BEFORE THE MISSOURI
STATE COMMITTEE OF PSYCHOLOGISTS

STATE COMMITTEE OF PSYCHOLOGISTS,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 18-1083
	)	
KATHLEEN MACK,	)	
Respondent.	)	

ORDER OF THE MISSOURI STATE COMMITTEE OF PSYCHOLOGISTS DISCIPLINING THE BEHAVIOR ANALYST LICENSE OF KATHLEEN MACK

On or about August 13, 2019 the Administrative Hearing Commission entered its Decision in the case of *State Committee of Psychologists v. Kathleen Mack,* Case No. 18-1083. In that Decision, the Administrative Hearing Commission (AHC) found that Respondent's dental license, license number 2015007290, is subject to disciplinary action by the State Committee of Psychologist ("Committee") pursuant to § 337.330.2 (2), RSMo.[1]

The Committee has received and reviewed the record of the proceedings before the AHC, including the Decision of the AHC. The record of the AHC, including the Committee's complaint, Respondent's answer, and the AHC Decision, are incorporated by reference within this Disciplinary Order.

Pursuant to notice and § 621.110 and Chapters 536 and 337, RSMo, the Committee scheduled a hearing to be held on December 3, 2019, at approximately 11:30 a.m. at the Division of Professional Registration, 3605 Missouri Blvd., Jefferson City, Missouri 65109, for the purpose of determining the appropriate disciplinary action against Respondent's license. At the December 3, 2019 disciplinary hearing, the Committee was represented by

[1] All statutory references are to Missouri Revised Statutes 2000, as amended, unless otherwise indicated.

attorney Marie Dwyer. Despite proper and timely notice, Respondent was not present for the hearing and was not represented by counsel. After being present and considering all of the evidence presented during the hearing, the Committee issues the following Findings of Facts, Conclusions of Law and Order

Based upon the foregoing the Board hereby states:

I.

FINDINGS OF FACT

1. The State Committee of Psychologists ("Committee") is an agency of the State of Missouri created and established pursuant to Chapter 337, RSMo, for the purpose of carrying out the provisions of Chapter 337, RSMo,.

2. Respondent, Kathleen Mack, is licensed by the Committee as a behavior analyst, license number 2015007290. Respondent's Missouri license is lapsed and expired as of October 31, 2019.

3. The Committee hereby adopts and incorporates by reference, as if fully delineated within this Disciplinary Order, the Decision of the Administrative Hearing Commission in *State Committee of Psychologists v. Kathleen Mack,* Case No. 18-1083, in its entirety, to include the Findings of Fact and Conclusions of Law.

4. In its Decision, the Administrative Hearing Commission determined there was cause to discipline Respondent's license pursuant to § 337.330.2 (2), RSMo, as a result of Respondent's guilty plea in the Circuit Court of Mercer County, Missouri on March 7, 2017, to the class C felony of *Possession of Controlled Substance Except 35 Grams or Less of Marijuana*, in violation of § 195.202, RSMo.; the class A misdemeanor of *Unlawful Use of Drug Paraphernalia*, in violation of § 195.233, RSMo.; the class B misdemeanor of *DWI-Drug*

Intoxication, in violation of § 577.010, RSMo.; the class A misdemeanor of *Leaving the Scene of a Motor Vehicle Accident*, in violation of § 577.060, RSMo. and; the class B misdemeanor of *Failure to Drive on Right Half of Roadway When Roadway was sufficient Width, Causing an Immediate Threat of Accident*, in violation of § 304.015.6, RSMo.

5. The Committee set this matter for disciplinary hearing and served notice of the disciplinary hearing upon Respondent by certified mail and also provided via First Class mailing through the U.S. Postal Service.

II.

CONCLUSIONS OF LAW

6. This Committee has jurisdiction over this proceeding pursuant to §§ 621.110 and 337.330.3, RSMo.

7. The Committee expressly adopts and incorporates by reference, as if fully delineated within this Disciplinary Order, the Decision issued by the Administrative Hearing Commission on June 21, 2018, in *State Committee of Psychologists v. Kathleen Mack,* Case No. 18-1083, and hereby enters its Conclusions of Law consistent therewith.

8. As a result of the foregoing, and in accordance with the Administrative Hearing Commission's Decision on August 13, 2019, Respondent's behavior analyst license, license number 2015007290, is subject to disciplinary subject to disciplinary action by the Committee pursuant to § 337.330.2 (2), RSMo.

9. The Committee has determined that a Disciplinary Order is necessary to ensure the protection of the public.

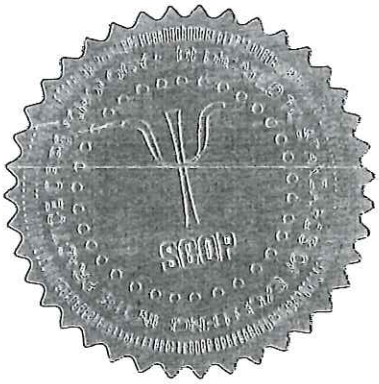
III.

ORDER

10. Having fully considered all the evidence before the Committee, and giving full weight to the Decision of the Administrative Hearing Commission, it is the ORDER of the Committee, that Respondent's behavior analyst license, license number 2015007290, is hereby REVOKED from the effective date of this Order. Upon receipt of this Order, Respondent shall immediately return all evidence of licensure to the Committee.

The Committee will maintain this Order as an open and public record of the Committee as provided in Chapters 337, 610, and 324, RSMo.

SO ORDERED this 28th day of January, 2020.



STATE COMMITTEE OF PSYCHOLOGISTS

Pamela Groose

Pamela Groose, Executive Director