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Assistant Attorney General
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BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter)
)
 of)
)
 SHARON K. WOLLARD, LSCSW)
 _____)

Case No. 02-CS-0043

CONSENT AGREEMENT AND ORDER

Now on this 29 day of July, 2006, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Sharon K. Wollard (Licensee) and the Kansas Behavioral Sciences Regulatory Board for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Sharon K. Wollard is currently, and at all times relevant has been, a Licensed Specialist Clinical Social Worker within the meaning of the Kansas Social Workers Act, K.S.A. 65-6301 *et seq.*, and amendments thereto.

2. On or about January 10, 2002, the Board received a report of information concerning Licensee's conduct, alleging Licensee may have violated certain statutes and regulations governing the practice of social work.

3. The Board conducted an investigation concerning Licensee's alleged violation of statutes and regulations.

4. During the investigation, Licensee was informed of the reported information and was given the opportunity to respond to the allegations, and she supplied a extensive written response to the allegation. Licensee fully and honestly cooperated with the Board throughout the investigation.

5. Based on the investigation, the Board finds probable cause to believe the following facts:

(a) E. M. initiated treatment with Licensee Sharon Wollard in March of 1996. Licensee diagnosed Major Depression, Recurrent and Borderline Personality. Significant Abandonment issues and turbulent personal and professional relationships were also identified as relevant factors.

(b) In September of 1996, Licensee determined that their frequent communications were becoming more intimate. Licensee claims at this time she concluded that due to the client's apparent transference, the therapeutic relationship should be terminated. Complainant states Licensee told her she was terminating the professional relationship so they could explore a more personal relationship. They mutually agreed to terminate the therapeutic relationship and signed a "Statement of Understanding Regarding Discharge" on October 8, 1996.

(c) A few weeks later, Licensee and her former client began a sexual relationship despite Licensee's possession of confidential information based on the professional relationship and her knowledge of her former client's psychological and emotional vulnerabilities.

(d) The sexual relationship continued until the end of 1996. E. M. moved to Texas in May of 1997 and periodic contact continued until December 2001.

(e) Licensee failed to place appropriate boundaries on the therapist-client relationship and exploited confidential client information and her knowledge of her former client's vulnerabilities for her own personal gratification.

6. The Board finds that reasonable grounds exist to believe Licensee has committed unprofessional conduct in violation of K.S.A.65-6311(a)(4) and (6) as defined in K.A.R. 102-2-7(b)

(1991) [the regulation in effect at the time of the incidents] as follows:

- (a) (20) using a confidence or secret of any client to the client's disadvantage;
- (b) (21) using a confidence or secret of any client for the advantage of the social worker ... without obtaining the client's consent after full disclosure of the purpose;
- (c) (25) making sexual advances toward ... any client ... of that social worker;
- (d) (27) exercising undue influence on any client ... in a manner that will exploit the ... client ... for the ... personal gratification of the practitioner ...; and
- (e) (45) practicing social work in an incompetent manner.

7. In addition, the Code of Ethics of the National Association of Social Workers (NASW) 1993 version states at paragraph II. F. 4. "The social worker should not condone or engage in any dual or multiple relationships with clients or former clients in which there is a risk of exploitation of or potential harm to the client. The social worker is responsible for setting clear, appropriate and culturally sensitive boundaries."

8. The 1996 NASW Code of Ethics states at paragraph 1.09(c): Social workers should not engage in sexual activities or sexual contact with former clients because of the potential for harm to the client. If social workers engage in conduct contrary to this prohibition or claim that an exception to this prohibition is warranted because of extraordinary circumstances, it is social workers – not their clients – who assume the full burden of demonstrating that the former client has not been exploited, coerced or manipulated, intentionally or unintentionally."

Licensee and the Board mutually desire to enter into a Consent Agreement and Order in lieu of adjudicative proceedings to resolve the report of alleged violations.

WHEREFORE, Licensee waives all rights to an adjudication of facts and law which could be determined pursuant to a hearing conducted in accordance with the Kansas Administrative

Procedure Act in relation to Case No. 02-CS-0043.

WHEREFORE, Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions in relation to Case No. 02-CS-0043.

WHEREFORE, Licensee acknowledges the seriousness of her actions and that E.M. was injured as a result of Licensee's conduct and consents to the following sanction:

(a) For two years from the date of this Order, Licensee agrees to a practice limitation which prohibits therapy in an unsupervised individual private practice setting,

(b) For two years from the date of this Order, Licensee's practice of social work shall be supervised by a Board-approved supervisor who is a Licensed Specialist Clinical Social Worker (LSCSW) who is not in a subordinate, familial or other dual relationship with Licensee. Licensee herewith submits the names and credentials for three proposed supervisors for approval by the Board [attachment to Order].

(c) The focus of this supervision shall be on boundary issues, professional ethics and general competence to practice independently.

(d) Licensee shall confer with her supervisor for a one-hour supervisory session per month for a minimum of 12 sessions in a calendar year (allowing for vacations and sick leave).

