee was practicing as a Licensed Specialist Clinical Social Worker within the meaning of the Kansas Licensure of Social Workers Act, K.S.A. 65-6301 *et seq.* and amendments thereto.

3. On or about November 23, 2004, the Board received a complaint that Licensee had engaged in sexual physical contact with a married female client and subsequently received a complaint from the client's new therapist regarding the same situation. On or about October 22, 2007, the Board received a third complaint from a different person also alleging sexual physical contact with a different female client.

4. Licensee was informed about the complaints and was requested to respond to them in writing. On December 30, 2004, the Board received a written response from Respondent to the complaints in Case No. 05-CS-35 and 05-CS-42. Despite receiving several letters requiring a response, all deadlines have passed and Licensee has failed or refused to respond to the complaint in Case No. 08-CS-32.

5. The Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board finds by clear and convincing evidence that these complaints raise probable cause of multiple serious violations of the statutes and administrative regulations, indicating that Licensee has violated KSA 65-6311(a), including but not limited to the following:

- a. (2) fraud or deceit in connection with services rendered as a social worker;
- b. (4) unprofessional conduct;
- c. (6) negligence or wrongful actions in the performance of duties; and
- d. KAR 102-2-7 (i) failing or refusing to cooperate in a timely manner with any request from the board for a response ... with respect to the investigation of any report of alleged violation lodged against the social worker.

Conclusions of Law

The following conclusions of law are based on evidence the Board finds is clear and convincing:

1. The Kansas Administrative Procedure Act at K.S.A. 77-536 provides that a state agency may use emergency proceedings in a situation involving an immediate danger to the public health, safety or welfare requiring immediate state action. The state agency may take only such action as is necessary to prevent or avoid the immediate danger to the public health, safety or welfare that justifies use of emergency adjudication.

2. The complaints against Licensee John D. Hixon indicate the possibility that he is a sexual predator using his Specialist Clinical Social Worker License to inflict harm to his psychologically and emotionally vulnerable clients. He is failing or refusing to respond to multiple attempts by the Board investigator to obtain information regarding the new complaint, which states facts strikingly similar to a prior pending complaint.

Sanction

Based on the above Findings of Fact and Conclusions of Law, the Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board finds pursuant to K.S.A. 77-536 and K.S.A. 65-6311 that **the Kansas Specialist Clinical Social Worker License of John D. Hixon should be suspended temporarily and indefinitely until further order of this Committee.**

Effective immediately upon service of this Emergency Order, Respondent John D. Hixon cannot practice social work and cannot hold himself out as a licensed social worker in Kansas.

The Board will review this Emergency Order upon receipt of evidence that Respondent Licensee is in full and timely cooperation with the Board's investigator and litigation counsel in response to Complaint 08-CS-32. The Board further strongly requests but does not order Respondent Licensee to present himself for a professional psychological evaluation at the offices of Professional Renewal Center in Lawrence, Kansas, and to provide a copy of the written report and recommendations to the Board at his earliest opportunity. Respondent Licensee and his counsel may meet with the Complaint Review Committee of the Board at its next regular meeting on February 11, 2008, at approximately 10:00 a.m. to request review of this Emergency Order.


IT IS SO ORDERED.

Dated this 3 day of January, 2008.

Wes Jones, PhD
Dr. Wes Jones, Chair
Complaint Review Committee

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing **Emergency Order of Temporary Suspension** was personally served on Respondent John D. Hixon this 8th day of JANUARY, 2008, at the following address:

John D. Hixon


Daren Fox
Daren Fox, Investigator
Kansas Attorney General's Office
120 SW10th St., Second Floor
Topeka, KS 66612-1597
For the Board



IN THE CITY OF OAKLAND PARK, COUNTY OF JOHNSON, STATE OF KANSAS - TF