

**KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**

Eisenhower State Office Building  
700 SW Harrison Street, Suite 420  
Topeka, Kansas 66603-3240

In the Matter of )  
)  
Matthew J. Benorden, )  
LSCSW License No. 5785 and )  
LCAC License No. 881, )  
)  
Respondent. )

Case No. 24-CS-0089 and 24-CS-0109

(Pursuant to K.S.A. 77-537)

**Summary Proceeding Order**

Now on this 24 day of March, 2025, the above-captioned matter comes before the Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board (the "Board"). After reviewing its administrative records and otherwise being duly advised in the premises, the Board makes the following findings of fact, conclusions of law, and orders.

**I. FINDINGS OF FACT**

1. The Board is the duly constituted and acting agency of the State of Kansas authorized to administer and enforce the provisions of both the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto (the "LSW Act"), and the Kansas Addiction Counselor Licensure Act, K.S.A. 65-6607, *et seq.*, and amendments thereto (the "LAC Act").

2. Respondent Mathew J. Benorden ("Respondent") is an individual with a last known mailing address of [REDACTED]

3. At all times relevant hereto Respondent has been licensed as a Licensed Specialist Clinical Social Worker (LSCSW) within the meaning of the LSW Act and licensed as a Clinical Addiction Counselor (LCAC) within the meaning of the LAC Act.

**Facts Common to Case No. 24-CS-0089**

4. Respondent previously was a therapist with a treatment facility in the State of Kansas.

5. On January 24, 2024, the Board received a report of alleged violation ("RAV") from client L.R. against Respondent. The complaint alleged in relevant part that client L.R. received therapy from Respondent from August of 2023 through November of 2023, for anxiety attacks

and complex PTSD related to physical and sexual abuse as a child. Client L.R. discontinued treatment with Respondent in November of 2023 due to an inability to pay.

6. According to the RAV, Respondent telephoned client L.R. at her home the evening of December 25, 2023 and indicated that he wanted to check on her and asked to meet at a local restaurant the following day for lunch. Client L.R. agreed to meet Respondent at the restaurant the next day for lunch.

7. During the meeting at the restaurant, client L.R. confided in Respondent how terrible her Christmas day had been and that she planned to commit suicide. She also revealed that she discontinued therapy because she could not afford it. In response, Respondent offered to provide free therapy to client L.R. and offered to come by her house after work every now and then to check on her. Respondent asked client L.R. for her address, which she provided.

8. Upon leaving the restaurant, Respondent walked client L.R. to her car and proceeded to tell her that during most of their therapy sessions Respondent couldn't concentrate on anything other than "what it would be like to lick [client L.R]." Respondent then asked client L.R. for a kiss, which client L.R. rejected. Client L.R. then got into her car and left.

9. Following the encounter with Respondent, client L.R. immediately began having an anxiety attack, and relayed feeling complete shock and disbelief regarding the encounter involving a therapist who she trusted and in whom she had confided details of physical and sexual abuse as a child. The encounter triggered client L.R.'s feelings and experiences of physical and sexual abuse as a child.

10. Beginning on January 5, 2024, Respondent contacted client L.R. and proceeded to send text messages of a sexual nature to client L.R., including the following excerpted messages:

- a. "I'm sorry. . . when you were[sic] those short shorts, I could barely pay attention. I imagined what I would do. I salivated. That's not pathetic."
- b. "Would you like me to tell you what I also like about you? About your body?"
- c. "When you were[sic] jeans, OMG! I love your ass! The shape of it. When you tell me you love showers, I can only imagine how you lather up and make circular motions to clean those butt cheeks. More?"
- d. "I absolutely love the size and shape of your breasts! And how they protrude out from the rest of you. When you told me how you get out of the shower and you're freezing? Oh my. I could see your nipples get hard in my mind. I wish I could suck on them and my tongue flick those nipples in my mouth."

11. Client L.R. relayed that the encounter at the restaurant and following sexualized text messages left her feeling violated and as if Respondent's conduct had reversed all of the hard work that she had put in trying to heal from her past trauma.

12. On or about February 5, 2024, the Board received a second report of alleged violation ("RAV 2") relating to client L.R. from Respondent's former employer. According to RAV 2, the former employer received a copy of a police report filed by client L.R. relating to Respondent and the matters identified in the RAV, and which asserted harassment by Respondent.

