

Marty M. Snyder, Supreme Court #11317
Kansas Attorney General's Office
120 SW 10th St, Second Floor
Topeka, KS 66612-1597
(785) 296-2215

BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD

712 South Kansas Avenue
Topeka, Kansas 66603-3817

In the Matter of)

CHRISTOPHER L. McKEE, LSCSW,)
License No. 1231)
Respondent)
_____)

Case No. 08 - CS - 33
Case No. 08 - CS - 36

CONSENT AGREEMENT AND ORDER

NOW on this 9 day of September, 2008, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Christopher L. McKee, LSCSW, (Licensee) and the Kansas Behavioral Sciences Regulatory Board (Board) for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Christopher L. McKee is currently, and at all times relevant has been, a Licensed Specialist Clinical Social Worker within the meaning of the Kansas Social Workers Act, K.S.A. 65-6301 *et seq.* and amendments thereto.

2. On or about October 22, 2007, the Board received a self-report of information concerning Licensee's conduct, that Licensee had kissed a social work client. On or about October 30, 2007, the Board received a report of information concerning Licensee's conduct that reported the same misconduct.

3. The Board conducted an investigation concerning Licensee's alleged violation of statutes and regulations.

4. During the investigation, Licensee was informed of the reported information, was given the opportunity to respond to the allegations and did respond the allegations in his letters dated November 28, 2007, January 1, 2008 and March 3, 2008.

5. As a result of the investigation, the Board finds probable cause to believe the following facts:

a. Licensee allowed his professional relationship with a client to change to a personal friendship that eventually involved hugging and kissing but no sexual relations.

b. Licensee stopped seeing the client professionally and personally. He reported this information to his employer and self-reported the information to the Board.

c. Licensee voluntarily began therapy for this incident and continues to see Annette Bartel, LSCSW, and follow her practice suggestions. Further, he has chosen Steve Spyres, LSCSW, as a practice supervisor and continues to meet with him.

6. The Board finds that reasonable grounds exist to believe Licensee has violated K.S.A. 65-6311(4) unprofessional conduct and (6) negligence or wrongful actions in the performance of duties and K.S.A. 65-6408(3) violation of the act, rules or regulations and (7) unprofessional conduct, as defined as follows:

a. K.A.R. 102-2-7(y) making sexual advances toward or engaging in physical intimacies ... with any client ... of that licensee, and

b. K.A.R. 102-2-7 (tt) engaging in a dual relationship with a client....

However, Licensee and the Board mutually desire to enter a Consent Agreement and Order in lieu of adjudicative proceedings to resolve the reports of alleged violations.

WHEREFORE, Licensee waives all rights to an adjudication of facts and law which could be determined pursuant to a hearing conducted in accordance with the Kansas Administrative Procedure Act in relation to Case No. 08-CS-33 and Case No. 08-CS-36.

WHEREFORE, Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions in relation to Case No. 08-CS-33 and Case No. 08-CS-36.

WHEREFORE, Licensee consents to suspension of his license for twelve (12) months from the effective date of this Agreement with the suspension stayed on the following terms and conditions of probation:

(a) If Licensee is employed in a setting requiring his LSCSW license, he shall have his practice supervised by a board-approved supervisor who is not in a subordinate or familial relationship with the Licensee. The supervisor shall be licensed at the clinical practice level. The focus of the supervision shall be on therapist ethics, dual relationships and boundaries. There shall be at least one one-hour supervision session for every forty working hours so long as Licensee is employed in a position that requires his license.

(b) The supervisor shall provide written progress reports to the Board every three (3) months regarding Licensee's compliance with the supervision process. In the event of non-compliance, the supervisor shall report to the Board immediately. Licensee shall provide the supervisor with a copy of this Agreement and shall make every effort to ensure that all conditions of the Agreement are met. Licensee shall cooperate with his practice supervisor to enable the supervisor to discharge his or her duties in a responsible manner.

(c) Supervised hours will not count toward any supervised experience requirement for the next level of licensure.

(d) Licensee shall continue in therapy with Annette Bartel, LSCSW, and shall continue to follow her recommendations of continuing individual therapy and case supervision.

