

Jane E. Weiler, KS S. Ct. #25276  
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Topeka, KS 66612  
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**BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**

**In The Matter Of** )  
)  
**ALEXIS N. RIVERS, LBSW** )  
**License #8572** )  
)  
**Respondent** )  
\_\_\_\_\_ )

**Case No. 19-BS-0175**

Pursuant to K.S.A. 77-536

**SUMMARY PROCEEDING ORDER OF SUSPENSION**

NOW, on this 11 day of February, 2020, 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. Alexis N. Rivers (“Respondent”) was at all times relevant, a Licensed Baccalaureate Social Worker (“LBSW”), having been issued LBSW License No. 8572 within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.

2. On or about May 10, 2019, the Board received a Report of Alleged Violation alleging Respondent may have violated certain statues and regulations governing the practice of licensed baccalaureate social workers in the State of Kansas. A subsequent investigation determined the following facts.

3. Respondent was employed at the Kansas Department for Children and Families (“DCF”).

4. On or about July 27, 2018, Respondent was arrested and charged with Second Degree Assault on a Special Victim, a Class B felony in the State of Missouri. This arrest occurred while Respondent was working for DCF.

5. Subsequently, Respondent was convicted of this charge, and on approximately May 1, 2019, DCF terminated Respondent based upon this criminal conviction.

6. Respondent did not report to the Board that she was terminated from DCF related to malfeasance.

7. Further, Respondent did not report this arrest to the Board, nor did Respondent report to the Board her criminal conviction.

8. On or about May 22, 2019, the Board’s investigator sent to Respondent notice of the Report of Alleged Violation, and the Board’s investigator requested a response from Respondent to this allegation no later than June 25, 2019.

9. Respondent did not provide to the Board’s investigator a response to this investigation by June 25, 2019.

10. On or about October 25, 2019, the Board’s investigator once again sent to Respondent notice of the Report of Alleged Violation, and the Board’s investigator requested a response from Respondent to this allegation no later than November 25, 2019.

11. The October letter was returned to the Board offices as unable to deliver, and with no forwarding address. Respondent does not have a current email on file with the Board.

12. To date, Respondent has not provided to the Board an updated mailing address.

13. Additionally, Respondent has not provided to the Board a response related to their investigation.

#### **APPLICABLE LAW**

14. Pursuant to K.S.A. 65-6311(c): Administrative proceedings and disciplinary actions regarding licensure under the social workers licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the social workers licensure act shall be in accordance with the Kansas judicial review act.

15. 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.

16. 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. The practice of social work requires knowledge of human development and behavior; of social, economic and cultural institutions and forces; and of the interaction of all these factors. Social work practice includes the teaching of practicum courses in social work and includes the diagnosis and treatment of mental disorders as authorized under K.S.A. 65-6306 and 65-6319, and amendments thereto.

17. Pursuant K.S.A. 65-6311(a)(5): 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 has violated a provision of the social workers licensure act or one or more rules and regulations of the board. Specifically, K.S.A. 65-6313(f): Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

18. Pursuant K.S.A. 65-6311(a)(9): 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 has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board. Specifically:

- a. K.A.R. 102-2-7(b)(3): except when the information has been obtained in the context of a confidential relationship, failing to notify the board, within a reasonable period of time, that any of the following conditions apply to any person regulated by the board or applying for a license or registration, including oneself 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(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.

### CONCLUSIONS OF LAW

19. Respondent is in violation of K.S.A. 65-6311(a)(5), as referenced in K.S.A. 65-6313(f), in that Respondent failed to notify the Board of the change of her permanent address.

20. Further, Respondent is in violation of K.S.A. 65-6311(a)(9), as defined in K.A.R. 102-2-7(b)(3), in that Respondent was terminated from her position with DCF for her conviction of a felony, and Respondent failed to report this termination to the Board as required.

21. Lastly, Respondent is in violation of K.S.A. 65-6311(a)(9), as defined in K.A.R. 102-2-7(i), in that Respondent has not responded to the Board's request for a response related to the investigation into her arrest and conviction of a felony, which resulted in her termination from DCF.

### ORDER

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 KAPA, K.S.A. 77-537, the Complaint Review Committee of behalf of the Board finds that the Kansas LBSW license of Respondent Alexis N. Rivers should be and is hereby **SUSPENDED** until further order of the Board.

IT IS SO ORDERED ON THIS 11 DAY OF February, 2020.



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 11 day of February, 2020, a true and correct copy of the above and foregoing Summary Proceeding Order of Suspension was deposited in the U.S. mail, first class postage prepaid, addressed to:

Alexis N. Rivers, LBSW

[REDACTED]  
[REDACTED]

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 D'Ercole  
For the Board