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BY: _____

Jane E. Weiler, #25276
Assistant Attorney General
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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD
700 SW Harrison Street, Suite 420
Topeka, Kansas 66603-3929

In the Matter of)
LAURA STEAD, T-LMFT)
License No. 3008)
)
Licensee)

Case No. 19-MF-0114

CONSENT AGREEMENT AND FINAL ORDER

NOW on this 27 day of August, 2019, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (“Board”) by and through Assistant Attorney General Jane E. Weiler on behalf of the Board, and by agreement of Laura Stead, (“Licensee”), by and through her counsel of record, Kathy Webb, for the purposes of resolving the above-captioned matter.

The parties knowingly and voluntarily agree as follows:

1. On September 10, 2018, the Board issued Licensee a temporary Licensed Marriage and Family Therapist [T-LMFT] within the meaning of the Kansas Marriage and Family Therapists Licensure Act, K.S.A 65-6401, *et seq.*, and amendments thereto.

CASE NO. 19-MF-0114

2. On or about February 4, 2019, Licensee submitted to the Board a Report of Alleged Violation. Licensee reported that she was employed by Corizon Health and worked at the El Dorado Correction Facility (“EDCF”).

3. In her self-report, Licensee stated, “During my employment, I found myself having romantic feelings towards an offender in my unit. Due to those feelings, I made the decision to resign from my position.” Licensee reported that she did not act on these feelings while employed at EDCF.

4. Further, Licensee reported that following her resignation she started to communicate with her former client via mail/letters.

5. Additionally, on or about February 8, 2019, two (2) separate Report of Alleged Violations were received by the Board, and each alleged Licensee may have violated certain statues and regulations governing the practice of marriage and family therapy in the State of Kansas. These reports relate to Licensee's self-report.

6. On or about January 11, 2019, Licensee told her supervisor she was resigning her position on that day. While Licensee has previously mentioned to her supervisor that she may resign, her sudden departure did not provide enough notice to EDCF to make appropriate arrangements for Licensee's clients.

APPLICABLE LAW

7. K.S.A. 65-6402(b): "Marriage and family therapy" means the assessment and treatment of cognitive, affective or behavioral problems within the context of marital and family systems and includes the diagnosis and treatment of mental disorders as authorized under the marriage and family therapists licensure act.

8. K.S.A. 65-6402(c): "Licensed marriage and family therapist" means a person who engages in the practice of marriage and family therapy and who is licensed under this act except that on and after January 1, 2002, such person shall engage in the practice of marriage and family therapy only under the direction of a licensed clinical marriage and family therapist, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders.

9. K.S.A. 65-6408(a)(9): 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 been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board. Specifically:

- a. K.A.R. 102-5-12(b)(2)(C): except when the information has been obtained in the context of confidentiality, failing to notify the board, within a reasonable period of time, that the licensee or applicant or any other person regulated by the board or applying for licensure or registration has been demoted, terminated, suspended, reassigned, or asked to resign from employment, or has resigned from employment, for some form of misfeasance, malfeasance, or nonfeasance.

- b. K.A.R. 102-5-12(b)(39): failing to seek continuation of service, or abandoning or neglecting a client under or in need of professional care, without making reasonable arrangements for that care.
- c. K.A.R. 102-5-12(b)(40): abandoning employment under circumstances that seriously impair the delivery of professional care to clients and without providing reasonable notice to the employer
- d. K.A.R. 102-5-12(b)(44): engaging in a dual relationship with a client, student, or supervisee.

10. Licensee and the Board mutually desire to enter into this Consent Agreement and Final Order in lieu of further summary and adjudicative proceedings.

11. Licensee understands that by entering into this Consent Agreement and Final Order she waives all rights to further adjudication of facts and law that could be determined pursuant to summary proceedings or a hearing conducted in accordance with the Kansas Administrative Procedures Act, K.S.A. 77-501 *et seq.* in relation to Case No. 19-MF-0114.

12. Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Act for Judicial Review, K.S.A. 77-601 *et seq.* in relation to Case No. 19-MF-0114.

13. The Board accepts Licensee's waiver of rights and stipulations.

ORDER

WHEREFORE, the Board finds that the above facts have been established by clear and convincing evidence; and further finds that Licensee is in violation of K.S.A. 65-6408(a)(9), as defined in K.A.R. 102-5-12(b)(2)(C), in that Licensee resigned from her position at EDCF when she started to have romantic feelings for her client, and then developed a friendship with this same client. In addition, Licensee is in violation of K.S.A. 65-6408(a)(9), as defined in K.A.R. 102-5-12(b)(39) and K.A.R. 102-5-12(b)(40), in that Licensee provided notice to her supervisor of her intent to resign on the day she resigned, and her failure to provide adequate notice impacted the delivery of services to her clients. Further, Licensee is in violation of K.S.A. 65-6408(a)(9), as defined in K.A.R. 102-5-12(b)(44), in that Licensee engaged in a dual relationship with her former client when she developed romantic feelings for her client while his therapist, then quit her job to establish a friendship with her former client.

AND WHEREAS Licensee and the Board mutually desire to enter into a Consent Agreement and Final Order in lieu of further adjudicative proceedings to resolve the reported violations.