(e) Licensee shall be responsible for any costs and expenses incurred in satisfying the terms of this Consent Agreement and Order.

(f) Evidence of Licensee's breach, violation or failure to comply with any of the conditions will result in a hearing, with notice and opportunity to be heard, to determine whether Licensee has in fact breached, violated or failed to comply with any conditions. Upon determination at such hearing that Licensee has breached, violated or failed to comply with any condition, Licensee understands and agrees that his license shall be suspended until such time as Licensee can demonstrate compliance with all terms and conditions of this Consent Agreement and Order to the satisfaction of the Board .

(g) Licensee acknowledges that proof submitted to the Board by affidavit or other form of competent evidence that Licensee has breached, violated or failed to meet the conditions of this Consent Agreement and Order shall be good and sufficient evidence to support an alleged violation of breach, violation or non-compliance.

(h) Licensee understands that a notification of this Consent Agreement and Order shall be provided to any other state licensing board if Licensee is also licensed, registered or certified in another state.

(i) Licensee acknowledges an affirmative duty to notify the Board within five (5) days of any changes in personal or professional employment status which would inhibit

compliance with any condition of this Consent Agreement and Order. In such event, a designee of the Board is authorized to modify or amend this Consent Agreement and Order in writing.

(j) If the Board does not approve this Consent Agreement and Order, Licensee waives any right he may have to object to the composition of any subsequent hearing panel due to hearing panel members having knowledge of matters contained within this Consent Agreement and Order.

(k) This Consent Agreement and Order constitutes the entire agreement between the Licensee and the Board and may be modified or amended only by written agreement signed by Licensee and the Board or a designee of the Board.

WHEREFORE, Licensee consents to the submission of this Consent Agreement and Order to the Board's Complaint Review Committee and understands that, upon approval of the Complaint Review Committee, this Consent Agreement and Order will become a Final Order of the Board. The Board has authorized the Complaint Review Committee to determine approval of this Consent Agreement and Order.

WHEREFORE, the Board agrees that, so long as Licensee complies with the above conditions, the Board will not initiate further disciplinary action against Licensee in relation to violations of K.S.A. 65-6311 and K.S.A. 65-6408 as a result of this proceeding.

WHEREFORE, the Board further agrees that, at the conclusion of the twelve-month probationary period upon determination of Licensee's compliance with the conditions stated herein and upon Board receipt of an acceptable reference from Licensee's supervisor on a Board-approved form, Licensee shall be unconditionally licensed as a Licensed Specialist Clinical Social Worker.

WHEREFORE, the foregoing provisions are consented to, are hereby made the final Order of the Kansas Behavioral Sciences Regulatory Board and become effective on the date indicated in the Certificate of Service below.

IT IS SO ORDERED.

Wesley Jones, Ph.D.
Wesley Jones, Ph.D.
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:

Christopher McKee
Christopher McKee, LSCSW
Respondent Licensee

8.25.08
Date

APPROVED BY:

David Summers
Counsel for Respondent

8/28/08
Date

Certificate of Service

This is to certify that on this 9 day of September, 2008, a true and correct copy of the above and foregoing Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Christopher McKee
[Redacted]

[counsel] David Summers, Esq.
Summers & Johnson, PC
717 Thomas St.
Weston, MO 64098

Wesley Jones, Ph.D.
For the Behavioral Sciences Regulatory Board

Marty M. Snyder, Supreme Court #11317
Assistant Attorney General
Kansas Attorney General's Office
120 SW 10th Avenue, 2nd Floor
Topeka, KS 66612
(785) 296-2215

BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD
712 South Kansas Avenue
Topeka, Kansas 66603-3817

In the Matter of)	
)	Case No. 08-CS-0033
CHRISTOPHER L. McKEE, LSCSW)	Case No. 08-CS-0036
License No. 1231,)	
Respondent)	

**AGREED MODIFICATION TO
CONSENT AGREEMENT AND ORDER**

NOW, on this 8 day of December, 2008, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Christopher L. McKee (Licensee) and the Kansas Behavioral Sciences Regulatory Board for the purpose of modifying the Consent Agreement and Order previously entered in this matter on the 9th day of September, 2008.

