

KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

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

In the Matter of)
)
 Mazie P. Kolterman) Case No.
)
 Applicant for Licensure as a)
 Master Social Worker)

Summary Proceeding Order

The above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) for consideration of the application submitted by Mazie P. Kolterman for licensure as master social worker. The Presiding Officers who considered her application were the following Board members: Leslie Sewester, David Anderson, Jacqueline Lightcap, Bruce Nystrom, Andrea Perdomo-Morales, Laura Shaughnessy, Ric Steele, Deb Stidham, and Carolyn Szafran. Board members Mary Jones, Johnna Norton, and Donna Hoener-Queal were not present.

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

Findings of Fact

1. In February 2022, Mazie P. Kolterman submitted an application for licensure as master social worker (LMSW). She received her bachelor degree in social work in December 2019, but has not been licensed by the Board as a bachelor social worker. She will receive her master's degree in social work in May 2022.

2. In her application, Applicant answered "yes" to the following question: "Have you ever identified yourself as a social worker in Kansas (excluding student work)?" Applicant explained she had worked as an intake protection specialist with the Kansas Department of Children and Families (KDCF) from February 2020 to September 2021. Because she had a bachelor degree in social work, Applicant referred to herself as a social worker during her employment with KDCF.

3. Applicant provided three professional references who supported her application. One reference held a master's degree in social worker but was not licensed. She was Applicant's practicum instructor and had known Applicant for 8 months. The second reference was licensed as a master's social worker by the Missouri Division of Professional Registration, Committee for Social Workers. She was Applicant's supervisor and had had known her for six months. The last reference was also licensed as a

master's social worker by the Missouri Division of Professional Registration, Committee for Social Workers. She had known Applicant for six months as a co-worker.

Conclusions of Law

4. The Board is authorized under the Kansas Social Workers Licensure Act (Act), K.S.A. 65-6301 *et seq.*, to issue a license as a bachelor social worker or a master social worker to qualified applicants. K.S.A. 65-6306(a) and (b), respectively. Applicant has applied for licensure as a master social worker. The Board has jurisdiction over Applicant and this matter.

5. The Board may refuse to issue, condition or limit a social worker license or issue a public or private censure if an applicant has violated a provision of the Act or a regulation of the Board or has been found to have engaged in unprofessional conduct as defined in a regulation adopted by the Board. K.S.A. 65-6311(a)(5) and (a)(9), respectively. The definition of unprofessional conduct includes the following provision: "using without a license . . . any title or abbreviation prescribed by the Board for use only by persons currently holding that type or class of license." K.A.R. 102-2-7(zz).

6. K.S.A. 65-6307(a) states that persons who hold "a valid, unsuspended and unrevoked license issued under the provisions of this Act shall have the right to practice and use the title and the abbreviations prescribed by the Board for use by persons holding the license held by such persons." The qualifications for licensure as a baccalaureate social worker and a master social worker are set forth in K.S.A. 65-6306(a) and (b), respectively. The abbreviation for a licensed baccalaureate social worker is LBSW and the abbreviation for a licensed master social worker is LMSW. K.A.R. 102-2-1a(l) and (m), respectively.

7. K.S.A. 65-6303(a) prohibits any person who is not licensed by the Board as a social worker from holding themselves out "as performing the services of a social worker unless such person is licensed in accordance with the provisions of this Act."

8. Applicant admitted she presented herself to others as a social worker while working as an intake protection specialist for approximately 18 months. She did so because she had a bachelor's degree in social work. During that time period, Applicant was not licensed as a bachelor social worker by the Board. Without being licensed as a social worker, Applicant was prohibited from herself out to others as performing the services of a social worker.

9. The Board concludes that Applicant violated K.S.A. 65-6307(a) and K.S.A. 65-6303(a) during the 18 month period that she presented herself as a social worker but was not licensed by the Board as a social worker. The Board also concludes that Applicant violated K.S.A. 65-6311(a)(9) by committing unprofessional conduct as defined in K.A.R. 102-2-7(zz) during the 18 months period that she presented herself as a social worker but was not licensed by the Board as a social worker.

10. Applicant was not aware of the above provisions that prohibit persons from presenting themselves as a social worker without a license under the Act. Her lack of knowledge about this prohibition after having received her bachelor's degree in social work is concerning. However, Applicant has provided positive recommendations from two professionals who are licensed in Missouri as a master social worker and one professional who holds a master's degree in social work.

11. Based upon the above factual findings and conclusions of law, the Board determines that Applicant shall be publicly censured for her violations of the Act. The Board further determines that Applicant's violation of the Act and K.A.R. 102-2-7(zz) shows cause exists to place conditions upon Applicant's license to practice as master social worker. Therefore, the Board hereby grants Applicant's application to practice as a master social worker subject to the following terms and conditions.

(A) Upon employment as a LMSW, Applicant's practice as a LMSW 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 Applicant. If she decides to pursue licensure as specialist clinical social worker, Applicant 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 Applicant.

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

(C) Applicant 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. Applicant's practice supervisor and employer shall submit their signed written agreement to the Board within seven (7) calendar days of becoming Applicant's practice supervisor or employer.

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

(E) Applicant shall complete six (6) hours of continuing education on ethics and the professional practice of social work that are approved by the Board. This continuing education can be completed by attending in person or by an electronic medium. The continuing education hours shall be in addition to the continuing education hours required

for renewal of her master social worker license. Applicant shall submit proof of completion of this continuing education to the Board during her supervisory period.

(F) During this supervised period, Applicant'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 11(E) above. If her supervisor is not her employer, Applicant'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 11(E) above.

(G) Applicant 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 Applicant and the Board member.

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

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

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

(K) At the end of the supervised practice period, Applicant's supervisor and employer must submit a written report to the Board addressing whether Applicant 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 Applicant's licensure as a master social worker on the terms and conditions herein, 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 Applicant's license.

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

(M) Applicant must receive her master's degree in social work in May 2022 and successfully pass the required examination for licensure as a master social worker.

Order

WHEREFORE, after consideration of the above findings of fact and conclusions of law, it is the decision and order of the Board that Mazie P. Kolterman be publicly censured for her violations of the Act and that her license as a master social worker be granted subject to the conditions set forth above.

IT IS SO ORDERED.

Kansas Behavioral Sciences Regulatory Board



Leslie Sewester, Board Chair 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 Summary Proceeding Order may be filed with the Board within fifteen (15) days of the date listed on the certificate of service below. If a hearing is not requested 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 18th day of April 2022 a copy of the above and foregoing Summary Proceeding Order and Notice of Administrative Relief was placed in the U.S. mail, first-class postage prepaid addressed to:

Mazie P. Kolterman



Staff,
Kansas Behavioral Sciences Regulatory Board