



BEFORE THE ARKANSAS PSYCHOLOGY BOARD
IN THE MATTER OF HEATHER RHODES-HUGHES
LICENSE #13-04E1
RESPONDENT
Case No. 23-3

CONSENT AGREEMENT

The Arkansas Psychology Board ("Board") and Heather Rhodes-Hughes ("Respondent") acknowledge the existence of a controversy regarding whether Respondent has violated Ark. Code Ann. §§ 17-97-101, *et seq.* and the rules of the Board. Now the Board and Respondent willingly enter into a Consent Agreement to resolve the pending controversy.

Whereas, Respondent hereby represents and agrees:

- A. Respondent, having read the proposed Consent Agreement, acknowledges that Respondent has the right to consult with counsel and now enters into this Consent Agreement on Respondent's own volition and without any reliance upon any representations by the Board or any officer, employee, agent or other representative thereof, other than as expressly set forth herein.
- B. Respondent hereby waives any further procedural steps including, without limitation, the right to a hearing and all rights to seek judicial review or to otherwise challenge or contest the validity of this Consent Agreement.
- C. Respondent agrees that the Board will review and determine whether to approve this Consent Agreement. Furthermore, Respondent agrees that should this Consent Agreement not be approved by the Board, the presentation and consideration of this Consent Agreement by the Board shall not unfairly or illegally prejudice the Board or

any of its members from further participation, consideration or resolution of the matters involved herein at any subsequent hearing.

- D. Respondent understands and agrees that approval and entry of this Consent Agreement shall not preclude additional proceedings by the Board against Respondent for acts or omissions not specifically addressed herein.
- E. Respondent understands and acknowledges that this Consent Agreement and the Board's records concerning this matter are public records and available to the public pursuant to the Freedom of Information Act, Ark. Code Ann. § 25-19-101, *et seq.*
- F. This agreement shall not become a valid and enforceable Agreement of this Board unless and until accepted and approved by the Board at an official meeting and executed by the Board Chair or the Chair's designee.

FINDINGS OF FACT

1. Respondent is a Licensed Psychologist in the State of Arkansas and holds License No.13-04E1. She has been licensed for fifteen (15) years with no known complaints of ethical violations.
2. On May 10, 2023, the Board received a complaint filed by A.B. against Heather Rhodes-Hughes. In support of her complaint, A.B. provided copies of text messages and voicemail messages exchanged between A.B. and Rhodes-Hughes.
3. In her complaint, A.B. alleges she began seeing Rhodes-Hughes as a clinician in 2019 when she was nineteen (19) years old. A.B. states she sought therapy for treatment of a series of traumatic events she had experienced, for PTSD, and for ADHD. At the time, Rhodes-Hughes practiced out of her home.

4. A.B. alleges that during a therapy session, Rhodes-Hughes initiated physical contact without A.B.'s consent, an allegation that Rhodes-Hughes denies.
5. A.B. alleges, and Rhodes-Hughes admits in her response to the complaint, that at least some, but not all, of the communication between A.B. and Rhodes-Hughes provided to the Board took place during the time in which they had a professional-client relationship.
6. A.B. alleges Rhodes-Hughes, "...would call me in the middle of the night and left voicemails which I can submit as evidence in which she told me 'You have to answer this is the worst time of my life,' 'I don't care what your parents think but I might come knock on your door,' and 'I wish you would stay with me tonight or I could stay with you.'" Rhodes-Hughes admits that on one occasion, following a domestic dispute with her husband during which he was intoxicated, and she was frightened, she did leave A.B. voicemails seeking a safe alternative to staying at home.
7. A.B. alleges, and Rhodes-Hughes admits in her response, that A.B. terminated her professional relationship with Rhodes-Hughes, after which time they entered into a friendship.
8. In her response, Rhodes-Hughes states the friendship with A.B. arose during a time in Rhodes-Hughes' life, "...in which she was personally vulnerable as a result of personal matters beyond her control." During this time, Rhodes-Hughes voluntarily stopped seeing clients, closed her private practice, and contacted her former supervisor pursuant to Section 2.06.