Licensee hereby acknowledges the following:

1. On or about October 31, 2008, the Board received a letter from Annette Bartel, L.S.C.S.W., who is providing individual therapy to Licensee, requesting that Licensee be allowed to modify his clinical supervision with Steve Spyres, L.S.C.S.W., from face-to-face meetings to telephone meetings due to the fact that Licensee lives approximately 90 miles from Mr. Spyres' office in Topeka.
2. Licensee would continue to travel to Topeka for his individual therapy with Ms. Bartel.

WHEREUPON, the Board, having reviewed the request, finds as follows:

A. Pursuant to paragraph (k) of the Consent Agreement and Order dated the 9th day of September, 2008, "This Consent Agreement and Order constitutes the entire agreement between the Licensee and the Board and may be modified or amended only by written agreement signed by Licensee and the Board or a designee of the Board."

B. Licensee's clinical supervision with Steve Spyres shall continue as scheduled, but every other meeting may be held by telephone. Duration of all telephone meetings shall be not less than thirty (30) minutes.

C. All previous agreements and stipulations contained in the Consent Agreement and Order dated September 9, 2008, not specifically modified herein shall remain in full force and effect.

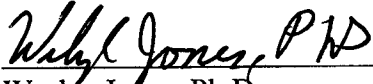
WHEREFORE, Licensee consents to the submission of this Agreed Modification to the Consent Agreement and Order to the Board's Complaint Review Committee, and understands that, upon approval of the Complaint Review Committee, this Agreed Modification to the Consent Agreement and Order becomes a final order of the Board. The Board has authorized the Complaint Review Committee to approve this Agreed Modification to the Consent Agreement and Order.

WHEREFORE, the Board agrees that, so long as Licensee complies with the above conditions, the Board will not initiate further disciplinary action against Licensee in relation to the original violations of K.A.R. 102-3-12a.

WHEREFORE, the Board further agrees that at the conclusion of the supervision period, upon determination of Licensee's compliance with the conditions stated herein, Licensee shall be unconditionally licensed as a Licensed Clinical Professional Counselor.


WHEREFORE, the provisions above are consented to and are hereby made the final order of the Kansas Behavioral Sciences Regulatory Board which become effective on the date indicated in the below Certificate of Service.

IT IS SO ORDERED.

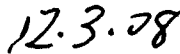


Wesley Jones, Ph.D.
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:



Christopher L. McKee
Respondent/Licensee



Date

REVIEWED AND APPROVED:

David Summers
Counsel for Licensee

Date

WHEREFORE, the provisions above are consented to and are hereby made the final order of the Kansas Behavioral Sciences Regulatory Board which become effective on the date indicated in the below Certificate of Service.

IT IS SO ORDERED.


Wesley Jones, Ph.D.
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:

Christopher L. McKee
Respondent/Licensee

Date

REVIEWED AND APPROVED:



David Summers
Counsel for Licensee

12/2/08

Date

CERTIFICATE OF SERVICE

This is to certify that on the 12^m day of December, 2008, a true and correct copy of the above and foregoing Agreed Modification to the Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Christopher L. McKee



David Summers, Esq.
Summers & Johnson, PC
717 Thomas Street
Weston, MO 64098

Roger Acurlock
For the Behavioral Sciences Regulatory
Board

September 30, 2009

Christopher L. McKee, LSCSW

XXXXXXXXXX

XXXXXXXXXX

Re: Consent Agreement and Order 08-CS-0033 & 08-CS-0036

Dear Mr. McKee,

You have complied with all of the conditions set forth in the Consent Agreement and Order under which you have practiced since September 9, 2008 and the Modified Consent Agreement and Order under which you have practiced since December 12, 2008. The Board has received an acceptable reference from your supervisor.

You are now unconditionally licensed as a Licensed Specialist Clinical Social Worker.

Thank you for your cooperation in this matter.

Sincerely,

Carol Baldwin
Special Investigator