

Marty M. Snyder, KS S Ct #11317  
Kansas Attorney General's Office  
120 SW 10th Avenue, Second Floor  
Topeka, KS 66612-1597

**BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**

In the Matter of )  
)  
JESSICA CALYS, LMSW, )  
License #7628, )  
Respondent )  
\_\_\_\_\_ )

Case No. 16-MS-102

**SUMMARY PROCEEDING ORDER OF REVOCATION**

NOW, on this 10<sup>th</sup> day of October, 2016, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board [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. Jessica Calys [Respondent / Licensee] is 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. The Kansas City-based non-profit organization HALO provides housing and support to youth with a variety of needs. Respondent was hired to reside as a support person in a housing program for homeless young women. Her duties began October 12, 2015, and she was to enforce the rules and goals of the program and form trusting relationships with the young women through weekly meetings and daily

communication. Respondent received the fully paid apartment as compensation for her job duties.

3. On March 16, 2016, a complaint by HALO Learning Center Director Carly Manijak, Respondent's supervisor, was received by the Board. She reported a history of Respondent's violations including failure to show up for work and failure to provide contact information and failure to provide scheduled client support. After formal warnings, Respondent's employment was terminated on January 28, 2016. However, HALO allowed her to continue to live in the apartment with no professional duties until February 22.

4. When the HALO representative obtained the keys and checked the apartment, she found it "trashed." Color photographs provided with the complaint show old belongings and clothing strewn around the apartment, garbage in the rooms, dirty dishes in the kitchen, animal feces in the carpeting. Drugs and drug paraphernalia were also discovered in drawers and bags.

5. HALO supervisors concluded that Respondent was unable to provide appropriate support and role modeling due to her "complete disregard of self-care, mental wellness and the transparency and stability needed to serve as a successful social worker or to assist with the wellness or mental health to any clientele or to the general public." They reported that she was not in a stable condition and would do a disservice to clients until she gets the help she needs.

6. Approximately three months after the audit of her October 2015 CEUs, she provided documentation of 20 hours to Board staff – half of the number required. She failed to respond substantively to the investigator's April 18, 2016 letter requesting a response to the HALO report until July 11, 2016. In that response, Respondent did

take responsibility for her failure to get CEUs for the reporting period [even though she had been previously disciplined for the same violation] and for failing to recognize her own problems, resulting in her inability to help others. She accepted the unprofessional conduct allegations as reported by HALO and entered a treatment program.

### **Conclusions of Law**

7. The Complaint Review Committee of the Board concludes there is probable cause based on undisputed evidence to believe Respondent violated the following statute and administrative 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;

(6) has been found guilty of negligence or wrongful actions in the performance of duties.

**B. K.A.R. 102-2-7. Unprofessional Conduct.** Any of the following acts by a licensee . . . shall constitute unprofessional conduct:

(a) obtaining or attempting to obtain a license for oneself...by means of...deceit, misrepresentation or concealment of a material fact;

(b)(3) failure to report employment termination to the Board;

(h) failing to recognize, seek intervention and otherwise appropriately respond when one's own personal problems, psychosocial distress or mental health difficulties interfere with or negatively impact professional judgment, professional performance and functioning or the ability to act in the client's best interests;

(i) failing or refusing to cooperate in a timely manner with any request from the Board for a response ... 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;

(k) failing to cooperate with the board's investigation.

**C. K.S.A. 65-6311 (d)** - failure to provide proof of completion of 40 CEU hours in the two-year period prior to renewal.

**D. K.A.R. 102-2-11a. Renewal audit.**

(e) failure to comply with this regulation shall be considered unprofessional conduct.

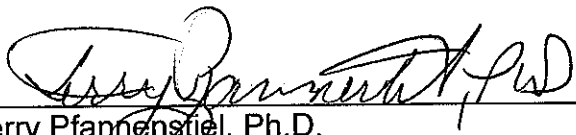
8. The Kansas Administrative Procedure Act, K.S.A. 77-537, provides for summary proceedings in situations where the statutory conditions are present. The Committee finds those conditions have been met in this proceeding.

9. As a factor in aggravation of sanction, this Respondent has previously been disciplined for failure to obtain her CEUs required for licensure renewal.

#### **Sanction**

Based upon the above Findings of Fact and Conclusions of Law and 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 Kansas Licensed Masters Social Worker license of Respondent Jessica Calys should be and is hereby revoked and her LMSW license not renewed until further Order of the Board.

**IT IS SO ORDERED** this 10<sup>th</sup> day of October, 2016. This Summary Proceeding Order of Revocation becomes effective on the date indicated in the Notice of Relief below.

  
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Terry Pfannenstiel, Ph.D.  
Chair, Complaint Review Committee  
Kansas Behavioral Sciences Regulatory Board

**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., 2<sup>nd</sup> 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 10<sup>th</sup> day of October, 2016, a true and correct copy of the above Summary Proceeding Order of Revocation was deposited in the U.S. mail, first-class postage prepaid, addressed to:

Jessica Calys

Jessica Calys



and emailed to:



and a copy delivered via interoffice mail to:

Marty M. Snyder, Esq.  
Assistant Attorney General  
*Disciplinary Counsel for the Board*

*Cindy D'Ercole*  
\_\_\_\_\_  
For the Behavioral Sciences Regulatory Board