(e) Written reports from Licensee's supervisor must be filed with the Board every three (3) months regarding Licensee's compliance with the supervision process and the focus of supervision. Licensee will make every effort to ensure that the supervisor provides these status reports to the Board. In the event of non-compliance, the supervisor shall notify the Board immediately.

(f) Licensee shall cooperate with her supervisor to enable the supervisor to discharge his or her duties in a responsible manner. Licensee understands that Board will provide a copy of this

Consent Agreement and Order to her supervisor.

(g) This Consent Agreement and Order expressly relies upon Licensee's representations that she has completed the following:

(1) Licensee has completed approximately 8,000 individual, couple, family and group therapy sessions without incident or complaint since the incident described above.

(2) Licensee has completed additional studies in ethics that specifically address the establishment of professional boundaries with clients and has engaged in independent study.

(3) Licensee has completed 19 CEUs in ethics and boundary setting and has completed one year of supervision by a Kansas-licensed LSCSW with an emphasis on ethical and boundary issues and general competence to practice.

(4) Between May 2002 and May 2005, Licensee provided approximately 103 *pro bono* hours of professional mental health services to those in need.

(5) Licensee initiated a peer consultation group with another professional colleague to review difficult cases and ethical concerns.

(6) Licensee has referred all clients with similar presentation and diagnoses as E.M. to other licensed professionals.

(7) Licensee states that her current position is administrative in nature, she now works with a Gero-Psych population and is no longer in private practice in any capacity.

(h) Licensee shall not initiate any direct or indirect contact with the complainant. This term shall be reciprocal on the complainant, and she is not to initiate any direct or indirect contact with Licensee.

(i) Licensee shall be responsible for any costs incurred in satisfying the terms of this Consent Agreement and Order.

(j) Evidence of Licensee's breach, violation or failure to comply with any of the terms of this Order will result in a hearing, with notice and opportunity to be heard, to determine whether Licensee has in fact breached, violated or failed to comply with any conditions. Upon determination at such hearing that Licensee has breached, violated or failed to comply with any condition, Licensee understands and agrees that her license shall be immediately suspended for thirty (30) days pursuant to the Kansas Administrative Procedure Act.

(k) Licensee acknowledges that proof submitted to the Board by affidavit or other form of competent evidence that Licensee has breached, violated or failed to meet the conditions of this Consent Agreement and Order shall be good and sufficient evidence to support an alleged violation of breach, violation or non-compliance.

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

(m) Licensee acknowledges an affirmative duty to notify the Board within five (5) days of any changes in personal or professional status which would inhibit compliance with any condition of this Consent Agreement and Order. In such event, a designee of the Board is authorized to modify or amend this Consent Agreement and Order in writing.

(n) If the Board does not approve this Consent Agreement and Order, Licensee waives any right she may have to object to the composition of any subsequent hearing panel due to hearing panel members having knowledge of matters contained within this Consent Agreement and Order.

(o) This Consent Agreement and Order constitutes the entire agreement between the Licensee and the Board and may be modified or amended only by written agreement signed by Licensee and the Board or a designee of the Board.

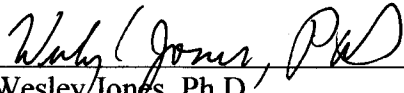
WHEREFORE, Licensee consents to the submission of this Consent Agreement and Order to the Board's Complaint Review Committee, and understands that upon approval of the Complaint Review Committee, this Consent Agreement and Order becomes a final Order of the Board. The Board has authorized the Complaint Review Committee to approve this Consent Agreement and Order.

WHEREFORE, the Board agrees that so long as Licensee complies with the above conditions that the Board will not initiate further disciplinary action against Licensee in relation to violation of K.S.A. 65-6311(a)(4) and (6) as defined in K.A.R. 102-2-7(b) and the NASW Code of Ethics in regard to Case No. 02-CS-0043.

WHEREFORE, the Board further agrees that at the conclusion of the conditional licensure period, upon determination of Licensee's compliance with the conditions stated herein, and upon Board receipt of an acceptable reference from Licensee's supervisor on a Board-approved form, Licensee shall be unconditionally licensed as a Licensed Specialist Clinical Social Worker.

WHEREFORE, the provisions above are consented to and are hereby made the final order of the Kansas Behavioral Sciences Regulatory Board which becomes effective on the date indicated in the below Certificate of Service.

IT IS SO ORDERED.



Wesley Jones, Ph.D.
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:

Sharon Wollard, LSCSW
Sharon K. Wollard, LSCSW

July 21, 2006
Date

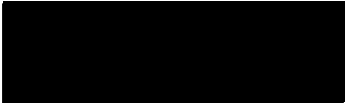
Reid F. Holbrook or Eric Morrison, Esq.
Reid F. Holbrook or Eric Morrison, Esq.
Counsel for Respondent Licensee

July 25, 2006
Date

Certificate of Service

This is to certify that on this *9th* day of *August* ~~July~~, 2006, a true and correct copy of the above and foregoing Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Sharon K. Wollard



Reid F. Holbrook, Esq.
Eric Morrison, Esq.
Holbrook & Osborn, P.A.
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Overland Park, KS 66210

Roger Scurlock
For the Board