

Whitney L. Casement, KS S. Ct. #25466
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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In The Matter Of)
)
EDWIN BROCK,)
LBSW #6982)

Case No. 13-BS-0013

Pursuant to K.S.A. 77-537

SUMMARY PROCEEDING ORDER OF SUSPENSION

NOW, on this 26 day of February, 2015, the above-captioned matter comes before the Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board (the "Board").

FINDINGS OF FACT

The Board finds that the following facts have been established by a preponderance of the evidence:

1. Edwin Brock ("Respondent") was, at all times relevant hereto, a Licensed Bachelor Social Worker within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.
2. On or about August 17, 2012, the Board received a report of information alleging Respondent may have violated certain statutes and regulations governing unprofessional conduct.
3. Board staff conducted a preliminary investigation concerning Respondent's alleged violation of statutes and regulations. Respondent was given multiple opportunities to respond to the report of information, but never responded.
4. As a result of the report and subsequent investigation, the Board finds that the

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

- a. In July 2012, Respondent was terminated from his position as a social worker with TFI Family Services.
- b. In at least August of 2012, a former minor client of Respondent and the client's mother resided with Respondent. The minor was Respondent's client while Respondent worked at TFI Family Services until July 2012.
- c. Prior to residing with the client's mother, Respondent visited the client's mother's apartment frequently and was observed leaving late at night.
- d. Respondent never responded to the Board's repeated requests for information regarding possible unprofessional conduct violations.

CONCLUSIONS OF LAW

5. Based on the allegations and subsequent investigation, the Complaint Review Committee of the Board finds that Respondent, while a Licensed Bachelor Social Worker, 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 Respondent or applicant for a social work license shall constitute unprofessional conduct:

(i) failing or refusing to cooperate in a timely manner with any request from the board for a response, information that is not obtained in the context of a confidential relationship, or assistance with respect to the board's investigation of any report of an alleged violation filed against oneself or any other applicant or professional who is required to be licensed or registered by the board. Each person taking longer than 30 days to provide the requested response, information, or assistance shall have the

burden of demonstrating that the person acted in a timely manner;

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

(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;

(tt) engaging in a dual relationship with a client, supervisee, or student;

6. Proceedings under the Kansas Social Workers Licensure Act are subject to the Kansas Administrative Procedure Act (K.S.A. 77-501, *et seq.*) ("KAPA") pursuant to K.S.A. 65-6311. K.S.A. 77-537 of KAPA provides that the Board may use summary proceedings when necessary and appropriate.

7. The Board is authorized to take disciplinary action against a Licensed Bachelor Social Worker pursuant to K.S.A. 65-6311.

8. The Board has jurisdiction over Respondent by virtue of his previously held Kansas Bachelor Social Worker license, which he held at the time of the conduct at issue and filing of the complaint in this matter.

9. The Board has been charged by the Kansas Legislature with the responsibility to protect the public health, safety, and welfare by assuring the current competence to practice of its licensees.

SANCTION

Based on the above Findings of Fact and Conclusions of Law, Respondent Edwin Brock's Kansas Licensed Bachelor Social Worker license should be and is hereby **suspended** until further order of the Board.

IT IS SO ORDERED.


Terry Pfannenstiel
Chair, Complaint Review Committee

NOTICE OF RELIEF FROM SUMMARY PROCEEDING ORDER

Pursuant to K.S.A. 77-537 and K.S.A. 77-542, this Summary Proceeding Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for hearing to:

Max Foster, Executive Director
Behavioral Sciences Regulatory Board
700 SW Harrison St., Suite 420
Topeka, KS 66603-3929

Whitney L. Casement, Esq.
Kansas Office of the Attorney General
120 SW Tenth Ave., 2nd Floor
Topeka, KS 66612

Any such request must be filed within fifteen (15) days of service of this Notice. If a hearing is not requested in the time and manner stated, this Summary Proceeding Order becomes final and effective upon the expiration of the time for requesting a hearing and will be a Final Order of the Board.

CERTIFICATE OF SERVICE

This is to certify that on this 26 day of February, 2015, a true and correct copy of the above and foregoing Summary Proceeding Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Edwin Brock


and a copy delivered via interoffice mail to:

Whitney L. Casement
Assistant Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612
Disciplinary Counsel for the Board

Cindy D'Ercole
For the Board