

Behavioral Sciences Regulatory Board
700 SW Harrison St. Suite 420
Topeka, KS 66603-3929



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David B. Fye, JD, Executive Director

Laura Kelly, Governor

September 11, 2023

Kendall Runnebaum



Re: Report of Alleged Violation 22-CS-0071

Dear Ms. Runnebaum:

This letter is to confirm you satisfied all the conditions set forth in the Consent Agreement and Order above. The case is now closed.

Please keep a copy of this letter for your records.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Cindy D'Ercole".

Cindy D'Ercole
Special Investigator

Jane E. Weiler, #25276
Assistant Attorney General
Office of the Kansas Attorney General
120 SW 10th Avenue, Second Floor
Topeka, KS 66612-1597

**BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD
700 SW Harrison Street, Suite 420
Topeka, Kansas 66603-3929**

In the Matter of)
KENDALL RUNNEBAUM, LSCSW, LCAC)
LSCSW License No. 4472) Case No. 22-CS-0071
LCAC License No. 578)
)
)
Respondent/Licensee.)

CONSENT AGREEMENT AND FINAL ORDER

NOW on this 18 day of July, 2022, 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 Kendall Runnebaum, (“Licensee”), for the purposes of resolving the above-captioned matter.

The parties knowingly and voluntarily agree as follows:

1. On July 23, 2015, the Board issued Licensee an original Licensed Specialist Clinical Social Worker (“LSCSW”) No. 4472. This license expires on July 31, 2023. Licensee is currently, and was at all times relevant to this Consent Agreement and Final Order, an LSCSW within the meaning of the laws relating to regulation of social workers, K.S.A. 65-6301 *et seq.*

2. Additionally, on September 28, 2015, the Board issued Licensee an original Licensed Clinical Addiction Counselor (“LCAC”) No. 578. This license expires on September 30, 2023. Licensee is currently, and was at all times relevant to this Consent Agreement and Final Order, an LCAC within the meaning of the laws relating to regulation of addiction counselors, K.S.A. 65-6607 *et seq.*

3. On or about December 10, 2021, a Report of Alleged Violation was received by the Board alleging Licensee may have violated certain statues and regulations governing the practice of licensed specialist clinical social workers in the State of Kansas and clinical addiction counselors in the State of Kansas.

4. For about one year, Licensee provided therapy to Client. Client ceased receiving therapy from Licensee in December 2020. Licensee referred Client to a new therapist.

5. Following this referral, Licensee maintained contact with Client. Licensee asserted that she was providing support to Client in a non-therapeutic capacity following termination of clinical services. In her response to this investigation, Licensee reported this was until Client was comfortable with Client's new therapist.

6. However, Licensee maintained this contact with Client until December 2021, which was almost a year after the termination of the therapy services provided by Licensee. Further, Client was receiving therapy from another therapist during this same timeframe.

7. This contact consisted of Licensee communicating with Client various ways, such as telephone calls, texting, or snapchat. In one instance, Licensee called Client at approximately 1:00 a.m. in the morning to talk with Client. Additionally, these communications included Licensee sharing personal information about herself with Client.

APPLICABLE LAW

8. 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. K.S.A. 65-6311(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. 102-2-7(j): offering to perform or performing services clearly inconsistent or incommensurate with one's training, education, or experience with accepted professional standards for social work.
- b. K.A.R. 102-2-7(tt): engaging in a dual relationship with a client, supervisee, or student.

10.K.S.A. 65-6609(e): "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed under this act.

11.K.S.A. 65-6615(a)(6): 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 addiction counselor licensure act or one or more rules and regulations of the board. Specifically:

- a. K.S.A. 102-7-11(i): offering to perform or performing services clearly inconsistent or incommensurate with one's training, education, or experience or with accepted professional standards.
- b. K.S.A. 102-7-11(v): engaging in a harmful dual relationship or exercising undue influence.

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

13. Licensee understands that by entering into this Consent Agreement and Final Order Licensee 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. 22-CS-0071.

14. 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. 22-CS-0071.