CONCLUSIONS OF LAW

1. Ark. Code Ann. § 17-97-311(a)(1)(A)(ii) grants the Board the authority to investigate any allegations or evidence appearing to show that a person licensed by the Board to practice in Arkansas has violated the statutes or rules adopted by the Board.
2. Pursuant to Ark. Code Ann. §§ 17-97-310(8), Board Rule 11.6(H), and Board Rule the Board 11.6(I), the Board may suspend or revoke any license for a period it determines, may impose a fine of up to \$5,000.00, may issue a letter of reprimand, and may require additional hours of education for a violation of any rule of the board, the rules of ethics as adopted by the board, or any provision of Ark. Code Ann. § 17-97-101, *et seq.*
3. Pursuant to Board Rule 16.1, the Board has adopted *The Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association* as its Code of Ethics.
4. Respondent Heather Rhodes-Hughes admits she violated Section 2.06(a) of *The Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association*, which states, "Psychologists refrain from initiating an activity when they know or should know that there is a substantial likelihood that their personal problems will prevent them from performing their work-related activities in a competent manner."
5. Respondent Heather Rhodes-Hughes admits she violated Section 3.04(a) of *The Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association*, which states, "Psychologists take reasonable steps to avoid harming their clients/patients..."

6. Respondent Heather Rhodes-Hughes admits she violated Section 3.05(a) of *The Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association*, which states, "A psychologist refrains from entering into a multiple relationship if the multiple relationship could reasonably be expected to impair the psychologist's objectivity, competence, or effectiveness in performing his or her functions as a psychologist, or otherwise risks exploitation or harm to the person with whom the professional relationship exists." This section defines a multiple relationship as occurring, "...when a psychologist is in a professional role with a person and (1) at the same time is in another role with the person..."
7. Respondent Heather Rhodes-Hughes admits she violated Section 3.08 of *The Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association*, states psychologists should not exploit persons over whom they have supervisory, evaluative or other authority over such as clients/patients.

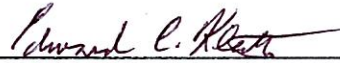
AGREEMENT AND ORDER

1. For the admission to violations set out above in Conclusions of Law #4, 5, 6 and 7, the license of Respondent Heather Rhodes-Hughes is hereby suspended for a period of two (2) years from the date of the approval of this Consent Agreement by the Board. After the period of suspension, and prior to the reinstatement of her license, Respondent Heather Rhodes-Hughes shall appear before the Board to demonstrate competency to practice and provide proof of emotional stability.
2. Respondent Heather Rhodes-Hughes is hereby ordered and agrees to take a Board-approved, in-person, semester-long, ethics course offered by an accredited college or university, and provide proof of attendance to the Board staff within two (2) years of

the approval of this Consent Agreement by the Board. Attendance at the Board-approved course shall be in addition to the Respondent's continuing education requirements.

3. The Board and Rhodes-Hughes agree that she should practice in a clinic setting with other therapists for a period of two-year after the reinstatement of her license.
4. The Respondent understands and agrees that failure to complete the requirements of the Agreement and Order outlined above in numbers 1, 2, 3 and 4 may result in the issuance of an order for her to appear before the Board to show cause why she should not be held in contempt.

IT IS SO ORDERED.



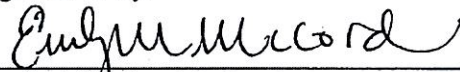
Dr. Edward Kleitsch
Chair Arkansas Psychology Board

Date: 26 FEB 2024

Prepared by:

/s/Juliane Chavis
Senior Assistant Attorney General
Counsel for the Arkansas Psychology Board
323 Center Street, Suite 200
Little Rock, Arkansas 72201

Agreed to by:



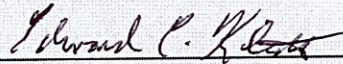
Emily Milholen McCord
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Mitchell Williams
4206 South J.B. Hunt Drive, Suite 200
Rogers, Arkansas 72758

Heather Rhodes-Hughes

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Dr. Edward Kleitsch
Chair Arkansas Psychology Board

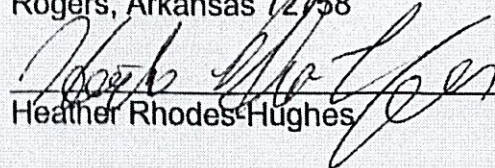
Date: 26 FEB 2021

Prepared by:

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Agreed to by:

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