

**KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**

Eisenhower State Office Building  
700 SW Harrison, Suite 420  
Topeka, Kansas 66603-3240

In the Matter of )  
 )  
 Kelly Malge )  
 Applicant for Licensure as a )  
 Master's Social Worker )

Case No. 21-MS-002

**Summary Proceeding Order**

The above-captioned matter comes for consideration before the Kansas Behavioral Sciences Regulatory Board (Board) on the application filed by Kelly Malge for licensure as a master social worker. Her application was considered by the following Board members: Ric Steele, Jacqueline Lightcap, Mary Jones, Deb Stidham, Laura Shaughnessy, Andrea Perdoma-Morales, and Leslie Sewester.

After reviewing its administrative records, the Board makes the following findings of fact, conclusions of law, and orders.

Findings of Fact

1. On March 3, 2021, the Board received an application for licensure as a master social worker (LMSW) from Kelly Malge (Malge).

2. In January 2020, Malge submitted an application for licensure as a bachelor social worker (LBSW). In September 2020, the Board issued an order finding Malge had violated a statute of the Social Workers Licensure Act and committed unprofessional conduct by presenting herself as a LBSW when she was not licensed as a LBSW. The order placed the following terms and conditions on Malge's LBSW:

(A) Upon employment as a LBSW, Malge's practice as a LBSW shall be supervised by a Board-approved licensed specialist clinical social worker (LSCSW) who has a minimum of twelve (12) months in such practice and is not in a familial, subordinate, or other dual relationship with Malge. If she decides to pursue licensure as specialist clinical social worker, Malge may use the same LSCSW supervisor. If a LSCSW is not available to provide supervision under this Order, the Board may approve another person who holds a clinical license from the Board, has a minimum of two (2) years of clinical practice in their licensed profession, and is not in a familial, subordinate, or other dual relationship with Malge.

**(B) Malge will hold the license as a baccalaureate social worker with the supervision and conditions imposed herein for a minimum of twelve (12) months. Any period of time that Malge is not employed as a LBSW or engaged in the practice as a LBSW shall not count towards this requirement of supervised practice.**

**(C) Malge shall provide a copy of this Order to her practice supervisor and her employer. Her practice supervisor and employer must agree in writing to abide by its terms. Malge's practice supervisor and employer shall mail their signed written agreement to the Board with seven (7) calendar days of becoming Malge's practice supervisor or employer.**

**(D) During this supervised period, Malge and her supervisor shall have bi-monthly, one-hour supervision sessions where they meet either in person or by an electronic medium of face-to-face interaction with confidentiality protections. These sessions shall focus on professional practice, professional ethics, professional judgment, and compliance with the following conditions.**

**(i) Malge shall complete six (6) hours of continuing education on ethics that are approved by the Board. This continuing education can be completed by either in person or an electronic medium. These continuing education hours shall be in addition to the continuing education hours required for renewal of her baccalaureate social worker license. Malge shall submit proof of completion of the six hours of continuing education on ethics to the Board during her supervisory period.**

**(ii) Malge shall submit to the Board a written 1,000-word paper acknowledging her violations of the Act as set forth above, accepting her responsibility for her conduct, addressing the importance of professional representation, and explaining the steps that she will take to avoid violations in the future. Any use of reference material shall be included in a bibliography.**

**(E) During the supervision period, Malge's practice supervisor shall provide the Board with written reports at the end of each three (3) month period of supervision. This report shall address the topics in paragraph 35(D) above. If her supervisor is not her employer, Malge's employer shall also provide the Board with written reports at the end of each three (3) month period of supervision that address the topics in paragraph number 35(D) above.**

**(F) Malge shall notify the Board and her practice supervisor within seven (7) calendar days of any unforeseen changes in her personal or professional status that would hinder or inhibit compliance with any of the above terms and conditions. In such event, a Board member who is**

licensed as a social worker and serving on the Board's Social Work Advisory Committee is authorized to modify or amend the terms or conditions of this Order. Any such modification or amendment of this Order must be in writing and signed by Malge and the Board member.

(G) Malge's practice supervisor or employer shall immediately notify the Board of their concerns if they have reason to believe that Malge has not complied with the terms and conditions of this Order or the Act and/or its implementing regulations.

(H) Malge shall bear any expense of supervision and all other costs incurred in satisfying the terms of this Order.

(I) Malge shall obey all federal, state, and local laws, including the statutes and regulations governing the practice of social work.

(J) At the end of the supervised practice period, Malge's supervisor and employer must submit a written report to the Board addressing whether Malge has a better understanding of her ethical duties as a social worker to the public and others such that continued supervision under this Order is not necessary. If either responds unfavorably, the Board may continue Malge's licensure as a baccalaureate social worker on the above terms and conditions, as well as any other terms and conditions that the Board deems appropriate, for an additional twelve (12) months. If the Board receives favorable responses, the Board shall lift the terms and conditions imposed herein on Malge's license.

