

Marty M. Snyder, Supreme Court #11317
Kansas Attorney General's Office
120 SW 10th St, Second Floor
Topeka, KS 66612-1597
(785) 368-8419

BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD
712 South Kansas Avenue
Topeka, Kansas 66603-3817

In the Matter of)
)
TONYA L. JUNOD, LMSW #4153,)
)
Respondent)
_____)

Case No. 08-MS-35

CONSENT AGREEMENT AND ORDER

NOW on this 6 day of October, 2008, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Tonya Junod (Licensee), through counsel Deborah K. Mitchell, and the Kansas Behavioral Sciences Regulatory Board for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Tonya Junod is currently, and at all times relevant has been, a Licensed Masters 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 October 29, 2007, the Board received a report of information concerning Licensee's conduct, alleging Licensee may have violated certain statutes and regulations governing her practice as a Licensed Masters Social Worker.

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, was given the opportunity to respond to the allegations and did respond to the allegations on January 25, 2008.

5. As a result of the investigation, the Board finds probable cause to believe the following facts:

- (a) Licensee began her employment as a clinician with Family Consultation Service (FCS) approximately August 5, 2007. She attended orientation and was given a caseload of approximately 30 clients.
- (b) On October 10, 2007, Licensee informed her supervisor that October 12 would be her last day at FCS as she was starting another job. Her supervisor requested her to delay the start of the new job while completing case summaries and transfers on her open cases or to attend the orientation at the new job and return to complete her work at FCS. However, Licensee declined that request and also failed to show up for work October 11 and 12.
- (c) Licensee failed to inform some of her clients that she would no longer be working with them. She failed to complete case summaries and notes on some of her clients. She failed to show up for a scheduled intake appointment and failed to arrange to have anyone else handle the appointment or acute concerns with her existing clients.
- (d) The above facts describe incomplete documentation and paperwork, failure to notify clients of termination or interruption of services, failure to make

adequate arrangements for continuing care, client abandonment and failure to provide reasonable notice to the employer.

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

- (a) K.A.R. 102-2-7 (ll) reporting ... incomplete ... social work information;
- (b) K.A.R. 102-2-7 (mm) failing to notify the client promptly when termination or interruption of service is anticipated;
- (c) K.A.R. 102-2-7 (nn) failing to seek continuation of service, or abandoning or neglecting a client under or in need of professional care without making reasonable arrangements for that care;
- (d) K.A.R. 102-2-7 (oo) abandoning employment under circumstances that seriously impair the delivery of professional care to clients, without providing reasonable notice to the employer; and
- (e) K.A.R. 102-2-7 (xx) practicing social work in an incompetent manner.

However, Licensee and the Board mutually desire to enter 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. 08-MS-35.

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. 08-MS-35.

WHEREFORE, Licensee consents to the following terms in lieu of holding a formal disciplinary hearing on the complaint:

(a) Licensee shall continue to be licensed in Kansas while under a twelve-month term of supervised probation. Licensee's supervisor must be approved by the Board and be licensed in Kansas at the clinical level and not be in a subordinate, familial or other dual relationship with the Licensee. The focus of the supervision shall be on client care, the vulnerability of clients, the therapist-client relationship, guidelines for termination of the relationship to avoid abandonment. There shall be at least one hour of face-to-face supervision for each forty hours worked.

(b) The supervisor shall provide written progress reports to the Board every three months regarding Licensee's compliance with the supervision process. In the event of non-compliance, the supervisor shall report to the Board immediately. Licensee shall provide the supervisor with a copy of this Consent Agreement and Order (CAO) and shall make every effort to ensure that all conditions of this CAO are met. Licensee shall cooperate with her supervisor to enable the supervisor to discharge these duties in a responsible manner.

(c) Licensee shall obtain an additional six hours of continuing education in addition to the number of required hours. The additional continuing education shall be on the therapist-client relationship, the importance of complete documentation and proper termination of the therapist-client relationship. Proof of completion shall be furnished to the Board within sixty days of the effective date of this Agreement.

(d) Licensee agrees to accept a Formal Censure for her misconduct in this complaint.

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

(f) Evidence of Licensee's breach, violation or failure to comply with any of the conditions 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 of this Consent Agreement and Order. Upon determination at such hearing that Licensee has breached, violated or failed to comply with any condition, Licensee understands and agrees that her Masters Social Worker license could be suspended or revoked.

(g) 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.

(h) 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.

(i) 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.

(j) If the Board does not approve this Consent Agreement, 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 Order.


(k) This Consent Agreement and Order constitutes the entire agreement between the Licensee and the Behavioral Sciences Regulatory Board and may be modified or amended only by written agreement signed by Licensee and the Board or its designee.

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 will become a final Order of the Board. The Board has authorized the Complaint Review Committee to determine approval of this Consent Agreement and Order.

WHEREFORE, the Board agrees that, so long as Licensee complies with the above terms, the Board will not initiate further disciplinary action against Licensee in relation to violations of K.S.A. 65-6311(a)(2) and (4) as defined by K.A.R. 102-2-7 as a result of this proceeding, nor will the Board or any of its representatives refer this matter for other action by any regulatory or law enforcement agency.

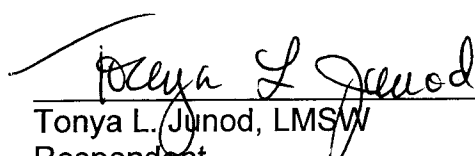
WHEREFORE, the foregoing provisions are consented to, are hereby made the final Order of the Kansas Behavioral Sciences Regulatory Board and become effective on the date indicated in the Certificate of Service below.

IT IS SO ORDERED this 6 day of October, 2008.



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

APPROVED AND CONSENTED TO:



Tonya L. Junod, LMSW
Respondent

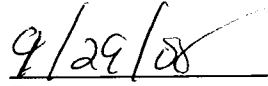
9/29/08

Date

REVIEWED AND APPROVED BY:



Deborah K. Mitchell, Esq.
Counsel for Respondent



Date

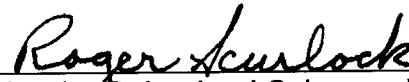
Certificate of Service

This is to certify that on this 9th day of October, 2008, 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:

Tonya Junod



Deborah K. Mitchell
Woodard, Hernandez, Roth & Day
PO Box 127
Wichita, KS 67201-0127


For the Behavioral Sciences Regulatory Board

State of Kansas
Behavioral Sciences Regulatory Board

KATHLEEN SEBELIUS
Governor

PHYLLIS GILMORE
Executive Director



712 S. Kansas Ave.
Topeka, Kansas 66603-3817
(785) 296-3240
FAX (785) 296-3112
www.ksbsrb.org

February 12, 2010

Tonya L. Junod, LMSW
2055 North Porter Avenue
Wichita, Kansas

Re: Consent Agreement and Order 08-MS-0035

Dear Ms. Junod,

You have complied with all of the conditions set forth in the Consent Agreement and Order under which you have practiced since October 9, 2008. The Board has received an acceptable reference from your supervisor.

You are now unconditionally licensed as a Licensed Master Social Worker.

Thank you for your cooperation in this matter.

Sincerely,

Roger Scurlock
Special Investigator