13. After receiving the police report, representatives from the former employer met with Respondent regarding the police report showing inappropriate interactions with client L.R. Respondent's employment was terminated on January 24, 2024 due to the complaint and police report.

14. The RAV was provided to Respondent for response, and Respondent caused the Board to receive his written response on February 29, 2024.

15. In relevant part, Respondent admitted contacting client L.R. on Christmas day and meeting her for lunch a couple of days later.

16. Respondent relayed that he interpreted certain confidences client L.R. shared with him during therapy sessions as sexual innuendos or sexualized comments directed at him. Leading up to the lunch with client L.R., Respondent "ruminated all of the sexual innuendos and sayings [client L.R.] told [him]," and he "decided to take her up on it."

17. Respondent admitted sending the text messages to client L.R. identified in paragraph 10 above.

18. Following receipt of the RAV, Respondent represents that he contacted his therapist and discussed his initial emotional reaction and countertransference involving client L.R. Respondent relayed that he should have tried harder to consult with his immediate supervisor and manager regarding his feelings toward client L.R.

19. Respondent also represents that after receiving the RAV, he sought medical treatment and was diagnosed with Bipolar I disorder. Respondent attributes his response and interactions with client L.R. to a hypomania episode.

20. Finally, Respondent indicated he was not equipped to deal with sexual issues, expressing frustration with and questioned the lack of training for men in handling sexual harassment.

**Facts Common to Case No. 24-CS-0109**

21. On or about February 20, 2024, the Board received a report of alleged violation (“RAV”) from a former practicum student of Respondent. The complaint alleged in relevant part that on or about October 12, 2023, after learning of the details and issues of a family scheduled to see Respondent for therapy and for whom the former practicum student was to shadow Respondent for the session, the former practicum student excused herself from the session because of her own past trauma and she did not want to cause the family distress. Thereafter, the former practicum student was treated by Respondent more like a client than a supervisee, including Respondent verbalizing that he wanted to give her a hug and Respondent making overtures toward the former practicum student regarding processing her trauma and learning successful coping skills.

22. The former practicum student further alleged additional inappropriate behavior by Respondent including inappropriate statements and conduct directed towards clients during therapy sessions, inappropriate statements and conduct made in the workplace, and failing to fulfill obligations to the former practicum student as her practicum supervisor.

23. On April 3, 2024, Respondent responded to the RAV and specifically denied and provided his response to all allegations of the RAV.

**II. APPLICABLE LAW**

24. The LSW Act authorizes the Board to condition, limit, revoke or suspend a license as a licensed specialist clinical social worker, and/or publicly or privately censure a licensee or impose a fine not to exceed \$1,000 per violation upon a finding that a licensee violates any provision of K.S.A. 65-6311(a)(1) – (11).

25. K.S.A. 65-6311(a)(9) provides in relevant part that the board may condition, limit, revoke or suspend a license, publicly or privately censure a licensee or may impose a fine not to exceed \$1,000 per violation upon a finding that a licensee:

(9) been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board;

26. K.A.R. 102-2-7(b)(3), (h), (j) and (z) provide that the following acts by a social work licensee shall constitute unprofessional conduct:

(b) except when the information has been obtained in the context of a confidential relationship, failing to notify the board, within a reasonable period of time, that any of the following conditions apply to any person regulated by the board or applying for a license or registration, including oneself:

. . . .

(3) has been demoted, terminated, suspended, reassigned, or asked to resign from employment, or has resigned from employment, for some form of misfeasance, malfeasance, or nonfeasance;

....

(h) failing to recognize, seek intervention, and otherwise appropriately respond when one's own personal problems, psychosocial distress, or mental health difficulties interfere with or negatively impact professional judgment, professional performance and functioning, or the ability to act in the client's best interests;

....

(j) offering to perform or performing services clearly inconsistent or incommensurate with one's training, education, and experience and with accepted professional standards for social work;

....

