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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In The Matter Of)
)
AARON S. NEWTON, LMSW) **Case No. 22-MS-0093**
License #10048)
)
Respondent)
)
_____)
Pursuant to K.S.A. 77-536

SUMMARY PROCEEDING ORDER

NOW, on this 21 day of June, 2022, 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. Aaron S. Newton (“Respondent”) was at all times relevant, a Licensed Master Social Worker (“LMSW”), having been issued LMSW License No. 10048. This license expires on June 30, 2022. Respondent is currently, and was at all times relevant an LMSW within the meaning of the laws relating to regulation of social workers, K.S.A. 65-6301 *et seq.*
2. On or about January 3, 2022, and on or about January 4, 2022, the Board received two separate Reports of Alleged Violation alleging Respondent may have violated certain statutes and regulations governing the practice of licensed master social workers in the State of Kansas.

3. Furthermore, on or about January 24, 2022, Respondent submitted to the Board a self-report that he may have violated the Kansas Social Workers Licensure Act.

4. From approximately 2016, through December 17, 2021, Respondent was employed at Bert Nash Community Mental Health Center (“Bert Nash”) in Lawrence, Kansas.

5. During part of this time at Bert Nash, Respondent held the position as a program manager in the Access Center. Respondent provided supervision to several staff members of Bert Nash in this position.

6. . For approximately 27 months, Respondent was the employment supervisor to another LMSW. This supervision included meeting with this staff member on a bi-monthly basis. This staff member reported directly to Respondent.

7. In early fall 2021, Respondent and this aforementioned staff member entered into a personal, romantic relationship. Respondent reported this personal, romantic relationship to the administration at Bert Nash in October 2021.

8. Bert Nash allowed Respondent to transfer to a different position upon learning about the personal, romantic relationship between Respondent and the other staff member. In this new position, Respondent would not be supervising this other staff member.

9. Bert Nash terminated Respondent’s employment on approximately December 17, 2021.

10. In his self-report to the Board, Respondent acknowledged that his personal relationship with this staff member could be considered a dual-relationship.

11. Additionally, in his self-report, Respondent reported that he received a notice of termination from Bert Nash with the reason being cited as “Behavior or Conduct Issue.”

12. Since his termination from Bert Nash, Respondent has completed continuing education hours related to ethical standards for social workers, specifically covering dual relationships and professional boundaries.

APPLICABLE LAW

13. Pursuant to K.S.A. 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.

14. 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.

15. Pursuant to 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.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.

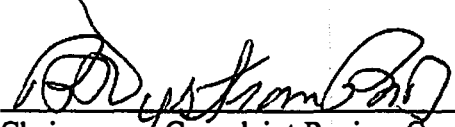
CONCLUSIONS OF LAW

16. Respondent is in violation of K.S.A. 65-6311(a)(5), as defined in K.A.R. 102-2-7(j), in that Respondent performed services clearly inconsistent with his training, education, and experience and with accepted professional standards for social work related to the boundary violation when he entered into a personal, romantic relationship with a staff member that he was supervising at Bert Nash.

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 K.S.A. 77-537, the Complaint Review Committee of behalf of the Board finds that the Kansas LMSW license of Respondent Aaron S. Newton should be and is hereby **PUBLICALLY CENSORED** for his violations of the Kansas Social Workers Licensure Act.

IT IS SO ORDERED ON THIS 20th DAY OF June, 2022.


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:

David B. Fye, 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 15th 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 21 day of June, 2022, a true and correct copy of the above and foregoing Summary Proceeding Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Diane Belquist
Attorney for Respondent/Licensee
Joseph, Hollander & Craft LLC
1508 SW Topeka Blvd.
Topeka, KS 66612

and by email to: jane.weiler@ag.ks.gov

Jane E. Weiler, Esq.
Assistant Attorney General
Disciplinary Counsel for the Board



For the Board