



JAN 29 2009

DIVISION OF OCCUPATIONAL
& PROFESSIONAL LICENSING

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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF)
K. EDWARD HUNTSMAN) **SURRENDER**
TO PRACTICE AS A) **STIPULATION AND ORDER**
CERTIFIED SOCIAL WORKER)
IN THE STATE OF UTAH) **CASE NO. DOPL 2009-31**

K. EDWARD HUNTSMAN ("Respondent") and the Division of Occupational and Professional Licensing of the Department of Commerce of the State of Utah ("Division") stipulate and agree as follows:

1. Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action.
2. Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily.

3. Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter.

4. Respondent understands that Respondent is entitled to a hearing before the State of Utah's Social Worker Licensing Board ("Board"), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses. Respondent understands that by signing this document Respondent hereby waives the right to a hearing, the right to present evidence on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing. Respondent understands that by signing this document Respondent hereby knowingly and intelligently waives the right to all administrative and judicial review as set forth in §§ 63G-4-301 through 63G-4-405, and Utah Administrative Code R156-46b-12 through R156-46b-15.

5. Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter.

6. Respondent acknowledges that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document. The Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent's licenses, to other persons and entities.

7. Respondent admits the following facts are true:

- a. On or about August 16, 1995 Respondent was first licensed as a certified social worker in the State of Utah.

- b. In 2003 Respondent voluntarily entered into a Stipulation and Order with the Division in Case No. DOPL-2003-167. Respondent's license to practice as a certified social worker was placed on probation subject to terms and conditions. On or about January 14, 2008 Respondent entered into an Amended Stipulation and Order with the Division in Case No. 2003-167. Respondent's license was placed on probation for a period of three years subject to terms and conditions.
- c. Respondent complied with the terms and conditions of the Amended Stipulation and Order, except in regard to the following provisions:
 - (i) Violated Section 8(a) by failing to attend appointments with the Board on October 4, 2008 and November 6, 2008.
 - (ii) Violated Section 8(c)(4) and (5) by failing to submit supervisor reports in September 2008 and October 2008.
 - (iii) Violated Section 8(j)(2) by failing to submit therapist report forms in August 2008, September 2008, and October 2008.
 - (iv) Violated Section 8(j)(3) by failing to submit 12-step program attendance verification for August 2008, September 2008, and October 2008.
 - (v) Violated Section 8(j)(4) and (5) by failing to sign up for drug and alcohol testing in a timely manner. Respondent states that he did not use alcohol or drugs during the term of probation and states that he would not have tested positive for any prohibited substance.
 - (vi) Violated Section 8(q) by failing to maintain an active license during probation.
- d. Respondent's license expired on or about September 30, 2008.
- e. Respondent has not complied with the terms and conditions contained in the Amended Stipulation and Order in DOPL Case No. 2003-167. Respondent desires to surrender Respondent's license to practice as a certified social worker in the State of Utah along with all residual rights appurtenant thereto.

8. Respondent admits that Respondent's conduct described above is unprofessional conduct as defined in Utah Code Ann. § 58-1-501(2)(a); and that said conduct justifies

disciplinary action against Respondent's license pursuant to Utah Code Ann. § 58-1-401(2)(a).

Respondent hereby surrenders Respondent's license to practice as a certified social worker in the State of Utah along with all residual rights appurtenant thereto. Respondent agrees that the issuance of the Order in this matter constitutes disciplinary action by the Division pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann. § 58-1-401(2)(a) and (b).

Respondent agrees not to reapply for licensure as a social worker in the State of Utah for a period of two years from the date the Division Director signs this Stipulation and Order. The Division does not guarantee that any future application by Respondent for licensure will be granted. If the Division Director accepts the terms of this Stipulation and Order, Respondent forfeits all rights to practice as a certified social worker in the State of Utah. Respondent understands that Respondent will not receive any refund of license or renewal fees previously paid to the Division.

9. This Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this non-criminal administrative matter. Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and Respondent waive any claim of bias or prejudice they might otherwise have with regard to the Director by virtue of the Director having reviewed this Stipulation, and this waiver shall survive such nullification.

10. This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation.

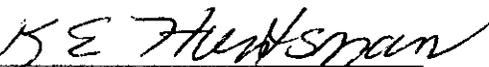
11. If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law.

12. Respondent has read each and every paragraph contained in this Stipulation and Order. Respondent understands each and every paragraph contained in this Stipulation and Order. Respondent has no questions about any paragraph or provision contained in this Stipulation and Order.

DIVISION OF OCCUPATIONAL &
PROFESSIONAL LICENSING

RESPONDENT

BY: 
RICHARD J. OBORN
Bureau Manager

BY: 
K. EDWARD HUNTSMAN

DATE: 2/4/09

DATE: 1-27-09

MARK L. SHURTLEFF
ATTORNEY GENERAL

BY: 
L. MITCHELL JONES
Counsel for the Division

DATE: 4 Feb 2009

ORDER

THE ABOVE STIPULATION, in the matter of **K. EDWARD HUNTSMAN**, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann. § 58-1-401(2)(a) and (b). The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 4 day of February, 2008.

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING


F. DAVID STANLEY
Director

Investigator: Rich Oborn