

reported information and did respond to the Special Investigator's letter requesting a written response in a letter received July 17, 2017.

4. As a result of the investigation, the Board has found that the following facts have been established by a preponderance of the evidence:
 - a. Respondent was employed by St. Francis Community Services [SFCS] as a Licensed Permanency Specialist.
 - b. On April 26, 2017, Respondent reported to her supervisor that she had been suffering from migraine headaches and could not return to work until May 1.
 - c. When she did not return as previously arranged, she notified her supervisor that she would return on May 8.
 - d. However, on Sunday, May 7, Respondent sent an email to her supervisor that she was "unable to continue in my position at St. Francis. This has been a tough decision for me. I am simply unable to keep up the pace required for the job."
 - e. Because Respondent did not provide information from her calendar and did not complete her case documentation, it was difficult for other agency employees to complete the required notes for client files in addition to their own work.
 - f. Licensee responded that she tried to keep up with her workload, but the tasks piled up and she became overwhelmed and felt out of control. She began experiencing stress and migraine headaches, which she had previously experienced. She has doctor's notes for April 26 and May 1.

5. The Complaint Review Committee concludes there is probable cause to find the following violations based upon the above facts.

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:

(9) 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 . . . shall constitute unprofessional conduct:

(j) performing services clearly inconsistent or incommensurate with one's training, education, and experience and with accepted professional standards for social work;

(mm) failing to notify the client promptly when termination or interruption of service to the client is anticipated;

(nn) failing to seek continuation of service for a client under or in need of professional care, without making reasonable arrangements for that care;

However, Licensee and the Board mutually desire to enter a Consent Agreement and Order [CAO] in lieu of adjudicative proceedings to resolve the report of alleged 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 [KAPA] in relation to Case No. 17-BS-0129.

WHEREFORE, Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Judicial Review Act [KJRA] in relation to Case No.17-BS-0129.

WHEREFORE, the Board and Licensee consent and agree to enter a Consent Agreement and Order [CAO] for a period of one year so long as Licensee meets the following terms and conditions:

- (a) Licensee shall notify the Board's Investigator within two business days of becoming employed using her LBSW license.
- (b) Upon becoming employed using her LBSW license, Licensee shall practice under the supervision of a Board-approved clinical level supervisor who is not in a dual relationship with Licensee for one year. Licensee shall provide a copy of this CAO to the supervisor. Weekly supervision meetings shall be for at least one hour face to face. The focus of the supervision shall be on professional responsibility to clients, self-care, stress triggers and time management. The supervisor shall provide monthly written progress reports to the Board's Special Investigator and shall notify the investigator immediately of any problems.
- (c) Licensee shall be responsible for any costs and expenses 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 above conditions could result in a determination that Licensee's Kansas Licensed Bachelor Social Worker license should be suspended or revoked.

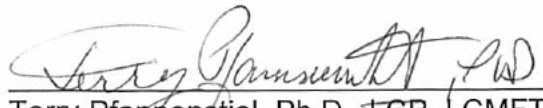
- (e) Licensee understands that a notification of this Consent Agreement and Order shall be provided to any other state licensing board if Licensee is also licensed, registered or certified in another state and as otherwise required by law, including but not limited to the Kansas Open Records Act.
- (f) Licensee acknowledges an affirmative duty to notify the Board within five (5) days of any changes in personal or professional status which would inhibit compliance with any condition of this Consent Agreement and Order.
- (g) 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 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.

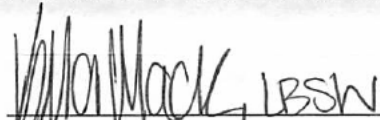
WHEREFORE, the Board agrees that, so long as Licensee complies with the above conditions, the Board will not initiate further disciplinary action against Licensee in relation to violations of K.S.A. 65-6311 and K.A.R. 102-2-7 as a result of this proceeding.

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 this 31st day of March, 2018.


Terry Pfannenstiel, Ph.D., ~~LCB~~ LCMFT
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:

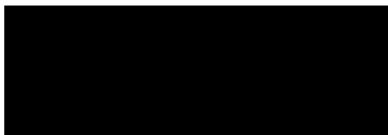

Kelci Mack, LBSW
Licensee / Respondent

3-23-18
Date



CERTIFICATE OF SERVICE

This is to certify that on this 4 day of April, 2018, 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:



and emailed to: 

and a copy delivered via interoffice mail to:

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


For the Behavioral Sciences Regulatory Board