(K) If Malge is not employed as a baccalaureate social worker within two (2) years from the date the Certificate of Service below, Malge shall have to submit a new application for licensure as a baccalaureate social worker.

(L) Malge must successfully pass the required examination for licensure as a baccalaureate social worker.

3. At the time the Board considered her LMSW application, Malge has passed the baccalaureate social worker examination, obtained a supervisor, been working as a LBSW, provided her paper acknowledging and accepting responsibility for her conduct, and submitted timely supervision reports. However, other conditions had not yet been satisfied or were ongoing until the end of the supervision period in September 2021. There have been no further reports concerning Malge's conduct.

4. Malge submitted three professional references in support of her application. Two of the references were licensed in Kansas as clinical social workers. The third reference had a doctorate degree in social work but was not licensed. All three references recommended Malge for licensure as a master social worker.

### Conclusions of Law

5. Malge submitted an application to the Board pursuant to the Kansas Social Workers Licensure Act (Act), K.S.A. 65-6301 *et seq.*, for licensure as a master social worker. The Board has jurisdiction over this matter and Malge.

6. The Act authorizes the Board to issue a master social worker license to an applicant who meets the education requirements, passes the examination for master social workers, and merits the public trust. K.S.A. 65-6306(b)(1) – (3). However, the Board may refuse to issue, condition or limit a social worker license if the applicant has violated a provision of the Act or a regulation of the Board or has been found to have engaged in unprofessional conduct. K.S.A. 65-6311(a)(5) and (9), respectively.

7. In September 2020, the Board determined that Malge had violated a statute in the Act and had engaged in unprofessional conduct. As a result, the Board granted Malge a license as a bachelor social worker but placed the terms and conditions that are listed in paragraph 2 above on her license. She has not yet complied with all of those terms and conditions and has several months before the expiration of her twelve-months' supervision period in September 2021. Thus, she must complete the remaining terms and conditions before the expiration of her twelve-months' supervision period.

8. So that Malge may be granted a LMSW prior to completion of all of the conditions on her LBSW and the expiration of her supervision period, the terms and conditions placed on her LBSW should be placed on her LMSW; however, the supervision period shall not begin anew but will remain the same and she shall be granted credit for those terms and conditions that she has completed prior to the effective date of this order. Additionally, the references to Malge's supervision, employment, practice, and licensure shall be as a LMSW rather than a LBSW.

9. Based upon the above findings and conclusions, the Board determines that Malge should be granted a LMSW subject to the above terms and conditions that are listed in paragraph 2 above as it relates to her supervision, employment, practice, and licensure as a LMSW and to her successfully passing the required examination for licensure as a master social worker. The Board further determines that the supervision period shall expire in September 2021 as it did for her LBSW and, upon proof that Malge has complied with all of the terms and conditions placed on her LMSW at the expiration of her supervision period, the terms and conditions shall be lifted from her LMSW.

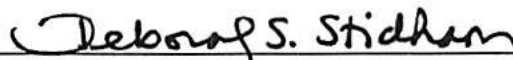
### Order

WHEREFORE, after consideration of the above findings of fact and conclusions of law, it is the decision and order of the Board that the application filed by Kelly Malge for licensure as a master social worker be granted subject to the above terms and conditions that are listed in paragraph 2 above as it relates to her supervision, employment, practice, and licensure as a LMSW and to her successfully passing the examination for licensure

as a master social worker. The Board also decides that Malge shall be given credit for those terms and conditions that have been completed at the time this order becomes effective. It is the further decision and order of the Board that the terms and conditions shall be lifted from her LMSW at the expiration of the supervision period in September 2021 if Malge has submitted proof that she has complied with all of the terms and conditions.

IT IS SO ORDERED.

Kansas Behavioral Sciences Regulatory Board



Deb Stidham, President of the Board and  
Presiding Officer

### NOTICE OF ADMINISTRATIVE RELIEF

Pursuant to K.S.A. 77-537(b) and 77-542(a), a written request for a hearing before the Board on the above Order may be filed with the Board within fifteen (15) days of the date listed on the certificate of service below. If the Board does not receive a request for a hearing in the time and manner stated, the above Summary Proceeding Order becomes effective upon expiration of the fifteen (15) day time. The Board's designee who may receive service of a request for a hearing on behalf of the Board is:

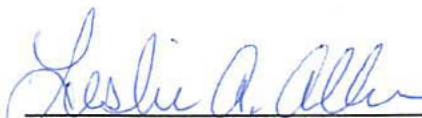
David Fye, Executive Director  
Behavioral Sciences Regulatory Board  
700 SW Harrison, Suite 420  
Topeka, Kansas 66603

### CERTIFICATE OF SERVICE

This is to certify that on this 24<sup>th</sup> day of June 2021 a copy of the above and foregoing Order and Notices was placed in the U.S. mail, first-class postage prepaid addressed to:

Kelly Malge





Staff,  
Behavioral Sciences Regulatory Board