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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In The Matter Of)
)
SUNNIE D. SHEDD, LSCSW) Case No. 20-CS-0104
License #4874)
)
Respondent)
_____))
Pursuant to K.S.A. 77-536

SUMMARY PROCEEDING ORDER

NOW, on this 18 day of November, 2020, 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. Sunnie D. Shedd ("Respondent") was at all times relevant, a Licensed Specialist Clinical Social Worker ("LSCSW"), having been issued LSCSW License No. 4874. This license expires on December 31, 2020. Respondent is currently, and was at all times relevant an LCSSW within the meaning of the laws relating to regulation of social workers, K.S.A. 65-6301 *et seq.*
2. On or about January 27, 2020, a Report of Alleged Violation was received by the Board alleging Respondent may have violated certain statues and regulations governing the practice of licensed specialist clinical social workers in the State of Kansas.

3. An investigation determined that Respondent was employed as a Child and Family Therapist in a community health center in the State of Kansas for the past five years.

4. While employed at this community health center, Respondent provided therapy services to a minor client. This minor client disclosed to Respondent that they had been sexually abused by a relative.

5. Respondent documented in the client's electronic health record this allegation. Respondent reported that she intended to make a report to the Kansas Department for Children and Families about the report of sexual abuse.

6. However, Respondent did not make a report to the Kansas Department for Children and Families about the report of sexual abuse.

APPLICABLE LAW

7. 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.

8. 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.

9. 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.

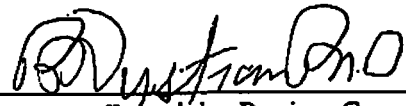
CONCLUSIONS OF LAW

10. 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 inconsistent with the accepted professional standards for social work when she failed to make the report of possible child sexual abuse, despite including the information in the electronic health record.

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 LSCSW license of Respondent Sunnie D. Shedd should be and is hereby **PUBLICALLY CENSORED** for her violations of the Kansas Social Workers Licensure Act.

IT IS SO ORDERED ON THIS 17 DAY OF November, 2020.



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:

Max Foster, 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 18 day of November, 2020, 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:

Sunnie D. Shedd, LSCSW



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

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Disciplinary Counsel for the Board

Cindy D'Arcola
For the Board