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BY: _____

BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

CAROLYN L. BAKER, LBSW,)
Lic. # 4670,)
Respondent)

Case No. 15-BS-128

SUMMARY PROCEEDING ORDER OF SUSPENSION

NOW on this 23rd day of DECEMBER, 2015, the above-captioned complaint comes before the Kansas Behavioral Sciences Regulatory Board [BSRB / Board] Complaint Review Committee [Committee].

Findings of Fact

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

1. Carolyn L. Baker [Respondent / Licensee] at all relevant times has been a Licensed Bachelor Social Worker pursuant to the Kansas Social Worker Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.
2. On May 1, 2015, the Board received a Report of Alleged Violation against Licensee, alleging misconduct in violation of Kansas statutes and administrative regulations governing the practice of social work.
3. The Board investigated the allegations and received a written response from Licensee. Based upon the investigation, the Board finds the following:
4. Licensee provided independent counseling and therapy to minor children JW and AW as well as to their mother EW. Licensee has never possessed an independent clinical level license and had no supervisor for these therapy sessions, numbering fifteen or more per child over a period of several months.
5. Licensee provided letters to EW's divorce attorney revealing confidences from the therapy sessions and providing her opinion regarding disputed child custody despite never having met DW, the father and husband.

6. Licensee testified in court under oath at the custody proceedings on February 6, 2014, that she provided independent therapy and counseling to the three family members. Licensee also prepared a memorandum to the parents' lawyers dated January 25, 2015 titled "Therapy Report" for each child. In the Therapy Reports, she refers to herself as "this Counselor" and the meetings as "individual therapy sessions." The father's lawyer successfully kept these reports out of evidence although Licensee testified as to their contents.
7. Licensee testified that she kept notes from the sessions. They were provided through her church, and she did not charge a fee for the therapy.
8. Licensee testified under oath in court on February 6, 2014, "I'm a masters level social worker." This is a false statement. Although she has earned a masters degree, she is only licensed to provide *bachelor level supervised* social work in Kansas.
9. Licensee testified under oath that she was "qualified to do therapy." This is a false or misleading statement. As dictated by the Kansas Statutes and Administrative Regulations, she is not authorized to treat individuals with a LBSW license.
10. Licensee further dispensed with her purported role as a counselor for the children and switched to the role of a forensic witness regarding issues of child custody.

Conclusions of Law

11. K.S.A.77-537 provides for summary proceedings in situations where the statutory conditions are present.
12. K.S.A. 65-6308 provides limitations on independent private practice of social work as well as penalties for violations. Licensee violated this statute.
13. K.S.A. 65-6311 (a) provides grounds for discipline of social worker licensees as follows:
 - (2) fraud or deceit in connection with services rendered as a social worker;
 - (4) unprofessional conduct.

Licensee violated these statutory provisions.

14. K.A.R. 102-2-7 – lists the following acts as constituting unprofessional conduct by a social worker:
 - (j) offering to perform or performing services clearly inconsistent with one's training, education and experience and with accepted professional standards for social work;

(w) engaging in professional activities involving dishonesty, fraud, deceit or misrepresentation;

(tt) engaging in a dual relationship with a client;

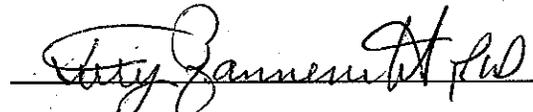
(ddd) engaging in independent private practice if not authorized by law.

Licensee violated these administrative regulations.

Sanction

Based on the above Findings of Fact and Conclusions of Law pursuant to the authority granted by K.S.A. 65-6311 and the Kansas Administrative Procedure Act K.S.A. 77-537, the Board finds that the LBSW license of Carolyn L. Baker should be and is hereby suspended for a period of 180 days from the effective date of this Summary Proceeding Order as set forth in the Notice of Relief and the Certificate of Service below. After 180 days of suspension, the Board will consider issuing an order of reinstatement of Respondent's license based upon evidence of her insight into these violations.

IT IS SO ORDERED this 23rd day of DECEMBER, 2015.



Terry Pfannenstiel, Ph.D.
Complaint Review Committee, BSRB

NOTICE OF RELIEF

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

Max Foster, Executive Director, BSRB
700 SW Harrison St.
Eisenhower State Office Building, Suite #420
Topeka, KS 66603

with a copy to:

Marty M. Snyder, Esq.
Assistant Attorney General
120 SW Tenth Ave., 2nd Floor
Topeka, KS 66612

Any written request for hearing must be served within fifteen (15) days from the date indicated in the below Certificate of Service. 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

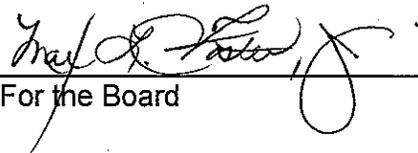
This is to certify that on this 23rd day of DECEMBER, 2015, a true and correct copy of the foregoing Summary Proceeding Order of Suspension was deposited in the U.S. mail, first class postage prepaid, addressed to:

Carolyn L. Baker



and by building mail to:

Marty M. Snyder, Esq.
Assistant Attorney General



For the Board