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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In The Matter Of)
)
CHAD E. JONES,)
LCPC #2235)
LCAC #629)
Respondent)

Case No. 21-LC-00⁹²~~77~~

Pursuant to K.S.A. 77-536

EMERGENCY PROCEEDING ORDER OF SUSPENSION

SUMMARY OF CASE

The Kansas Behavioral Sciences Regulatory Board (“Board”) received information sufficient to cause a reasonably prudent person to believe that Respondent Chad E. Jones, LCPC, LCAC, currently represents a danger to the health, safety and welfare of the general public based upon reliable evidence.

This Emergency Proceeding Order, issued pursuant to the Kansas Administrative Procedure Act (“KAPA”), K.S.A. 77-536, temporarily suspends Respondent’s Kansas Licensed Clinical Professional Counselor license and Respondent’s Kansas Licensed Clinical Addiction Counselor license until further Order of the Board or Order of the District Court.

FINDINGS OF FACT

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

In the Matter of Chad E. Jones, Case No. 21-LC-0092

1. Chad E. Jones (“Respondent”) was at all times relevant, a Licensed Clinical Professional Counselor (“LCPC”) within the meaning of the Kansas Professional Counselors Licensure Act, K.S.A. 65-5801, *et seq.*, having been issued LCPC license number 2435 on December 4, 2015, which expires on December 31, 2021. Additionally, Respondent was Licensed Clinical Addictions Counselor (“LCAC”) within the meaning of the Kansas Addictions Counselor Licensure Act, K.S.A. 65-6607, *et seq.*, and having been issued LCAC license number 629 on September 12, 2017, which expires on September 30, 2021.

2. On or about March 20, 2020, in Case No. 19-LC-00177 and Case No. 19-LC-0180, the Board issued a Summary Proceeding Order (“Order”) against Respondent’s LCPC license for his violations of the Kansas Professional Counselors Licensure Act; and against Respondent’s LCAC license for his violations of the Kansas Addiction Counselor Licensure Act. Respondent did not request a hearing, and this Order became effective April 7, 2020. Respondent is required to practice only under individual supervision by an independent clinical-level Board-approved supervisor under the terms and conditions of this Order.

3. On or about December 16, 2020, the Board received a Report of Alleged Violation (“RAV”) against Respondent. The complainant reported that there was an incident involving a car accident; however, it was Respondent’s subsequent conduct that concerned the complainant. Respondent sent to the other driver long text messages that contained profane language, which prompted the complainant to research Respondent. The complainant found questionable postings to the Facebook page of Chad E. Jones, LCPC, LCAC.

4. On or about December 28, 2020, Board staff sent to Respondent notification that he may be in violation of the Kansas Professional Counselors Licensure Act and/or the Kansas Addiction Counselor Licensure Act.

5. On or about January 2, 2021, Respondent called to the Board offices after he received the RAV. Respondent left four (4) separate voicemail messages in response to this RAV, each voicemail message lasted approximately ten (10) minutes. Respondent repeated himself frequently, and each voicemail contained the basically the same statements. In these messages, Respondent stated, in part:

- a. "I protect this God damn country."
- b. "I control the weather from my bedroom."
- c. "I control world events."
- d. "I am so powerful, that I control the weather."
- e. "If you guys want to make a bad situation for me, I can make a bad situation for the entire world."
- f. "Your safety and freedom are in my hands."
- g. "I have made a fortune controlling the weather."
- h. "I am sick of the BSRB doing this kind of crap."

6. On or about February 9, 2021, the Board received an email [REDACTED]

[REDACTED]

[REDACTED]

7. On or about February 14, 2021, Respondent submitted to the Board a complaint against another licensee. In his complaint, Respondent asserted that there was a conspiracy involving Respondent's ex-wife and this other licensee, and this conspiracy caused his children to be taken from him. Respondent repeats himself frequently in this email. Additionally, Respondent did report that he notified the FBI of this same issue. In his signature line, Respondent signed:

- a. Chad E. Jones, LCPC, LCAC

- b. "Mighty Angel"
- c. League of Extraordinary Gentleman
- d. The Watchman
- e. The Angel of the Republic

8. On or about February 22, 2021, Respondent submitted to the Board his response to the RAV. Respondent repeats himself frequently in his response. In this response, Respondent stated, "In turn, this complaint is nothing more than a vindictive rant and once again this woman will not leave me alone and has victimized me twice now." Further, Respondent stated, "This is so obvious an attack and I am for sure turning this into the FBI."

9. On or about February 27, 2021, Respondent was arrested and charged with several crimes, which include but not limited to, aggravated battery; disorderly conduct; domestic battery; two (2) counts of mistreatment of a dependent adult; possession of marijuana; and possession of opiate, narcotic, or certain stimulant. These alleged crimes were perpetrated against his father and his mother.

10. On or about February 28, 2021, Respondent's father died from the injuries sustained in the beating. Respondent is facing homicide charges related to his father's death.

APPLICABLE LAW

11. Pursuant to K.S.A. 77-536 of the Kansas Administrative Procedure Act:
- (a) A state agency may use emergency proceedings: (1) In a situation involving an immediate danger to the public health, safety or welfare requiring immediate state agency action or (2) as otherwise provided by law.
 - (b) The state agency may take only such action as is necessary: (1) To prevent or avoid the immediate danger to the public health, safety or welfare that justifies

use of emergency adjudication or (2) to remedy a situation for which use of emergency adjudication is otherwise provided by law.

