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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In The Matter Of)
)
CARRIE BELVEAL, LBSW) **Case No. 19-BS-0091**
License #2713)
)
Respondent)
_____)
Pursuant to K.S.A. 77-536

SUMMARY PROCEEDING ORDER OF SUSPENSION

NOW, on this 14 day of January, 2019, 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. Carrie Belveal (“Respondent”) was at all times relevant, a Licensed Bachelor Social Worker (“LBSW”), having been issued LBSW License No. 2713 within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.
2. On or about August 29, 2018, Respondent entered into a Consent Agreement and Order with the Board in Case No. 18-BS-0022 for violations of K.S.A. 65-6311(a)(9), as defined in K.A.R. 102-2-7(a), K.A.R. 102-2-7(i), K.A.R. 102-2-7(yy), and K.A.R. 102-2-7(zz).
3. Respondent agreed that evidence of her breach, violation or failure to comply with any of the conditions may result in suspension of Respondent’s LBSW 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.

4. The Consent Agreement and Order required, in part, that Respondent obtain three additional Ethics CEUs in addition to the biennial requirement and furnish proof of completion to the Board's investigator within sixty (60) days of the effective date of this Consent Agreement and Order.

5. Pursuant to the terms and conditions of the Consent Agreement and Order, Respondent was required to submit these three extra CEU hours in Ethics to the Board's investigator on or before October 29, 2018.

6. Respondent failed to submit to the Board's investigator documentation evidencing completion of the required three extra CEU hours in Ethics.

7. On or about November 14, 2018, the Board's investigator sent to Respondent a letter informing her that she had failed to submit to the Board the three extra CEU hours in Ethics. The Board's investigator requested that Respondent provide this information to the Board by November 28, 2018.

8. At this time, Respondent has failed to submit to the Board's investigator documentation evidencing completion of the required three extra CEU hours in Ethics.

APPLICABLE LAW

9. Pursuant to K.S.A. 65-6311(c): Administrative proceedings and disciplinary actions regarding licensure under the social workers licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the social workers licensure act shall be in accordance with the Kansas judicial review act.

10. Pursuant to K.S.A. 2017 Supp. 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.

11. 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.

12. 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.

13. Pursuant to K.A.R. 102-2-7(i): failing or refusing to cooperate in a timely manner with any request from the board for a response, information that is not obtained in the context of a confidential relationship, or assistance with respect to the board’s investigation of any report of an alleged violation filed against oneself or any other applicant or professional who is required to be licensed or registered by the board.

CONCLUSIONS OF LAW

14. Respondent failed to cooperate in a timely manner with a request from the Board’s investigator to provide information demonstrating to the Board her compliance with terms and conditions contained in the Consent Agreement and Order in Case No. 18-BS-0022 entered into between the parties on approximately August 29, 2018. Respondent has failed to submit to the Board documentation evidencing completion of the requirement that she complete additional Ethics CEUs. The Board’s investigator requested that Respondent provide this information to the Board, which she has failed to do at this time. This is a violation of K.S.A. 65-6311(a)(5), as defined in K.A.R. 102-2-7(i).

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 KAPA, K.S.A. 77-537, the Complaint Review Committee of behalf of the Board finds that the Kansas bachelor social worker license of Respondent Carrie Belveal should be and is hereby **SUSPENDED** effective date of this Summary Proceeding Order as set forth in the Notice of Relief and the Certificate of Service below, and until such order of the Board upon Respondent’s submission to the Board of satisfactory evidence

demonstrating her compliance with the terms and conditions of the Consent Agreement and Order in the above captioned matter entered into between the parties on approximately August 29, 2018.

IT IS SO ORDERED ON THIS 3rd DAY OF January, 2019.


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 14 day of January 2019, a true and correct copy of the above and foregoing Summary Proceeding Order of Suspension was deposited in the U.S. mail, first class postage prepaid, addressed to:

Carrie Belveal, LBSW

[REDACTED]
[REDACTED]
[REDACTED]

Carrie Belveal, LBSW

[REDACTED]
[REDACTED]

and a copy delivered via interoffice mail to:

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

Cindy D'Ercole
For the Board