

Marty M. Snyder, KS S. Ct. #11317
Assistant Attorney General
120 SW 10th Avenue, Second Floor
Topeka, KS 66612-1597
(785) 296-2215

DEC 20 2017
BY: W

BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter of)
)
RENEE ROBERTS,)
LAC #1211,)
Respondent)

Case No. 17-AC-096

CONSENT AGREEMENT AND ORDER

NOW, on this 27 day of December, 2017, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board [Board], by and through Assistant Attorney General Marty M. Snyder, by agreement with Renee Roberts [Respondent / Licensee], for the purpose of resolving the above-captioned case.

Respondent hereby acknowledges the following:

1. Renee Roberts, at all times relevant, has been a Licensed Addictions Counselor within the meaning of the Addictions Counselor Licensure Act, K.S.A. 65-6601, *et seq.*, and amendments thereto.

2. On March 23, 2017, the Board received a self-report of information concerning Respondent's conduct, disclosing that Respondent violated certain statutes and regulations governing the practice of addictions counseling in Kansas.

3. The Board conducted an investigation concerning the self-reported violations, and received another report regarding the same facts. During the investigation, Respondent cooperated fully and provided additional information at the request of the investigator.

4. As a result of the investigation, the Board finds that the following facts have been established by a preponderance of persuasive evidence:

a. Licensee was employed as an addictions counselor with Labette Center for Mental Health Services. In that capacity, she had an inappropriate sexual relationship with a client during the month of March 2017. At the time she filed her self-report, Licensee had ended the personal and the professional relationship.

b. Licensee reported this situation to her employment supervisor, and her employment at the Center was terminated. She has accepted responsibility for the situation, and is now employed in a position that does not require an addictions counselor license.

Conclusions of Law

The Complaint Review Committee of the Board finds that probable cause exists to believe Respondent has violated the following statutes and regulations:

A. K.S.A. 65-6615. Grounds for discipline (a)(9).

B. K.A.R. 102-7-11 – Unprofessional Conduct.

Each of the following acts shall be considered unprofessional conduct for a licensed addiction counselor:

(v) engaging in a harmful dual relationship or exercising undue influence;

(w) making sexual advances toward or engaging in physical intimacies or sexual activities with either of the following:

(1) Any person who is a client...;

(g) failing to recognize, seek intervention and otherwise appropriately respond when one's own personal problems, psychosocial distress or mental health difficulties interfere with or negatively impact professional judgment, professional performance and functioning or the ability to act in the client's best interests.

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

WHEREFORE, Respondent 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 [KAPA] in relation to Case No. 17-AC-096.

WHEREFORE, Respondent waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Judicial Review Act [KJRA] in relation to Case No. 17-AC-096.

WHEREFORE, the Board and Respondent agree to the following terms and conditions of probation until she has completed two years of supervised practice:

(a) Licensee shall notify the Board's Investigator within two business days of her employment in a position that requires an addiction counselor license.

(b) When employed using her license, Licensee shall obtain onsite employment supervision and meet face to face a minimum of one hour per week. Licensee shall provide copies of this CAO to her supervisor. The focus of the supervision shall be on professional boundaries, objectivity, avoiding dual relationships and seeking help when faced with personal problems that may interfere with professional relationships. The supervisor shall provide quarterly written reports to the Board's Investigator but initiate immediate contact if there are any problems.

(c) Respondent shall continue with therapy as determined between herself and the therapist. The therapist may be licensed in Kansas, Missouri or Oklahoma and shall provide general progress reports on a quarterly basis to the Board's Investigator.

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

(e) Evidence of Respondent's failure to comply with any of these conditions may result in suspension of Respondent's Kansas Licensed Addictions Counselor license until such time as she can demonstrate compliance with all terms and conditions of this Consent Agreement and Order to the satisfaction of the Board.

(f) Respondent acknowledges an affirmative duty to notify the Board's Investigator within five (5) days of any changes in personal or professional 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.

(g) Respondent understands that a notification of this Consent Agreement and Order shall be provided to any other state licensing board if Respondent is also licensed, registered or certified in another state and as otherwise required by law.

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

WHEREFORE, Respondent consents to the submission of this Consent Agreement and Order to the Board's Complaint Review Committee and understands that, upon approval by 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 Respondent complies with the above conditions, the Board will not initiate further disciplinary action against Licensee in relation to violations of K.S.A. 65-6615 and K.A.R. 102-7-11 as a result of this proceeding.

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 this 23rd day of December, 2017.

Terry Pfannenstiel, Ph.D.
Terry Pfannenstiel, Ph.D., LCP, LCMFT
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:

[Signature]
Renee Roberts, LAC
Licensee / Respondent

12/12/17
Date

CERTIFICATE OF SERVICE

This is to certify that on this 21 day of December, 2017, a true and correct copy of the above Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Renee Roberts
[Redacted]

and emailed to: [Redacted]

and a copy sent by building mail to:

Marty M. Snyder
Assistant Attorney General

Linda D'Neale
For the Board