- (c) The state agency shall render an order, including a brief statement of findings of fact, conclusions of law and policy reasons for the decision if it is an exercise of the state agency's discretion, to justify the state agency's decision to take the specific action and the determination of: (1) An immediate danger or (2) the existence of a situation for which use of emergency adjudication is otherwise provided by law.
- (d) The state agency shall give such notice as is practicable to persons who are required to comply with the order. The order is effective when rendered. Notice under this subsection shall constitute service for the purposes of the Kansas Judicial Review Act.
- (e) After issuing an order pursuant to this section, the state agency shall proceed as quickly as feasible to complete any proceedings that would be required if the matter did not justify the use of emergency proceedings under subsection (a).
- (f) The state agency record consists of any documents regarding the matter that were considered or prepared by the state agency. The state agency shall maintain these documents as its official record.
- (g) Unless otherwise required by a provision of law, the state agency record need not constitute the exclusive basis for state agency action in emergency proceedings or for judicial review thereof.

12. Pursuant to K.S.A. 65-5802(h): "Licensed clinical professional counselor" means a person who engages in the independent practice of professional counseling including the diagnosis

and treatment of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations and who is licensed under this act.

13. Pursuant to K.S.A. 65-5809(a)(1)(C): 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 is incompetent to practice professional counseling, which means a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice professional counseling.

14. Pursuant to K.S.A. 65-6608(e): "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed under this act.

15. Pursuant to K.S.A. 65-6615(a)(1)(C): 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 is incompetent to practice addiction counseling, which means a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice addiction counseling.

CONCLUSIONS OF LAW

16. Respondent is in violation of K.S.A. 65-5809(a)(1)(C), in that Respondent has exhibited a pattern of behavior that demonstrates a present manifest incapacity to practice professional counseling.

17. Respondent is also in violation of K.S.A. 65-6615(a)(1)(C), in that Respondent has exhibited a pattern of behavior that demonstrates a present manifest incapacity to practice addiction counseling.

ORDER

18. The Complaint Review Committee of the Board, on behalf of the Board, has reviewed the information related to the above charges and the relevant Kansas statutes, including but not limited to K.S.A. 65-5809, K.S.A. 65-6615, and K.S.A. 77-536.

19. The Board's mission is to promote the public health, safety and welfare relative to the practice of professional counselors and the practice of addiction counselors.

20. The Kansas Behavioral Sciences Regulatory Board concludes that a preponderance of evidence establishes that Respondent has the present inability to practice as an LCPC and as an LCAC safely as evidenced that Respondent has exhibited a pattern of behavior that demonstrates a manifest incapacity to practice professional counseling or to practice addiction counseling.

21. Respondent retains his LCPC license and his LCAC license.

22. The Board concludes that a preponderance of evidence establishes that based upon the information available to this time, the Board is unable to assure the public that Respondent is safe to practice as an LCPC nor as an LCAC. The Board finds that continued clinical practice creates an immediate risk of harm to the public health, safety or welfare that can be prevented or avoided only through emergency proceedings.

23. Proceedings under the Kansas Professional Counselors Licensure Act and Kansas Addiction Counselor Licensure Act are subject to the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*. K.S.A. 77-536 provides that the Board may employ emergency proceedings when a situation poses an immediate danger to the public health, safety or welfare.

24. The Board is authorized to take disciplinary action against licensed LCPC's and licensed LCAC's, including suspension or revocation of the license for violations of the Kansas Professional Counselors Licensure Act and/or the Kansas Addiction Counselor Licensure Act.

25. The Board has jurisdiction over Respondent by virtue of his Kansas LCPC license and his Kansas LCAC license. The Board has been charged by the Legislature with the responsibility to protect the public health, safety and welfare assuring the current fitness to practice of its licensees.

26. A protective order is hereby entered to protect all confidential information under 42 CFR Part II.

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, the Kansas Behavioral Sciences Regulatory Board hereby orders the following: Respondent Chad E. Jones' Kansas Clinical Professional Counselor license and his Kansas Licensed Clinical Addictions Counselor license shall both be immediately suspended subject to further proceedings pursuant to the Kansas Judicial Review Act, K.S.A. 77-601, *et seq.*, or further Order of the Board.

IT IS SO ORDERED ON THIS 5th DAY OF March, 2021.



David B. Fye, Executive Director
Authorized on behalf of the Behavioral
Sciences Regulatory Board

NOTICE OF RELIEF FROM SUMMARY PROCEEDING ORDER

Pursuant to KSA 77 536, this Emergency Proceeding Order is effective when rendered. Notice has been provided to all persons who are required to comply with the order. To appeal this Emergency Proceeding Order, a Petition for Judicial Review must be filed within thirty days pursuant to the terms of the Kansas Judicial Review Act, KSA 77-601, *et seq.*, and a copy of the Petition served upon:

David B. Fye, Executive Director
Behavioral Sciences Regulatory Board
700 SW Harrison St., Suite 420
Topeka, KS 66603-3929

CERTIFICATE OF SERVICE

This is to certify that on this 5th day of March, 2021, a true and correct copy of the above and foregoing Emergency Proceeding Order of Suspension was deposited in the U.S. mail, first class postage prepaid, addressed to:

Chad E. Jones
[REDACTED]

Chad E. Jones,
[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

David Fye For the Board David Fye
Executive Director
BSRB