

Marty M. Snyder, KS S.Ct. #11317  
Assistant Attorney General  
120 SW 10th Avenue, Second Floor  
Topeka, KS 66612-1597  
(785) 296-2215

**BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD**

**In the Matter of**

**AARON DALE,  
LMSW #7569**

---

)  
)  
)  
)  
)

**Case No. 12-MS-025**

**CONSENT AGREEMENT AND ORDER**

NOW, on this 13<sup>th</sup> day of April, 2015, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board [Board] by agreement of Aaron Dale [Respondent / Licensee] and the Board, by and through Assistant Attorney General Marty M. Snyder, for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Aaron Dale, at all times relevant, was a Licensed Masters Social Worker within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.

2. On September 30, 2011, the Board received information concerning Licensee's conduct, alleging Licensee may have violated certain statutes and regulations governing his license as a masters social worker.

3. The Board conducted an investigation concerning Licensee's alleged violation of statutes and regulations. During the investigation, Licensee was informed of

the reported information, was given the opportunity to respond to the allegations and did respond in a letter received October 14, 2011.

4. As a result of the investigation, the Board finds that the following facts have been established by a preponderance of clear and convincing evidence:

- a. Licensee is a Licensed Masters Social Worker in Kansas.
- b. In 2010 and 2011, Licensee was employed by KVC Behavioral Healthcare as a Family Service Coordinator. He was the social worker for RK, who operated a foster home. Licensee performed home studies for the adoption of two children by RK in May and September of 2010. RK closed out her foster home license in October of 2010.
- c. Licensee and RK kept in touch, discussing the welfare of the adopted children. They began a social relationship in November of 2010 and conceived a child in February of 2011.
- d. Licensee left his position as a Family Service Coordinator with KVC in February of 2011.
- e. In August of 2011, Licensee was hired again by KVC as a Case Manager. RK's assigned social worker is now out of KVC's Kansas City office to avoid further conflicts.
- f. Licensee and RK decided not to marry but to have an amicable relationship centered around their daughter.
- g. Licensee states he was unaware of the Kansas regulations regarding dual relationships and refraining from them for 24 months after termination of the professional relationship with a client. He acknowledges unknowingly violating this regulation.

5. The Complaint Review Committee of the Board finds that probable cause exists to believe Licensee has violated the following statute and regulations:

A. **K.S.A. 65-6311.** Grounds for suspension, limitation, revocation or refusal to issue or renew license; procedure.

(a) The board may suspend, limit, revoke, condition or refuse to issue or renew a license of any social worker upon proof that the social worker:

(4) has been found guilty of unprofessional conduct as defined by rules established by the board;

B. **K.A.R. 102-2-7.** Unprofessional Conduct. Any of the following acts by a licensee or an applicant for a social work license shall constitute unprofessional conduct:

(z) making sexual advances toward, engaging in physical intimacies or sexual activities with, or exercising undue influence over any person who, within the past 24 months, has been one's client.

HOWEVER, Licensee and the Board mutually desire to enter a Consent Agreement and Order in lieu of adjudicative proceedings to resolve the report of alleged violations.

WHEREFORE, Licensee waives all rights to an adjudication of facts and law which could be determined pursuant to a hearing conducted in accordance with the Kansas Administrative Procedure Act in relation to Case No. 12-MS-025.

WHEREFORE, Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Judicial Review Act in relation to Case No. 12-MS-035.

WHEREFORE, the Board and Licensee agree that Licensee's LMSW license shall be suspended for twelve (12) months but the suspension stayed while Licensee remains in compliance with the following terms.

- (a) Licensee shall obtain three hours of CEUs in Ethics in addition to those required by his license in the area of boundaries and dual relationships. The hours must be obtained in-person, not online, and must be completed within six months of the effective date of this Order.
- (b) Licensee shall submit to BSRB a ten-page professional quality paper in APA format within six months of the effective date of this Order. The topic shall be professional boundaries and avoiding dual relationships with clients. Licensee shall review and cite the Kansas Administrative Regulations, particularly K.A.R. 102-2-7 (y), (z) and (tt), within the paper.
- (c) Licensee shall be responsible for any costs and expenses incurred in satisfying the terms of this Consent Agreement and Order.
- (d) Evidence of Licensee's breach, violation or failure to comply with any of the conditions will result in a hearing, with notice and opportunity to be heard, to determine whether Licensee has in fact breached, violated or failed to comply with any conditions. Upon determination at such hearing that Licensee has breached, violated or failed to comply with any condition, Licensee understands and agrees that her Kansas Licensed Masters Social Worker license could be suspended until such time as Licensee can demonstrate compliance with all terms and conditions of this Consent Agreement and Order to the satisfaction of the Board.
- (e) Licensee acknowledges an affirmative duty to notify the Board within five (5) days of any changes in personal or professional status which would inhibit

compliance with any condition of this Consent Agreement and Order. In such event, a designee of the Board is authorized to modify or amend this Consent Agreement and Order in writing.

- (f) Licensee understands that a notification of this Consent Agreement and Order shall be provided to any other state licensing board if Licensee is also licensed, registered or certified in another state.
- (g) This Consent Agreement and Order constitutes the entire agreement between Licensee and the Board and may be modified or amended only by written agreement signed by Licensee and the Board or a designee of the Board.

WHEREFORE, Licensee consents to the submission of this Consent Agreement and Order to the Board's Complaint Review Committee and understands that, upon approval by the Complaint Review Committee, this Consent Agreement and Order will become a Final Order of the Board. The Board has authorized the Complaint Review Committee to determine approval of this Consent Agreement and Order.

WHEREFORE, the Board agrees that, so long as Licensee complies with the above conditions, the Board will not initiate further disciplinary action against Licensee in relation to violations of K.A.R. 102-2-7 as a result of this proceeding.

WHEREFORE, the foregoing provisions are consented to, are hereby made the final Order of the Kansas Behavioral Sciences Regulatory Board and become effective on the date indicated in the Certificate of Service below.

IT IS SO ORDERED this 13<sup>th</sup> day of April, 2015.

  
Terry Pfannenstiel  
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:

  
\_\_\_\_\_  
Aaron Dale  
Respondent Licensee

3-26-2015  
\_\_\_\_\_  
Date

CERTIFICATE OF SERVICE

This is to certify that on this 15 day of April, 2015, a true and correct copy of the above Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Aaron Dale



and a copy delivered via building mail to:

Marty M. Snyder, Esq.  
Assistant Attorney General  
120 SW 10th Avenue, Second Floor  
Topeka, KS 66612-1597

Cindy D'Ercole  
\_\_\_\_\_  
For the Board