

file

BEFORE THE
STATE COMMITTEE OF PSYCHOLOGISTS
STATE OF MISSOURI

00618

IN THE MATTER OF:)
)
ALLEN J. ROE)
411 NICHOLS ROAD, #217)
KANSAS CITY, MO 64112-2015)
)
)
LICENSE NO. PY00618,)
)
Respondent.)

Case No. PS-86-0634

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DISCIPLINARY ORDER

FINDINGS OF FACT

1. On July 25, 1986, the Administrative Hearing Commission entered its Statement of the Case, Findings of Fact, Conclusions of Law and Decision in the case of State Committee of Psychologists vs. Allen J. Roe, Case No. PS-86-0634. In those Findings of Fact, Conclusions of Law and Decision, the Administrative Hearing Commission found that respondent's Missouri psychologist license is subject to disciplinary action by this Committee for violation of subsection 337.035.2(2) of 337.035.2, RSMo, 1986.

2. This Committee has received the record of the proceedings before the Administrative Hearing Commission and the Findings of Fact, Conclusions of Law and Decision of that Commission.

3. This Committee set this matter for an evidentiary hearing and served notice of this disciplinary hearing upon respondent in a proper and timely fashion.

4. Pursuant to notice and section 621.110, RSMo 1986, this Committee held an evidentiary hearing on June 4, 1988, at the Ramada Hotel, Springfield, Missouri, for the purpose of determining the appropriate disciplinary action against respondent's license. Respondent was not present and was not represented by counsel.

5. All the members of the Committee were present throughout the disciplinary hearing. Further, each member of this Committee had read the Administrative Hearing Commission's Findings of Fact, Conclusions of Law and Decision.

6. Respondent, Allen J. Roe, is licensed by this Committee with a noncurrent psychologist license numbered PY00618.

7. The Findings of Facts and related Conclusions of Law and Decision by the Administrative Hearing Commission in Case No. PS-86-0634 are incorporated herein by reference as if fully set forth in this document.

CONCLUSIONS OF LAW

1. This Committee has jurisdiction to take disciplinary action against respondent's license pursuant to the provisions of Chapters 337 and 621, RSMo.

2. Respondent's license is subject to revocation, suspension or probation by this Committee pursuant to section 337.035.2, RSMo, 1986.

ORDER

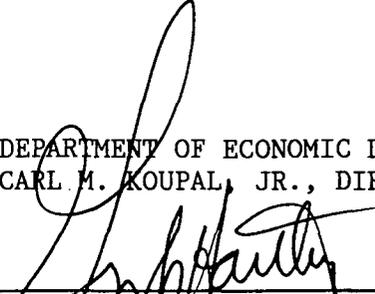
THEREFORE, having fully considered all the evidence before this Committee, and giving full weight to the findings, conclusions, and decision of the Administrative Hearing Commission, it is the ORDER of this Committee that:

1. The psychologist license of respondent is hereby revoked. Respondent shall return his wall-hanging license, certificate and pocket card to the Committee within thirty (30) days.

2. This Order does not bind the Committee or restrict the remedies available to it concerning any future violation of Chapter 337, RSMo by the respondent.

IT IS SO ORDERED:

DEPARTMENT OF ECONOMIC DEVELOPMENT
CARL M. KOUPAL, JR., DIRECTOR


DIVISION OF PROFESSIONAL REGISTRATION
GREG W. HARTLEY, DIRECTOR

Date: 12-20-88

sent certified mail/return receipt

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STATE COMMITTEE OF PSYCHOLOGISTS
STATE OF MISSOURI

IN THE MATTER OF:)

ALLEN J. ROE)

411 NICHOLS ROAD, #217)

KANSAS CITY, MO 64112-2015)

) Case No. PS-86-0634

LICENSE NO. PY00618,)

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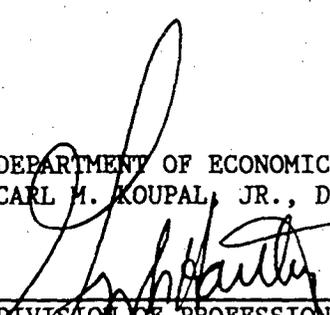
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DIVISION OF PROFESSIONAL REGISTRATION
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Date: 12-20-86

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BEFORE THE
ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI

STATE COMMITTEE OF PSYCHOLOGISTS)
3523 North Ten Mile Drive)
Post Office Box 4)
Jefferson City, MO 65102)

Petitioner,)

v.)

Case No.)

