

Before the West Virginia Board of Examiners of Psychologists

**West Virginia Board of
Examiners of Psychologists,**

Complainant,

v.

Case No. 2014-1

Douglas K. Hawkins, Ed.D.

Respondent.

Order Revoking Respondent's License to Practice Psychology

Pursuant to W. Va. Code § 30-1-8(e)(1) and W. Va. Code § 30-21-10, the West Virginia Board of Examiners of Psychologists ("Board") revokes the license of Respondent Douglas K. Hawkins. This action is being taken based upon the following:

1. The Board is a state entity created for the purpose of regulating the practice of psychology. W. Va. Code § 30-21-1 *et seq.*
2. Pursuant to W. Va. Code § 30-21-10, the Board may revoke a license or take other disciplinary action for violation of applicable laws, rules, and regulations.
3. The Board has adopted the American Psychological Association's Ethical Principles of Psychologists and Code of Conduct ("APA Code of Conduct"). (See W. Va. Code R § 17-3-6)
4. Pursuant to Standard 2.03 of the APA Code of Conduct, "[p]sychologists undertake ongoing efforts to develop and maintain their competence."
5. Pursuant to Standard 3.04 of the APA Code of Conduct, "[p]sychologists take reasonable steps to avoid harming their clients/patients, . . . , and others with whom they work, and to minimize harm where it is foreseeable and unavoidable."

6. Failure of a licensed psychologist to comply with the APA Code of Conduct constitutes a violation of W. Va. Code R § 17-3-6, and may be grounds for disciplinary action by the Board pursuant to W. Va. Code § 30-21-10 and W. Va. Code R § 17-4-4.

7. During the relevant time period, the Respondent was a licensed (No. 386) psychologist in West Virginia. As such, he was subject to the Board's jurisdiction and authority.

8. On or about September 30, 2014, the Respondent's license expired while the above-styled case had yet to be resolved. To date, the Respondent has not attempted to renew his license.

9. However, as set forth in W. Va. Code § 30-21-1, it is the public policy of this state that the practice of psychology affects the general welfare and public interest of the state and its citizens. In the present case, the public interest is best served by proceeding with further disciplinary action against the Respondent as a precaution if the Respondent seeks to renew his license.

10. By Letter of Agreement¹ signed by the Respondent on July 4, 2014, the Board agreed to hold the suspension of the Respondent's license in abeyance in exchange for the Respondent meeting certain terms and conditions relating to his competency to practice as a licensed psychologist.

- a) The Respondent agreed to be supervised by a Board-approved licensed psychologist for one (1) hour per week for six (6) months. As part of this supervision, the Board-approved licensed psychologist was to observe the Respondent providing one (1) hour of psychotherapy every two (2) weeks.
- b) By Letter of Agreement, at the end of the six (6) month period, the Board-approved psychologist was to submit a report to the Board concerning the Respondent's ability to return to independent practice.

¹ The Letter of Agreement is incorporated into this Order by reference.

- c) By Letter of Agreement, the Respondent was to undergo six (6) months of individual psychotherapy with a Board-approved psychotherapist. This psychotherapist was to submit a letter to the Board concerning the Respondent's progress and to report on the Respondent's ability to return to independent practice.
- d) By Letter of Agreement, the Respondent was to be evaluated by a physician for any medical conditions that may require treatment.
- e) By Letter of Agreement, the Respondent was put on notice that if he did not comply with the terms and conditions of the Letter of Agreement, the Board may revoke his license.

11. Upon review, the Board has concluded that the Respondent has not met the terms and conditions of the Letter of Agreement.

12. In particular, the Respondent has not presented documentation or evidence that he underwent six (6) months of psychotherapy.

13. In addition, the supervising psychologist noted in her report that the Respondent came late to most sessions. The supervising psychologist encouraged the Respondent to see a psychiatrist and neurologist, but there is no evidence to indicate that the Respondent complied. The supervising psychologist concluded in her report that the Respondent was not able to function safely as a psychologist.

14. The Board finds that the Respondent has failed or refused to comply with applicable statutory or regulatory provisions, including the APA Code of Conduct. He has engaged in acts constituting professional negligence or a willful departure from accepted standards of professional conduct in violation of W. Va. Code § 30-21-1 *et seq.* or the rules of the Board. Therefore, revocation of the Respondent's license is warranted.

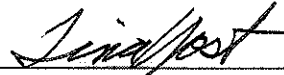
15. In addition, the Board finds that the Respondent's continuation in practice constitutes an immediate danger to the public. (See W. Va. Code § 30-1-8(e)(1))

Order

Upon the entry of this Order, the Respondent's license to practice psychology is hereby **REVOKED**. Respondent is directed to surrender his license to practice psychology to the Board within twenty (20) days after receipt of this Order. The Respondent is responsible for all costs, including reasonable attorney fees expended in this case.

Pursuant to W. Va. Code § 30-21-11, Respondent may request a hearing in this matter if, within twenty (20) days after receipt of this Order, the Respondent files with the Board a written demand for such hearing.

Entered this 28th day of February, 2015



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