

COMMONWEALTH OF KENTUCKY  
KENTUCKY BOARD OF LICENSED PROFESSIONAL COUNSELORS  
CASE NO. 2021-LPC-00018

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Department of Professional Regulation

KENTUCKY BOARD OF LICENSED  
PROFESSIONAL COUNSELORS

v.

AMANDA RENEE STEWART,  
LPCA, License No. 263771

RESPONDENT

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AGREED ORDER

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The Kentucky Board of Licensed Professional Counselors (the "Board"), and Amanda Renee Stewart, LPCA, number 263771 ("Respondent"), hereby agree as follows regarding Respondent's license:

1. On May 5, 2021, the Board received complaint number 2021-LPC-00018 from Kristiña Fuller. Ms. Fuller was Respondent's clinical supervisor and employer. Ms. Fuller reported in her complaint that Respondent had failed to report for work at Ms. Fuller's Bowling Green location on March 5, 2021. Ms. Fuller contacted respondent via telephone that evening, and Respondent informed Ms. Fuller that she had fallen asleep at Ms. Fuller's Leitchfield location for five hours. Ms. Fuller also stated in her complaint that she had received an anonymous call on March 9, 2021, wherein the caller informed her that Respondent had been intoxicated at work the previous week. Ms. Fuller also suspected that Respondent was intoxicated on March 12, 2021 when Respondent and Ms. Fuller met to discuss a client.

2. Ms. Fuller also reported in her complaint that she discovered that Respondent was taken to jail for public intoxication in the evening of Sunday, March 14, 2021. Ms. Fuller then asked Respondent to take a leave of absence. After returning from her leave of absence, Respondent continued to fail to report to work and to contact her clients to cancel sessions. Ms.

Fuller reported that Respondent was not responsive to either clients or staff regarding appointments.

3. In an email to the Board on August 25, 2021, Respondent informed the Board that she was ultimately fired in May 2021. She also stated that she was sick at the time of her termination, and that since that time she had been undergoing treatment and surgery. Respondent stated that she likely missed earlier attempts by the Board to contact her since she was away from home receiving treatment.

4. The Board has reviewed and investigated the information contained in complaint number 2021-LPC-00018. The Board believes that the evidence that it has obtained demonstrates that Respondent's license should be suspended until she can demonstrate that she is able to practice as a Licensed Professional Counselor Associate without impairment.

**The Board and Respondent now therefore agree to this Agreed Order, which resolves Complaint Number 2021-LPC-00018 on the following terms and conditions:**

1. Respondent shall execute and return a copy of this Agreed Order to the Board within thirty (30) days of receipt of the Agreed Order or it shall be null and void, and the Board may institute further disciplinary action;

2. Respondent's license to practice as a Licensed Professional Counselor Associate shall be suspended until she is able to demonstrate that she is able to practice without impairment. Respondent agrees to submit to a fitness for duty evaluation prior to reapplying for her license. Respondent's license shall only be reinstated if her fitness for duty evaluation demonstrates that she is able to practice without impairment;

3. Respondent understands that by signing this Agreed Order, she has waived any right to a hearing, including the right to be present with counsel, to subpoena witnesses and to confront those against her, and the right to appeal the Board's decision as entered in this Agreed

Order and the full panoply of rights of hearing and appeal related to her mandatory certificate and as authorized by statute, regulation, and court decision;

4. Respondent acknowledges that this Agreed Order, after her execution of same, shall be presented to the Board with a recommendation for approval from the Board's Counsel at the next regularly scheduled meeting of the Board following receipt of the executed agreement. The Agreed Order shall not become effective until it has been approved by the Board and endorsed by the Chair of the Board. Respondent understands the Board is under no obligation to accept or reject this Agreed Order, and hereby waives any right she may have had to challenge, based upon the presentation of this Agreed Order to the Board, the impartiality of the Board to hear an administrative action if this Agreed Order is rejected. If this Agreed Order is rejected by the Board, it shall be regarded as null and void, and of no effect. No statement or term contained in this Agreed Order will be regarded as evidence in any subsequent disciplinary hearing, nor shall any inference be taken from Respondent's willingness to enter into this Agreed Order;

5. Upon approval of this Agreed Order by the Board, the Board shall dismiss complaint number 2021-LPC-00018. Any violation by the Respondent of the terms of this agreement shall be grounds for further action by the Board, including but not limited to the reopening of this complaint;

6. Respondent recognizes that if this matter was to proceed to an Administrative Hearing, there may exist sufficient evidence to sustain a disciplinary action against her. Respondent nevertheless desires to settle this matter in an expeditious manner without resorting to an administrative hearing;

7. Respondent acknowledges that at all times she has had the opportunity to obtain legal counsel of her choosing;

8. The Respondent acknowledges, once adopted by the Board, this Agreed Order is considered a public document, available for inspection at any time by any member of the public under the Kentucky Open Records Act. Further, Respondent understands the Board is free to make any use it deems appropriate of the contents of this Agreed Order, which shall include the Board's ability to share the content of this Agreed Order with any governmental or professional board or organization, publication of a summary in the Board's newsletter, reporting under federal law, and availability via the Board's web site;

9. All parties and their undersigned representatives warrant and represent that they have the requisite power and authority to enter into this Agreed Order and to effectuate the purposes herein, and that this Agreed Order shall be legally binding and enforceable against each party in accordance with terms of the Agreed Order;

10. This Agreed Order shall be governed in all respects by the laws of the Commonwealth of Kentucky. Any disputes arising under this Agreed Order shall be resolved in the Circuit Court of Franklin County, Kentucky; the parties consent and agree to the *in personam* jurisdiction of such Court; and

11. This Agreed Order may not be modified except by a written agreement executed by all parties.

