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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In The Matter Of)
)
KENT S. HILL,)
LCAC #502)
LCP #209)
LMLP #2721)
Respondent)
_____)

Case No. 18-CP-0083

Pursuant to K.S.A. 77-536

SUMMARY PROCEEDING ORDER OF REVOCATION

NOW, on this 6 day of July, 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. Kent S. Hill (“Respondent”) is currently and was at all times relevant, a Licensed Clinical Addictions Counselor within the meaning of the Kansas Addictions Counselor Licensure Act, K.S.A. 65-6607, *et seq.*, and amendments thereto. Additionally, Respondent is currently and was at all times relevant, a Licensed Clinical Psychotherapist within the meaning of the Kansas Licensure of Psychologists Act, K.S.A. 74-5301, *et seq.* and amendments thereto. Further, Respondent is currently and at all times relevant, a Licensed Master Level Psychologist under K.S.A. 74-5361 *et seq.* and amendments thereto.

2. On or about January 16, 2018, the Board received a complaint concerning Respondent's unprofessional conduct, alleging Respondent may have violated certain statutes and/or regulations governing the practice of Licensed Clinical Addictions Counselors in Kansas, the practice of Licensed Clinical Psychotherapists in Kansas, and the practice of Licensed Master Level Psychologists in the State of Kansas.

3. The Board conducted an investigation concerning Respondent's alleged violation of statutes and/or regulations. During the investigation, Respondent was informed of the reported allegations on or about February 5, 2018, and he was requested to respond to the allegations no later than March 5, 2018. Respondent failed to submit to the Board a response to this investigation.

4. As a result of the investigation, the Board found that the following facts had been established by a preponderance of evidence:

- a. In December 2016, Respondent resigned his position as the regional director of the Scott County (Kansas) office of Compass Behavioral Health, and relocated to Corvallis, Oregon.
- b. On or about March 10, 2017, Respondent was arrested in Corvallis, Oregon, and he was charged with ten (10) counts of encouraging child sex abuse in the first degree and ten (10) of encouraging child sex abuse in the second degree.
- c. On or about January 2018, Respondent pleaded no contest to eleven (11) counts of encouraging child sex abuse in the first degree. Under the Oregon statutes, encouraging child sex abuse in the first degree is a Class B felony.
- d. Respondent was sentenced to two-and-a-half (2 ½) years in prison as part of the plea agreement. In addition, Respondent will be place on three (3) years of post-prison supervision, and he will be required to register as a sex offender for life.

- e. Respondent did not report to the Board the aforementioned felony convictions.

CONCLUSIONS OF LAW

5. 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.

6. Proceedings under the Kansas Addiction Counselor Licensure Act, the Kansas Licensure of Psychologist Act, and proceedings against a Licensed Master Level Psychologist are subject to KAPA.

7. Under K.S.A. 65-6615(a)(2), the Board may revoke a license upon a finding that a licensee has been convicted of a felony offense and has not demonstrated to the Board’s satisfaction that such person has been sufficiently rehabilitated to merit the public trust. In this case, Respondent recently pleaded guilty to eleven (11) felony convictions, and each conviction is a violation of K.S.A. 65-6615(a)(2).

8. Under K.S.A. 74-5324(a)(2), the Board may revoke a license upon a finding that a licensee has been convicted of a felony offense and has not demonstrated to the Board’s satisfaction that such person has been sufficiently rehabilitated to merit the public trust. In this case, Respondent recently pleaded guilty to eleven (11) felony convictions, each conviction is a violation of K.S.A. 74-5324(a)(2).

9. Under K.S.A. 74-5324(a)(9), the Board may revoke a license upon a finding that a licensee has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board.

- a. As a Licensed Clinical Psychotherapist, Respondent is in violation of K.A.R. 102-4-12(b)(2)(D), in that he failed to notify the Board that he had been convicted of a crime.

10. Under K.S.A. 74-5369(a)(2), the Board may revoke a license upon a finding that a licensee has been convicted of a felony offense and has not demonstrated to the Board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust. In this case, Respondent has eleven (11) felony convictions, which is a violation of K.S.A. 74-5369(a)(2).

11. Under K.S.A. 74-5369(a)(5), the Board may revoke a license upon a finding that a licensee has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board.

- a. As a Licensed Master Level Psychologist Respondent is in violation of K.A.R. 102-4-12(b)(2)(D) in that he failed to notify the Board that he had been convicted of a crime.

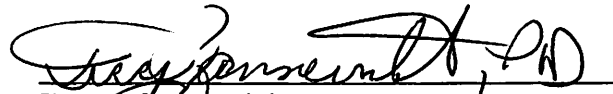
SANCTION

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, Respondent Kent S. Hill's Kansas Licensed Clinical Addictions Counselor license should be and is hereby revoked pursuant to K.S.A. 65-6615(a)(2).

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, Respondent Kent S. Hill's Kansas Licensed Clinical Psychotherapist license should be and is hereby revoked pursuant to K.S.A. 74-5324(a)(2) and K.S.A. 74-5324(a)(9), as defined in K.A.R. 102-4-12(b)(2)(D).

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, Respondent Kent S. Hill's Kansas Licensed Master Level Psychologist license should be and is hereby revoked pursuant to K.S.A. 74-5369(a)(2) and K.S.A. 74-5369(a)(5), as defined in K.A.R. 102-4-12(b)(2)(D).

IT IS SO ORDERED ON THIS 7th DAY OF July, 2018.


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

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 6 day of July, 2018, a true and correct copy of the above and foregoing Summary Proceeding Order of Revocation was deposited in the U.S. mail, first class postage prepaid, addressed to:

Kent S. Hill


Kent Hill, Inmate


and a copy delivered via email to:

Kent S. Hill


and a copy delivered via interoffice mail to:

Jane E. Weiler, Esq.
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Disciplinary Counsel for the Board

Cindy Dende
For the Board