

Sam Brownback
Governor

Max L. Foster, Jr.
Executive Director



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August 27, 2015

Kristopher Creten



Re: Report of Alleged Violation 15-CS-0110

Dear Mr. Creten:

This letter is to confirm that we have received your signed Consent Order and Agreement. A copy is enclosed for your records. The effective date of the document is today, August 27, 2015.

This letter is to also confirm that documentation has been received that you have satisfied all the conditions set forth in the Consent Agreement and Order. The case is now closed.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Cindy D'Ercole".

Cindy D'Ercole
Special Investigator

Whitney L. Casement, KS S. Ct. #25466
Office of the Kansas Attorney General
120 SW 10th Avenue, Second Floor
Topeka, KS 66612-1597

BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter of)
)
Kristopher Creten,)
LSCSW License #4372,) Case No. 15-CS-0110
LCAC License #560,)
Respondent)
_____)

CONSENT AGREEMENT AND ORDER

NOW, on this ~~14~~¹⁴ day of 27 September, 2015, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board), by and through Assistant Attorney General Whitney L. Casement, by agreement of Kristopher Creten (Licensee) and the Board for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Kristopher Creten is currently, and was at all times relevant to this Consent Agreement and Order, a Licensed Specialist Clinical Social Worker (LSCSW) or a Master Social Worker (MSW) within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto, and a Licensed Clinical Addiction Counselor (LCAC) within the meaning of the Kansas Addictions Counselor Licensure Act, K.S.A. 65-6607, *et seq.*, and amendments thereto.
2. On March 10, 2015, the Board received a self-reported Report of Alleged Violation stating Licensee may have violated certain statutes and regulations governing unprofessional conduct.
3. As a result of the self-report and subsequent investigation, the Board finds that the

following facts have been established by a preponderance of the evidence:

- a. For approximately two months in 2014, Licensee had a romantic relationship with an individual who was also a client of his at KVC Behavioral Healthcare, Inc. (KVC) during that two-month period.
- b. After two months, Licensee realized the personal relationship was problematic and ended it. The decision to end the relationship was initiated by Licensee, but was agreed to by both parties that it was the best decision.
- c. The client's case was soon transferred to another worker, and Licensee no longer had contact with the client or her family.
- d. Licensee's employer, KVC, confronted Licensee about the relationship and gave Licensee the opportunity to report the violation to the BSRB. Licensee self-reported on March 10, 2015 and also admitted the conduct to his employer.
- e. Prior to the relationship with his client, Licensee completed a divorce after 15 years of marriage. Licensee admitted in his self-report that he was not in a stable position to be providing services to others after his divorce.
- f. Licensee has obtained other employment in an administrative role that involves minimal client contact. He has also seen a psychiatrist.
- g. Licensee appeared before the BSRB Complaint Review Committee on June 8, 2015. Licensee appeared to show true remorse and acknowledgment of the violation and demonstrated that he has been proactive about dealing with the cause of the conduct.

4. The Complaint Review Committee of the Board finds that 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;

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:

- (y) making sexual advances toward or engaging in physical intimacies or sexual activities with one's client, supervisee, or student;
- (tt) engaging in a dual relationship with a client, supervisee, or student;

K.A.R. 102-2-1a. Definitions.

- (j) "Dual relationship" means a professional relationship with a client, student or supervisee in which the objectivity of the licensee is impaired or compromised because of any of the following present or previous relationships:
 - (3) social;
 - (4) emotional;

B. K.S.A. 65-6615. Refusal to grant licensure; other licensure actions; grounds. The board may refuse to grant licensure to, or may suspend, revoke, condition, limit, qualify or restrict the licensure issued under this act of any individual who the board, after the opportunity for a hearing, determines:

- (g) has been found guilty of unprofessional conduct as defined by rules and regulations established by the board;

K.A.R. 102-7-11. Unprofessional conduct. Each of the following acts shall be considered unprofessional conduct for a licensed addiction counselor, a licensed clinical addiction counselor, or an applicant for an addiction counselor license or a clinical addiction counselor license:

- (v) engaging in a harmful dual relationship;
- (w) making sexual advances toward or engaging in physical intimacies or sexual activities with either of the following: (1) Any person who is a client, supervisee, or student;

K.A.R. 102-7-1. Definitions.

(i) "Harmful dual relationship" means a professional relationship between a licensee and a client, student, supervisee, or any person who has had a significant relationship with either a current client or a person who has been a client within the past 24 months if that relationship is known to the licensee, in which the objectivity or competency of the licensee is impaired or compromised because of any of the following types of present or previous relationships: (2) social; (3) emotional;

However, Licensee and the Board mutually desire to enter a Consent Agreement and Order in lieu of adjudicative proceedings to resolve the reported 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. 15-CS-0110.

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. 15-CS-0110.

WHEREFORE, Licensee consents to the following terms and conditions:

(a) Licensee shall continue individual psychotherapy as recommended by his mental health provider.

(b) Licensee shall complete three extra hours of continuing education on ethics, focusing on professional boundaries and dual relationships. The three additional hours of continuing education shall be conducted by Licensee in person within six months of the effective date of this Consent Agreement and Order. This condition shall be deemed satisfied upon the Board's receipt of Licensee's written proof of completion of the three extra hours of continuing education within six months of the effective date of this Consent Agreement and Order. Failure to provide the Board with written proof of completion of the extra continuing education hours within six months of the effective date is a violation of this Consent Agreement and Order and may result in further action by the Board.

(a) Licensee shall be responsible for any costs and expenses incurred in satisfying the terms of this Consent Agreement and Order.

(b) Licensee understands that a notification of this Consent Agreement and Order may be provided to any other state or federal agency with which Licensee is licensed, registered, or certified.

(c) Licensee acknowledges an affirmative duty to notify the Board within ten (10) 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.

(d) This Consent Agreement and Order constitutes the entire agreement between the Licensee and the Behavioral Sciences Regulatory 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.

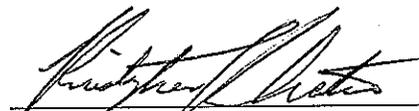
WHEREFORE, the Board agrees that, so long as Licensee complies with the above conditions, the Board will not initiate further disciplinary action against Licensee in relation to violations of K.S.A. 65-6311, K.A.R. 102-2-7, K.A.R. 102-2-1a, K.S.A. 65-6615, K.A.R. 102-7-11, or K.A.R. 102-7-1 as a result 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.


Terry Pfannenstiel
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:


Kristopher Creten
Licensee

8/01/2015
Date

CERTIFICATE OF SERVICE

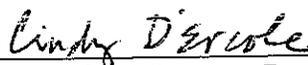
This is to certify that on this 8/14 day of September, 2015, a true and correct copy of the above Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Kristopher Creten
15625 Klamm St.
Basehor, Kansas 66007-940
Licensee

and e-mailed to:

Kristopher Creten
krc549@yahoo.com
Licensee

Whitney L. Casement
whitney.casement@ag.ks.gov
Disciplinary Counsel for the Board


For the Behavioral Sciences Regulatory Board