

STANDARD TIME 1:48

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

In The Matter)
)
 of)
)
 Frederick Kouri)
 Licensed Masters Social Worker)
 _____)

Case No. 643

CONSENT AGREEMENT AND ORDER

Now on this 24 day of Oct, 1996, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Frederick Kouri, (Licensee) and the Kansas Behavioral Sciences Regulatory Board for the purpose of settling the above-captioned case.

Licensee hereby acknowledges the following:

1. Frederick Kouri is 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 January 16, 1996, Licensee self-reported information concerning his conduct indicating that he 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. As a result of the investigation, the Board makes the following factual determinations:

For the past 5 years Licensee has worked as a social worker with the Children's Mercy Hospital in the renal dialysis unit. In the course of this role he began working with [REDACTED] and his parents, [REDACTED]. His work with the family involved assisting them with multiple financial problems and intervening at the parents' request with [REDACTED] school performance, assisting with transportation problems and other social work services. His work also involved calling the Missouri

Division of Family Services to report the parents' inability to follow through with recommended medical care.

██████ became friends with another dialysis patient, ██████ age 16. On November 7, 1995 ██████ called the unit requesting ██████ home telephone number. On November 10, 1995 during a conversation with ██████ Licensee advised ██████ to be careful of ██████ because "her behavior is very controlling and manipulative and is based on a mental illness and not just personality differences." Licensee acknowledges that the sharing of information regarding ██████ mental health history was a violation of ██████ right to patient confidentiality.

6. As a result of the investigation, the Board determined that reasonable grounds exist to believe that Licensee is in violation of:

(a) K.S.A. 1995 Supp. 65-6311(a)(4), unprofessional conduct as defined by K.A.R. 102-2-7(b)(19), revealing a confidence or secret of any client, except as required by law and after full disclosure of the information to be revealed and the persons to whom the information will be revealed and after obtaining consent of the client;

(b) K.S.A. 1995 Supp. 65-6311(a)(4), unprofessional conduct as defined by K.A.R. 102-2-7(b)(21), using a confidence or secret of any client for the advantage of a third person without obtaining the client's consent after full disclosure of the purpose;

(c) K.S.A. 1995 Supp. 65-6311(a)(4), unprofessional conduct as defined by K.A.R. 102-2-7(b)(22)(C), failing to obtain written, informed consent from a client before releasing information to a third party concerning the client; and

(d) K.S.A. 1995 Supp. 65-6311(a)(6), wrongful actions in the performance of duties.

HOWEVER, Licensee and the Board mutually desire to enter into the 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. 643.

WHEREFORE Licensee waives the right to file a motions for reconsideration and all rights of appeal pursuant to the Kansas act for judicial review in relation to Case No. 643.

WHEREFORE Licensee consents to continuation of his practice as a masters level social worker on the following conditions:

(1) Within four months of the date indicated in the below Certificate of Service, Licensee shall research and write a 20 page professional paper, double-spaced in APA format, on the subject of the clinical and professional impact of client confidentiality with at least ten professional references that are integrated within the context of the paper.

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

(3) 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 conditions. In such event, a designee of the Board is authorized to modify or amend this Consent Agreement and Order in writing.

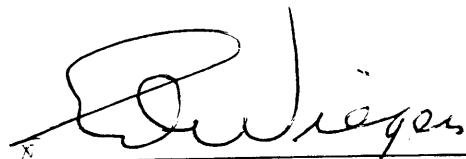
(4) This Consent Agreement and Order constitutes the entire agreement between the Licensee and may be modified or amended only by written agreement signed by the parties.

WHEREFORE Licensee consents to the submission of this Consent Agreement and Order to the Kansas Behavioral Sciences Regulatory Board, and understands that upon approval of the Board, this Consent Agreement and Order becomes a final order of the Board.

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. 1995 Supp. 65-6311(a)(4), unprofessional conduct, as defined by K.A.R. 102-2-7(b)(19), (20), (22)(C) or K.S.A. 1995 Supp. 65-6311(a)(6), wrongful action in the performance of duties.

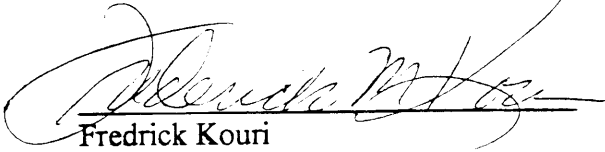
WHEREFORE the provisions above are consented to and are hereby made the final order of the Kansas Behavioral Sciences Regulatory Board which become effective on the date indicated in the below Certificate of Service.

IT IS SO ORDERED.



Ed Weigers, Chairman
Behavioral Sciences Regulatory Board

APPROVED AND CONSENTED TO:


Frederick Kouri


10/28/96
(date)

Certificate of Service

This is to certify that on the 4th day of December, 1996 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:

Frederick Kouri




For the Behavioral Sciences Regulatory Board