ALLEN J. ROE)
7130 Wornall Road)
Kansas City, Missouri 64114,)

Respondent.)

STIPULATION OF FACTS AND WAIVER OF ADMINISTRATIVE
HEARING COMMISSION HEARING AND CONSENT TO A
FINDING OF CAUSE FOR DISCIPLINE

Pursuant to Rule 1.09(E) of the rules governing practice and procedure before the Administrative Hearing Commission (4 CSR 20-2.090) and pursuant to the terms of § 536.060, RSMo 1978, as it is made applicable to the Administrative Hearing Commission by § 621.135, RSMo Supp. 1984, the parties hereto waive the right to a hearing of the above-styled case by the Administrative Hearing Commission of the State of Missouri and jointly stipulate to the facts and consent to a finding by this Commission that cause exists for disciplinary action against the respondent for violations of statutes and/or administrative rules set forth below.

Respondent acknowledges that he has received a copy of the Complaint filed by the State Committee of Psychologists in this case.

In making this Stipulation of Facts and Waiver of Administrative Hearing Commission Hearing and Consent to a Finding of Cause for Discipline, the respondent acknowledges that he is aware of the various rights and privileges afforded him by law, including the right of a hearing of the charges against respondent; the right to appear and be represented by counsel; the right to have all charges against respondent proven upon the record by competent and substantial evidence; the right to cross-examine any witness appearing at the hearing against respondent; the right to present evidence on respondent's own behalf at the hearing; the right to a decision upon the record of the hearing by a fair and impartial administrative hearing commissioner concerning the charges pending against respondent; and the right to a ruling on questions of law by an administrative hearing commissioner. Being aware of these rights provided the respondent by operation of law, the respondent, Allen J. Roe, knowingly and voluntarily waives each and every one of these rights and freely enters into this Stipulation of Facts and Waiver of Administrative Hearing Commission Hearing and Consent to a Finding of Cause for Discipline and agrees to abide by an Order of this Administrative Hearing Commission based upon this agreement.

The respondent acknowledges and understands that, based upon the following stipulations, this Administrative Hearing

Commission will if it accepts this agreement find that the psychology license of the respondent is subject to disciplinary action by the Committee, which disciplinary action may include the suspension or revocation of respondent's psychology license. The respondent further understands that after the Administrative Hearing Commission finds his license to be subject to disciplinary action by the Committee, the Committee shall thereafter conduct a disciplinary hearing pursuant to § 621.110, RSMo Supp. 1984, for the purpose of determining the appropriate disciplinary action to be taken concerning the respondent's license. The respondent further understands and acknowledges that no promises, guarantees, or assurances of any kind have been made to respondent concerning the ultimate disciplinary action which may be taken by the petitioner concerning the respondent's license and that the Committee may impose any lawful order of disciplinary action concerning the respondent's license which the Committee deems appropriate in this case.

Based upon the foregoing, the petitioner and the respondent jointly stipulate to the following:

1. Petitioner, State Committee of Psychologists, an adjunct to the Missouri Board of Registration for the Healing Arts, is responsible pursuant to § 337.050 RSMo Supp. 1984 for advising and making recommendations to the Department of Economic Development concerning the licensing and disciplining of psychologists in the State of Missouri.

2. The respondent, Allen J. Roe, holds a license issued by the petitioner to practice psychology in the State of Missouri. Said license is numbered 00618 and was current and valid through January 31, 1983, but has not been renewed by the respondent beyond that date.

3. The respondent, Allen J. Roe, was adjudicated guilty, by a jury on December 1, 1982, in Johnson County, Kansas, of three (3) felonies; one count of conspiracy to sell cocaine and two counts of the sale of cocaine, in violation of K.S.A. 65-4107(b)(5), 65-4127a, and 21-4501(c).

4. The adjudications have become final.

5. The crimes are class E felonies under the laws of Kansas and involve moral turpitude.

6. The crimes are reasonably related to the qualifications, functions or duties of the practice of psychology.

7. The convictions impugn respondent's own name and the reputation of his profession, and evidence a disregard for the social codes and moral expectations of his community.

8. Respondent has violated the provisions of §§ 337.035.2, RSMo Supp. 1984.

9. Cause exists to subject the respondent, Allen J. Roe, to disciplinary action by the petitioner for violations of Chapter 337, RSMo, as amended.

RESPONDENT

PETITIONER

Allen J. Roe

Gary R. Clark
State Committee
of Psychologists

WILLIAM L. WEBSTER
Attorney General

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Attorneys for Petitioner