(z) making sexual advances toward, engaging in physical intimacies or sexual activities with, or exercising undue influence over any person who, within the past 24 months, has been one's client;

27. K.A.R. 102-2-1a(ee) defines "undue influence" as:

(ee) "Undue influence" means the misuse of one's professional position of confidence, trust, or authority or the taking advantage of the vulnerability, weakness, infirmity, or distress of a client, supervisee, or student for either of the following purposes:

(1) To improperly influence or change the actions or decisions of a client, supervisee, or student; or

(2) to exploit a client, supervisee, or student for the financial gain, personal gratification, or advantage of the social worker or a third party.

28. The LAC Act authorizes the Board to condition, limit, revoke or suspend a license as a clinical addiction counselor, and/or publicly or privately censure a licensee or impose a fine not to exceed \$1,000 per violation upon a finding that a licensee violates any provision of K.S.A. 65-6615(a)(1) – (11);

29. K.S.A. 65-6615(a)(9) provides in relevant part that the board may condition, limit, revoke or suspend a license, publicly or privately censure a licensee or may impose a fine not to exceed \$1,000 per violation upon a finding that a licensee:

(2) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board;

30. K.A.R. 102-7-11(a)(3), (g), (i), (j) and (w)(1) provide that the following acts by an LCAC shall constitute unprofessional conduct:

(a) Except when the information has been obtained in the context of confidentiality, failing to notify the board, within a reasonable period of time, that the licensee or applicant or any other person regulated by the board or applying for licensure or registration has met any of these conditions:

....  
(3) has been demoted, terminated, suspended, reassigned, or asked to resign from employment, or has resigned from employment, for some form of misfeasance, malfeasance, or nonfeasance;

....  
(g) failing to recognize, seek intervention, and otherwise appropriately respond when one's own personal problems, psychosocial distress, or mental health difficulties interfere with or negatively impact professional judgment, professional performance and functioning, or the ability to act in the client's best interests;

....  
(i) offering to perform or performing services clearly inconsistent or incommensurate with one's training, education, or experience or with accepted professional standards;

(j) engaging in any behavior that is abusive or demeaning to a client, student, or supervisee;

....  
(x) making sexual advances toward or engaging in physical intimacies or sexual with any person who meets either of the following conditions

(1) Has been a client within the past 24 months;

31. 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 the 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 standard 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.

### III. CONCLUSIONS OF LAW

32. The use of summary proceedings pursuant to KAPA is appropriate in this case.

33. In regard to Case No. 24-CS-0089, Respondent is in violation of K.S.A. 65-6311(a)(9) for engaging in unprofessional conduct as defined in K.A.R. 102-2-7(b)(3) for failing to notify the Board within a reasonable period of time of his termination for some form of misfeasance, malfeasance or nonfeasance; K.A.R. 102-2-7(h) for failing to recognize, seek intervention or otherwise appropriately respond to his personal problems, psychosocial distress or mental health difficulties interfering with or impacting his professional judgment, professional performance and functioning, or his ability to act in a client's best interests; K.A.R. 102-2-7(j) for offering to perform services clearly inconsistent or incommensurate with his training, education and experience and with accepted professional standards for social work; and K.A.R. 102-2-7(z) for making sexual advances toward or exercising undue influence over any person who was a client within the past 24 months.

34. In regard to Case No. 24-CS-0089, Respondent is in violation of K.S.A. 65-6615(a)(9), for engaging in unprofessional conduct as defined in K.A.R. 102-7-11(a)(3) for failing to notify the Board within a reasonable period of time of his termination for some form of misfeasance, malfeasance or nonfeasance; K.A.R. 102-7-11(g) for failing to recognize, seek intervention or otherwise appropriately respond to his personal problems, psychosocial distress or mental health difficulties interfering with or impacting his professional judgment, professional performance and functioning, or his ability to act in a client's best interests; K.A.R. 102-7-11(i) for offering to perform services clearly inconsistent or incommensurate with his training, education or experience or with accepted professional standards; K.A.R. 102-7-11(j) for engaging in behavior that is abusive to a client; and K.A.R. 102-7-11(x)(1) for making sexual advances toward any person who has been a client within the past 24 months.

35. The weight of the findings of fact and conclusions of law made in Case No. 24-CS-0089 justify revocation of Respondent's LSCSW and LCAC licenses, independent of the findings of fact and conclusions of law made in Case No. 24-0109.