NOW THEREFORE, Licensee consents to the following terms and conditions, and the Board orders that:

14. Licensee shall notify the Board's Investigator prior to her return to the active practice as a Marriage and Family Therapist, requiring the use of her license.

15. While employed using her license, for a period of two (2) years, Licensee shall practice only under individual supervision by an independent clinical-level supervisor to be approved by the Board. There shall be no dual relationship with the supervisor. Licensee shall have one (1) hour meetings every week with her supervisor. The focus shall be related to dual relationships and professional practice. These hours shall not count/accrue toward clinical licensure.

16. Licensee shall provide a copy of this Consent Agreement and Final Order to her supervisor and authorize the supervisor to provide written quarterly reports to the Board's Investigator for the two (2) year term of supervision. These quarterly reports shall be due every three (3) months, with a minimum of eight (8) quarterly reports submitted over the course of the two (2) year supervision timeframe.

17. Licensee must notify the Board's Investigator within ten (10) days of a change in her employment.

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

19. Additionally, Licensee shall obtain three (3) extra continuing education hours in Ethics beyond the biennial requirement, taken in-person or on-line within thirty (30) days upon returning to the practice as a Marriage and Family Therapist. These additional continuing education hours shall include, but not limited to, dual relationship.

20. These hours shall be in addition to those continuing education hours required for renewal of license.

21. All foreseen and unforeseen expenses to complete the aforementioned course(s) including travel, lodging, program fee, meals, etc., shall be at Licensee's own expense.

22. Licensee shall all submit to the Board's investigator at its offices located at 700 SW Harrison St, Suite 420, Topeka, Kansas, 66603, any and all documents evidencing compliance with the terms and conditions required by this Consent Agreement and Final Order.

23. After completion of the actions set out in the Consent Agreement and Final Order, Licensee will have no remaining obligations to the Board in relation to this

case. However, Licensee may be subject to further enforcement action if Licensee fails to comply with the terms, conditions, and requirements imposed by this Consent Agreement and Final Order.

24. The matters referred to in this Consent Agreement and Final Order shall not be grounds for future action against Licensee, except the extent that that such matters may be relevant for future disciplinary or licensure proceedings in the Board's consideration of the factors identified in K.S.A. 65-6407 [Licensure; expiration and renewal; continuing education; reinstatement of suspended or revoked license], and K.S.A. 65-6408 [Refusal to grant' suspension, condition, limitation, qualification, restriction or revocation of license, grounds], for establishing rehabilitation or a pattern of conduct.

25. Except as provided in paragraph 23, this Consent Agreement and Final Order shall operate as a complete release of all claims the parties may have against each other pending before the Board and arising out of the Board's investigation of these matters. Licensee agrees not to file, or cause to be filed, any litigation or claims in any federal or state court of law or federal or state administrative agency against the Board, its agents, Board members, or employees, individually or in their official capacity. Such litigation or claims include, but are not limited to, any K.S.A. Chapter 60 or Chapter 61 civil action regarding negligence and/or a 42 United States Code action and/or any administrative petition for redress. Licensee agrees that all actions in this matter were a bona fide use of administrative discretion on the part of the Board, its members, and employees, which is a statutory exception to liability within the Kansas Tort Claims Act, K.S.A. 75-6104(b), (c) or (e).

26. Licensee agrees that this Consent Agreement and Final Order conforms to Kansas and federal law and that the Board has jurisdiction to enter into it and enter the Final Order provided for herein.

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

28. This Consent Agreement and Final Order shall be a public record in the custody of the Board.

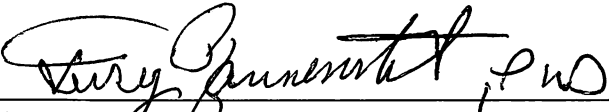
29. This Consent Agreement and Final Order constitutes the entire agreement of the parties and may only be modified by order of the Board or by a subsequent writing signed by the parties. The agreement shall be interpreted in accordance with the laws of the State of Kansas.

30. This Consent Agreement and Final Order shall become effective on the date indicated in the Certificate of Service.

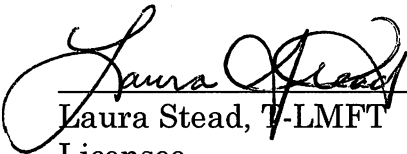
WHEREFORE, the parties consent to these provisions, which are hereby made the Final Order of the Kansas Behavioral Sciences Regulatory Board in the above-captioned case.

IT IS SO ORDERED.


Dated this 7th day of August 2019.


Chairperson, Complaint Review Committee
On behalf of Kansas Behavioral Sciences
Regulatory Board

AGREED AND CONSENTED TO BY:


Laura Stead, T-LMFT
Licensee

8/7/19
Date


Kathy Webb SC #11680
Attorney for Licensee

Aug. 7, 2019
Date

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Consent Agreement and Final Order was served on this 27 day of August 2019 by depositing the same in the United States mail, postage prepaid, addressed to:

Kathy Webb
Attorney for Licensee
7430 E. 26th St. N
Wichita, KS 67226

And a copy delivered via interoffice mail to:

Jane E. Weiler, Assistant Attorney General
Office of the Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612
Disciplinary Counsel for the Board

Cindy D'Enole

For the Kansas Behavioral Sciences
Regulatory Board