

AUG 02 2013

Marty M. Snyder, KS S. Ct. #11317
Kansas Attorney General's Office
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Topeka, KS 66612-1597
(785) 296-2215

BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter of

SCOTT E. SPRADLIN
[REDACTED]

Case No. 11-PC-49

CONSENT AGREEMENT AND ORDER

NOW, on this 30th day of JULY, 2013, the above-captioned matter

comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Scott E. Spradlin (Licensee) and the Kansas Behavioral Sciences Regulatory Board for the purpose of resolving the above-captioned case.

FACTS

Licensee hereby acknowledges the following facts which the Board finds have been established by clear and convincing evidence:

1. Scott E. Spradlin is currently, and at all times relevant has been, a Licensed Professional Counselor within the meaning of K.S.A. 65-5801, Professional Counselors Licensure Act, and amendments thereto. However, his license was temporarily suspended pursuant to a Preliminary Consent Agreement and Order.
2. On or about January 5, 2011, the Board received a report of information concerning Licensee's conduct, alleging Licensee may have violated certain statutes and regulations governing unprofessional conduct.

3. The Committee conducted an investigation concerning Licensee's alleged violation of statutes and regulations. During the investigation, Licensee was informed of the reported information and given the opportunity to enter a Preliminary Consent Agreement and Order voluntarily.
4. As a result of the investigation, the Board finds probable cause to believe the following facts:
 - a. Licensee suffered a temporary mental health condition that interfered with his ability to provide mental health services to his clients.
 - b. He sought evaluation and treatment from Kansas therapists and continues to cooperate with that treatment.

VIOLATIONS

The Board finds that probable cause exists to believe that Licensee, while a Licensed Professional Counselor, violated the following regulations:

K.S.A. 65-5809(i) – grounds for suspension.

K.A.R. 102-3-12a(b)(8). Unprofessional Conduct.

However, Licensee and the Board mutually desire to enter a Consent Agreement and Order.

WHEREFORE, the parties consent and agree that Licensee's Professional Counselor license shall be reinstated so long as he follows the terms and conditions stated below.

- a. Licensee shall participate in therapy sessions with a Board-approved therapist until released by the therapist. Within ten (10) days of the effective date of this Consent Agreement and Order, he shall identify his therapist to Cindy D'Ercole, special investigator for the Board, who

will provide copies of this Agreement and the psychological evaluation reports to the therapist.

- b. Licensee shall follow the Acumen recommendation #3 and practice at all times in full accordance with relevant federal, state, local, organization and professional regulations, ethical guidelines and best practices. If he is ever unwilling or unable to adhere to these requirements, he must disengage from the practice of psychotherapy immediately until reassessment finds him ready to resume practice.
- c. Licensee shall be responsible for any costs 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 condition. Upon determination at such hearing that Licensee has breached, violated or failed to comply with any condition, Licensee understands and agrees that his 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 that 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.

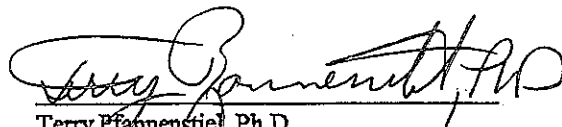
- f. This Consent Agreement and Order constitutes the entire agreement between the Licensee and the Behavioral Sciences Regulatory Board and may be modified or amended only by written agreement signed by Licensee and the Board or a designee of the Board.

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 will become an Order of the Board. The Board has authorized the Complaint Review Committee to determine approval of this Consent Agreement.

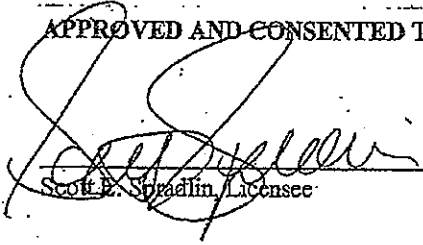
WHEREFORE, the Board further agrees that, so long as Licensee complies with the above conditions, the Board will not initiate further disciplinary action against Licensee in relation to violations of K.S.A. 56-5809(i) and K.A.R. 102-3-12a(b)(8) as a result of this proceeding. The suspension is hereby lifted and Licensee is reinstated to unrestricted practice in Kansas.

WHEREFORE, the foregoing provisions are consented to, are hereby made the 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, Ph.D.
Chair, Complaint Review Committee
Behavioral Sciences Regulatory Board

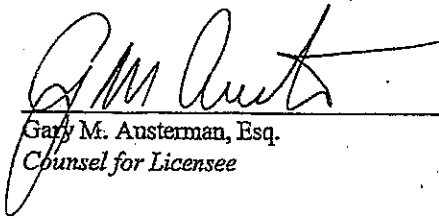
APPROVED AND CONSENTED TO:



Scott E. Spradlin, Licensee

7/30/2013
Date

APPROVED:




Gary M. Ansterman, Esq.
Counsel for Licensee

7-30-13
Date

CERTIFICATE OF SERVICE

This is to certify that on this 30th day of August, 2013, a true and correct copy of the above and foregoing Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Scott E. Spradlin


Gary M. Ansterman, Esq.
Klenda, Mitchell, Ansterman & Zuercher
1600 Epic Center, 301 N. Main
Wichita, KS 67202-4816

and delivered to:

Marty M. Snyder, Esq.
Kansas Attorney General's Office by building mail



For the Behavioral Sciences Regulatory Board