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**BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**

**In The Matter Of**

**RAMONA HAYNES, LBSW  
LBSW #7865**

**Licensee**

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**Case No. 18-BS-0124**

Pursuant to K.S.A. 77-536

**SUMMARY PROCEEDING ORDER OF PUBLIC CENSURE**

NOW, on this 6 day of September, 2018, the above-captioned matter comes before the Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board (Board).

**FINDINGS OF FACT**

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

1. Ramona Haynes ("Licensee") was at all times relevant, a Licensed Baccalaureate Social Worker ("LBSW") within the meaning of the Kansas Social Worker Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.
2. On or about May 8, 2018, the Board received a complaint concerning Licensee's unprofessional conduct, alleging Respondent may have violated certain statutes and/or regulations governing the practice of LBSW in Kansas.
3. The Board conducted an investigation concerning Licensee's alleged violation of statutes and/or regulations.

4. As a result of the investigation, the Board found that the following facts had been established by a preponderance of evidence:

- a. Licensee was employed by the Kansas Department for Children and Families (“DCF”) as a Child Protection Specialist.
- b. On December 15, 2017, Licensee documented she interviewed a mother who did not speak English, but spoke in Vietnamese. DCF determined Licensee did not use a translator service on that day.
- c. Licensee documented that she interviewed a teenager at school on January 17, 2018. But, DCF verified with the school that the teenager did not have any visitors at school during January 2018.
- d. In another case, Licensee documented that she conducted a school visit on February 23, 2018. However, DCF verified that this visit did not occur on February 23, 2018.
- e. Licensee documented that she completed an interview of a suspected child abuse victim at a daycare on March 2, 2018, and again on April 4, 2018. However, DCF determined that Licensee was not at the daycare on either day. Additionally, Licensee did not contact the child’s parent.
- f. On March 14, 2018, Licensee documented that she had a child visit. DCF determined that she did not have this child visit on March 14, 2018.
- g. Further, Licensee documented that she visited two (2) individuals at the Sedgwick County Jail on March 29, 2018. However, both individuals were incarcerated at the El Dorado Correction Facility on March 29, 2018.
- h. On April 23, 2018, Licensee was terminated from DCF related incorrect documentation contrary to DCF’s conditions of employment.

## **CONCLUSIONS OF LAW**

5. Pursuant to K.S.A. 65-6311(c): Administrative proceedings and disciplinary actions regarding licensure under the Social Worker Licensure Act shall be conducted in accordance with the Kansas Administrative Procedure Act.

6. Pursuant to K.S.A. 2017 Supp. 77-537(a) of the Kansas Administrative Procedure Act ("KAPA"), a state agency may use summary proceedings, subject to a party's request for a hearing on the order, if:

- (1) The use of those proceedings in the circumstances does not violate any provision of law;
- (2) the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties;
- (3) based upon an investigation of the facts by the state agency, beyond receipt of the allegations, the state agency believes in good faith that the allegations will be supported to the applicable standard of proof, provided however that an alleged failure to meet the standards set forth in this subsection shall not be subject to immediate judicial review and shall not invalidate any later agency action that has been supported to the applicable standard of proof; and
- (4) the order does not take effect until after the time for requesting a hearing has expired.

7. Pursuant to K.S.A. 65-6302(b): "Social work practice" means the professional activity of helping individuals, groups or communities enhance or restore their capacity for physical, social and economic functioning and the professional application of social work values, principles and techniques in areas such as psychotherapy, social service administration, social planning, social work consultation and social work research to one or more of the following ends: Helping people obtain tangible services; counseling with individuals, families and groups; helping communities or groups provide or improve social and health services; and participating in relevant social action.

8. Pursuant to K.S.A. 65-6311(a): The board may refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a

licensee or may impose a fine not to exceed \$1,000 per violation upon a finding that a licensee or an applicant for license:

- a. K.S.A. 65-6615(a)(5): has violated a provision of the Social Worker Licensure Act or one or more rules and regulation of the board.

9. Pursuant to K.A.R. 102-2-7: Any of the following acts by an licensee or an applicant for social work shall constitute unprofessional conduct:

- a. K.A.R. 102-2-7(b)(3): Has been demoted, terminated, suspended, reassigned, or asked to resign from employment, or has resigned from employment, for some form of misfeasance, malfeasance, or nonfeasance.
- b. K.A.R. 102-2-7(j): Offering to perform or performing services clearly inconsistent or incommensurate with one's training, education, and experience and with accepted professional standards for social work.
- c. K.A.R. 102-2-7(jj): Taking credit for work not performed personally, whether by giving inaccurate or misleading information or by failing to disclose accurate or material information.
- d. K.A.R. 102-2-7(ll): Making or filing a report that one knows to be distorted, erroneous, incomplete, or misleading.

10. Licensee was terminated from her position at DCF for her incorrect documentation contrary to DCF's conditions of employment. This is a violation of K.A.R. 102-2-7(b)(3).

11. Licensee performed services clearly inconsistent with her training, education, and experience and with the accepted professional standards for social work when she documented incorrect information. This is a violation of K.A.R. 102-2-7(j).

12. Licensee took credit for work that she did not perform when she documented several interviews that were determined to not have been completed. This is a violation of K.A.R. 102-2-7(jj).

13. Licensee filed misleading documented that she completed interviews of individual in relation to her employment at DCF as a Child Protection Specialist. A subsequent investigation determined that in some instances, Licensee did not complete the interviews. This is a violation of K.A.R. 102-2-7(ll).

### **SANCTION**

WHEREFORE, based on the above Findings of Fact and Conclusions of Law and pursuant to the authority granted by K.S.A. 65-6311(a) and the Kansas Administrative Procedure Act K.S.A. 77-537, the Complaint Review Committee of behalf of the Board finds that the Kansas Licensed Baccalaureate Social Worker license of Licensee Ramona Haynes is hereby **PUBLICALLY CENSORED** for her violations of the Kansas Social Worker Licensure Act.

IT IS SO ORDERED ON THIS 5<sup>th</sup> DAY OF September, 2018.

  
Chairperson, Complaint Review Committee  
On behalf of the Behavioral Sciences  
Regulatory Board

### 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

This written request must be filed within fifteen (15) calendar days from the date indicated in the below Certificate of Service. Pursuant to K.S.A. 77-503(c), the 15-day period begins the day after the date indicated in the Certificate of Service and includes weekends and legal holidays. If the 15<sup>th</sup> day falls on a Saturday, Sunday, or legal holiday, then the 15-day period runs until 5:00 p.m. on the next day which is not a Saturday, Sunday, or legal holiday. A request is considered "filed" on the date it is received at the Board's office. If a hearing is not requested in the time and manner stated, this Summary Order becomes a final order subject to judicial review. A petition for judicial review should be directed to the above recipient.

### **CERTIFICATE OF SERVICE**

This is to certify that on this 6 day of September 2018, a true and correct copy of the above and foregoing Summary Proceeding Order of Public Censure was deposited in the U.S. mail, first class postage prepaid, addressed to:

Ramona Haynes  


and a copy delivered via interoffice mail to:

Jane E. Weiler, Esq.  
Assistant Attorney General  
120 SW 10th Ave., 2nd Floor  
Topeka, KS 66612  
*Disciplinary Counsel for the Board*

Cindy Duvole  
For the Board