36. The Board reserves the right to take future action with respect to Case No. 24-0109.


### IV. ORDER

WHEREFORE, in consideration of the above findings of fact and conclusions of law, and pursuant to the authority granted by K.S.A. 65-6311(a), K.S.A. 65-6615(a) and K.S.A. 77-537, the Complaint Review Committee on behalf of the Board hereby finds and orders that Respondent's LSCSW License No. 05785 should be and is hereby REVOKED effective as of the date this Summary Proceeding Order becomes a final order of the Board, and Respondent's LCAC License No. 881 should be and is hereby REVOKED effective as of the date this Summary Proceeding Order becomes a final order of the Board.

Furthermore, the revocation of Respondent's LSCSW and LCAC licenses should remain in effect for no less than five (5) years from the effective date of this Summary Proceeding Order. In the event that Respondent applies for reinstatement of either his LSCSW or LCAC licenses, Respondent bears the burden of demonstrating that reinstatement is warranted upon the factors identified in K.A.R. 102-2-11(h)(4)(A) – (G) and K.A.R. 102-7-7a(b)(4)(A) – (G), and shall provide the Board with a current psychological evaluation regarding Respondent's present fitness to practice from a licensee approved in advance in writing by the Board in support of the request for reinstatement.

**IT IS SO ORDERED.**

Entered this 24 day March, 2025.



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Mary Jones, Chairperson  
Kansas Behavioral Sciences Regulatory Board  
Complaint Review Committee

## **NOTICE OF RELIEF FROM SUMMARY PROCEEDING ORDER**

Pursuant to K.S.A. 77-537 and 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

This written request must be filed within eighteen (18) calendar days of the date listed in the Certificate of Service below (15 calendar days plus 3 calendar days for mail service). Pursuant to K.S.A. 77-503(c), the 18-day period begins the day after the date shown in Certificate of Service below and includes weekends and legal holidays. If the 18<sup>th</sup> day falls on a Saturday, Sunday, or legal holiday, then the 18-day period runs until 5:00 p.m. on the next day that 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.

The Board's designee who may receive service of a request for a hearing on behalf of the Board is:

David Fye, Executive Director  
Behavioral Sciences Regulatory Board  
700 SW Harrison, Suite 420  
Topeka, Kansas 66603

## **NOTICE OF ADMINISTRATIVE RELIEF**

In the event that you do not timely request a hearing, the above Order will become a final order the day following the 18<sup>th</sup> day referenced above (i.e., 19 calendar days following the date listed in the Certificate of Service below). Pursuant to K.S.A 77-529, a party may file with the Board a petition for reconsideration within 15 days from the date the Summary Proceeding Order becomes a final order. Such petition must state the specific grounds upon which relief is requested. The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Pursuant to K.S.A. 77-528, a party may file, if applicable, a petition for stay of effectiveness of the order prior to the expiration of the time in which to file a petition for judicial review. The filing of a petition for a stay of effectiveness is not a prerequisite for seeking judicial review.

## **NOTICE OF JUDICIAL RELIEF**

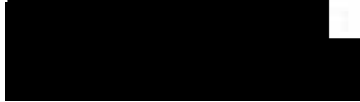
If a petition for reconsideration is not filed pursuant to K.S.A. 77-613, a party may file within 30 days from the date the Summary Proceeding Order becomes a final order a petition for judicial review with the appropriate district court as provided in the Kansas Judicial Review Act, K.S.A. 77-601 *et seq.*

The designee who may receive service of a petition for reconsideration, a petition for stay, or a petition for judicial review on behalf of the Board is:

David Fye, Executive Director  
Behavioral Sciences Regulatory Board  
Eisenhower State Office Building  
700 SW Harrison, Suite 420  
Topeka, Kansas 66603-3240

CERTIFICATE OF SERVICE

This is to certify that on this 24 day of March, 2025, a true and correct copy of the above and foregoing Summary Proceeding Order was placed in the U.S. mail, first-class postage prepaid, addressed to:



And by e-mail to:

Timothy D. Resner  
Frieden & Forbes, LLP  
1414 SW Ashworth Place, Suite 201  
Topeka, KS 66604  
[tresner@fflawllp.com](mailto:tresner@fflawllp.com)  
*Counsel for the Board of the Behavioral Sciences Regulatory Board*

A handwritten signature in blue ink that reads "Candy Devole".

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Staff,  
Kansas Behavioral Sciences Regulatory Board