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

ORDER

WHEREFORE, the Board finds Licensee was in violation of K.S.A. 65-6311(a)(9), as defined in K.A.R. 102-2-7(j), and K.S.A. 65-6615(a)(5), as defined in K.A.R. 102-7-11(i), in that Licensee performed services clearly inconsistent or incommensurate with her training, education or experience or with accepted professional standards when Licensee maintained contact with Client for almost a year after termination of the therapist-client relationship; and Licensee failed to appropriately transfer Client to Client's new therapists when Licensee asserted that she was providing "non-clinical support" to Client.

In addition, the Board finds Licensee was in violation of K.S.A. 65-6311(a)(9), as defined in K.A.R. 102-2-7(tt), and K.S.A. 65-6615(a)(5), as defined in K.A.R. 102-7-11(v), in that Licensee established a harmful dual relationship with her client when she continued to have contact with Client for almost a year after termination of the therapist-client relationship despite Client having established continuing therapy with a new therapist.

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:

16. Licensee shall practice only under individual supervision by an independent clinical-level supervisor to be approved by the Board if employed in either capacity using either license. There shall be no dual relationship with the supervisor. Licensee shall have weekly one (1) hour meetings with her supervisor in a face to face manner. The focus shall be related to dual relationships and professional boundaries; and professional expectations and behaviors. This requirement shall continue for one (1) year.

17. Licensee shall provide a copy of this Consent Agreement and Final Order to the supervisor and authorize the supervisor to provide written quarterly reports to the Board's Investigator for the one (1) year term of supervision. There shall be a minimum of four (4) quarterly reports [one (1) report every three (3) months] submitted to the Board's investigator during this one (1) year supervision timeframe.

18. Licensee shall provide a copy of this Consent Agreement and Final Order to the supervisor.

19. Licensee shall receive individual therapy with a therapist. Licensee shall provide the name of his therapist to the Board within thirty (30) days of the effect

date of the Consent Agreement and Final Order, along with a release from the therapist for reports. This requirement shall continue for one (1) year.

20. Licensee shall provide a copy of this Consent Agreement to the therapist and authorize the therapist to provide written quarterly reports to the Board's Investigator for the one (1) year term of therapy. There shall be a minimum of four (4) quarterly reports [one (1) every three (3) months] submitted to the Board's investigator during this one (1) year therapy timeframe.

21. During the time this Consent Agreement and Final Order is in effect, Licensee shall not serve as a supervisor to any person actively using a license regulated by the Board in a position in which such license is required. In addition, Licensee shall not engage in the provision of clinical supervision to any person attaining supervised experience in preparation by the Board. Finally, Licensee shall not supervise any unlicensed person, including students or volunteers, when such persons are engaged in the delivery of professional counseling services.

22. Licensee must notify the Board's Investigator within ten (10) days of a change in her employment and/or change of address.

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

24. Licensee shall 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.

25. 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.

26. 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. 65-6313 [Licenses; effective and expiration dates; renewal; continuing education; safety awareness training; reinstatement; duplicate; notice of change of address], K.S.A. 65-6311 [Grounds for suspension, limitation, condition revocation or refusal to issue or renew license; procedure; licensure of applicant with felony conviction, requirements], K.S.A. 65-6614 [Licensure; expiration and renewal; continuing education; reinstatement of

suspended or revoked license], and K.S.A. 65-6615 [Refusal to grant licensure; other licensure actions; grounds], for establishing rehabilitation or a pattern of conduct.

27. Except as provided in paragraph 26, 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).

28. 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.

29. 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.

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

31. 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.

32. 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.

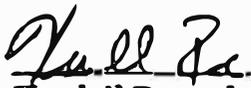
IT IS SO ORDERED.

Dated this 18 day of July 2022.



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

AGREED AND CONSENTED TO BY:



Kendall Runnebaum, LSCSW, LCAC
Respondent/Licensee

7/1/22

Date

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Consent Agreement and Final Order was served on this 18 day of July 2022, by depositing the same in the United States mail, postage prepaid, addressed to:

Kendall Runnebaum LSCSW, LCAC


And a copy delivered via email to:

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



For the Behavioral Sciences
Regulatory Board