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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In The Matter Of)	
)	
REGINALD J. DREW,)	Case No. 22-AC-0180
LAC #1194)	
)	
Respondent)	
_____)	
Pursuant to K.S.A. 77-536)	

SUMMARY PROCEEDING ORDER

NOW, on this 13 day of December, 2022, 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. On August 29, 2014, the Board issued Reginald J. Drew (“Respondent”) an original Licensed Addiction Counselor (“LAC”) license No. 1194. This license expires on August 31, 2024. Respondent is currently, and was at all times relevant to this Order, an LAC within the meaning of the Kansas Addiction Counselor Licensure Act, K.S.A. 65-6607 *et seq.* and amendments thereto.
2. On or about May 20, 2022, the Board received a Report of Alleged Violation that alleged Respondent may have been in violation of the Kansas Addictions Counselor Licensure Act.
3. Respondent is the program director for Agape, LLC in Wichita, Kansas.

4. Respondent provided services to a client at Agape, LLC. This client was not able to pay the money owed to Respondent for services. Respondent had the client clean his office in exchange for the money owed to Respondent. In addition, this client went to Respondent's personal residence and hung a shower curtain. This client also brought firewood to Respondent in exchange for the money owed to Respondent.

5. In another instance, a former client needed a place to stay. Respondent allowed this client to stay at his personal residence for several nights.

6. In his response to the Board, Respondent did not deny that these incidents occurred.

APPLICABLE LAW

7. Pursuant to K.S.A. 65-6615(c): Administrative proceedings and disciplinary actions regarding licensure under the Addiction Counselor Licensure Act shall be conducted in accordance with the Kansas Administrative Procedure Act.

8. 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.

9. Pursuant to K.S.A. 65-6608(c): “Licensed addiction counselor” means a person who engages in the practice of addiction counseling limited to substance abuse disorders and who is licensed under this act.

10. Pursuant to K.S.A. 65-6615(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 addiction counselor licensure act or one or more of the rules and regulations of the board. Specifically:

- a. K.A.R. 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.A.R. 102-7-11(v): engaging in a harmful dual relationship or exercising undue influence.

CONCLUSIONS OF LAW

11. The Board finds that the above facts have been established by clear and convincing evidence; and further finds that Respondent was in violation of K.S.A. 65-6615(a)(5), as defined in K.A.R. 102-7-11(i), in that Respondent practiced addiction counseling inconsistent with the with the accepted standards when he bartered cleaning services and other activities from a client for counseling services. Further, Respondent allowed a former client to stay at his personal residence for several nights.

12. Additionally, the Board finds that the above facts have been established by clear and convincing evidence; and further finds that Respondent was also in violation of K.S.A. 65-6615(a)(5), as defined in K.A.R. 102-7-11(v), in that Respondent engaged in harmful dual

relationships when he bartered cleaning services and other activities from a client for counseling services.

ORDER

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, as a condition for continued licensure, Respondent Reginald J. Drew shall:

13. Practice only under individual supervision by an independent clinical-level supervisor to be approved by the Board if employed using his LAC license. Respondent shall have weekly one (1) hour meetings with the supervisor in a face to face manner. There shall be no dual relationship with this supervisor. The focus shall include, but not limited to, boundaries, dual relationships, and professional expectations. This requirement shall continue for two (2) year.

14. Within thirty (30) days of the effective date of this Order; or if Respondent is not currently working using his LAC license and prior to the beginning of using his LAC license, Respondent shall submit to the Board's investigator the name of his proposed supervisor.

15. Respondent shall provide a copy of this Order to the supervisor and authorize the supervisor to provide written quarterly reports to the Board's Investigator for two (2) year term of supervision. There shall be a minimum of eight (8) quarterly reports (every three [3] months) submitted to the Board's investigator during this two (2) year supervision timeframe.

16. Respondent shall provide a copy of this Order to the supervisor.

17. During the time this Order is in effect, Respondent 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, Respondent shall not engage in the provision of clinical supervision to any person attaining supervised experience in preparation by the Board. Finally, Respondent shall not

supervise any unlicensed person, including students or volunteers, when such persons are engaged in the delivery of professional counseling services.

18. Hours of supervision attained by Respondent pursuant to this Final Order shall not count toward any supervised experience hours required for a higher level of licensure.

19. Additionally, Respondent shall obtain a total of six (6) extra continuing education hours beyond the biennial requirement, taken in-person or on-line within three (3) months of the effective date of this Consent Agreement and Final Order. These additional continuing education hours shall include, but not limited to, boundaries, dual relationships, professional expectations, and addiction counseling ethics.

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

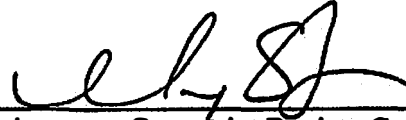
21. All foreseen and unforeseen expenses to complete the aforementioned course(s) including travel, lodging, program fee, meals, etc., shall be at Respondent's own expense.

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

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

24. Respondent 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 Order.

IT IS SO ORDERED ON THIS 13th DAY OF December, 2022.



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:

David Fye, 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 13 day of December 2022, 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:

Reginald J. Drew, LAC



and a copy delivered via email to:

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



For the Board