

**KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**

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

In the Matter of )  
 )  
Chi Chi Emeana, )  
 )  
LCMFT License No. 2861 )  
 )  
Respondent. )

Case No. 25-CT-0126

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

**SUMMARY PROCEEDING ORDER**

Now on this 18 day of February, 2026, 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.

**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 the marriage and family therapists licensure act, K.S.A. 65-6401, *et. seq.*, and amendments thereto (the "Act").
2. Respondent Chi Chi Emeana ("Respondent") is an individual with a last known mailing address of [REDACTED].
3. At all times relevant hereto, Respondent has held licensure as a Licensed Clinical Marriage and Family Therapist ("LCMFT").
4. In December of 2024, the Board received notification from the Kansas Department of Health and Environment ("KDHE") that Respondent's ability to participate in the Kansas Medical Assistance Program ("KMAP") has been terminated due to Medicaid fraud charges.
5. Following receipt of the KDHE notification, the Board opened an investigation into the circumstances surrounding Respondent's termination from participation in KMAP.
6. The Board's investigation showed that on or about August 13, 2024, pursuant to a Plea Agreement with the State of Kansas, Respondent was convicted of two (2) counts of making a false claim, statement or representation to the Medicaid program, a felony crime and a nonperson misdemeanor crime, in Sedgwick County Case No. SG-24-CR-561.

7. Pursuant to the Plea Agreement entered in Sedgwick County Case No. SG-24-CR-561, Respondent stipulated to a Factual Basis for the Plea, which in relevant part provided as follows:

Chi Chi Emeana was a licensed clinical marriage and family therapist who provided therapy to numerous Medicaid beneficiaries. She was paid by Medicaid when she provided therapy to the beneficiaries. Ms. Emeana operated as a solo practitioner under the business name of Serenity Therapy Services, LLC. Her practice was located in Wichita, Sedgwick County, Kansas.

In order to receive payment from Medicaid, Ms. Emeana had contracts with the three Managed Care Organizations (MCO) located in Kansas – Aetna, Sunflower and United Health Care. MCOs are tasked with managing the day to day operations of the Medicaid program. The Medicaid program provides a lump sum of money to the MCOs who in turn pay claims made to the Medicaid program. In this instant case, Ms. Emeana claimed to have provided therapy services to Medicaid beneficiaries and then submitted claims to the respective MCOs and received payment from the MCOs for those submitted claims.

Mike Gudgell, an investigator employed by Sunflower, referred Ms. Emeana to MFCU for suspected fraud – submitting claims for services not rendered. Based on this referral, MFCU conducted an investigation into Ms. Emeana's billing practices. The primary focus of the investigation centered on Ms. Emeana's submission of claims to the Medicaid program with no supporting records or documentation and centered on Ms. Emeana's submission of claims that were inaccurately billed.

Medicaid providers, including Ms. Emeana, are required to "maintain records for five years after the date on which payment was received, if payment was received, or for five years after the date on which the claim was submitted, if the payment was not received." Providers, including Ms. Emeana, submit their claims through a computer based system called the Kansas Modular Medicaid System (KMMS). Specific codes are utilized when making the claims also known as procedure codes. Procedure codes determine the rate of pay for specific service. Services are paid out at higher or lower rate depending on the nature of the service the code entered into KMMS by the provider. Although records are required to be maintained for period of time, the information entered into KMMS is procedural code only, the actual supporting documentation is to be maintained by the provider and made available upon request by the Medicaid program including MFCU.

Kim Clearwater, an analyst assigned to MFCU, conducted an analysis of several claims made by Ms. Emeana. Several of Ms. Emeana's treatment records were subpoenaed by MFCU. Ms. Clearwater was able to compare those treatment records to the claims submitted by Ms. Emeana into KMMS.

The review period of Ms. Emeana's claims was from April 1, 2019, to December 17, 2020. MFCU issued a subpoena on October 23, 2023, to Ms. Emeana and subsequently her attorney requesting records/documentation for 1,181 claims that fell within the aforementioned time period. Although Ms. Emeana was required to have maintained records for all of those claims, she failed to provide records/documentation for 629 claims. Ms. Emeana's attorney confirmed that every record/documentation Ms. Emeana had in her possession had been turned over to MFCU meaning she did not have the required records/documentation for 629 claims between the period of April 1, 2019, through December 17, 2020.

Ms. Clearwater conducted further reviews that included upcoding claims, which is not allowed. Upcoding occurs when the records/documents provided by the provider' reflect that the claims were submitted for procedure code with higher rate of pay than what the documentation supports. During the aforementioned review period, Ms. Emeana upcoded 23 claims to the Medicaid program. For those 23 claims, she was paid \$3,450.00. Of that total she was overpaid \$850 due to the upcoding.

Ms. Clearwater also reviewed for overlapping claims, again not allowed. Overlapping occurs when the supporting records/documentation show two or more appointments occurring at the same time. During the review period, Ms. Emeana made 39 claims that overlapped with other submitted claims for the same appointment times. The total amount paid for the 39 claims was \$5,700.00. However, the minimum amount of confirmed overlap was at least \$3,318.00. In other words, she was overpaid at least \$3,318.00 by making claims for separate appointments that were documented as occurring at the same time.

Finally, Ms. Clearwater reviewed for unbundling claims. Unbundling occurs when family sessions that should have only one claim submitted for billing was submitted under two or more family members for single appointment, essentially meaning multiple claims were submitted when only one claim should have been submitted also not allowed. Ms. Emeana submitted 39 claims that were unbundled from other submitted family appointment claims. Here, Ms. Emeana billed for claims totaling \$5,800.00. However, due to unauthorized unbundling during this time frame, she was overpaid \$3,198.00.

The Defendant stipulates that on or about the 1<sup>st</sup> day of April, 2019, through the 17<sup>th</sup> day of December, 2020, in Sedgwick County, Kansas, one Chi Chi Emeana did then and there unlawfully and feloniously with the intent to defraud, made, presented, submitted, offered or caused to be made, presented, submitted or offered any false or fraudulent report or filing which is or may be used in computing or determining a rate of payment for any goods, service, item, facility or accommodation, for which payment may be made, in whole or in part, under the Medicaid program, whether or not the claim is allowed or allowable, to wit: unbundling claims, all in violation of K.S.A. 21-5927(a)(1)(C)(b)(1)(D). (Making False Claim, Statement or Representation to the Medicaid Program, level 9/nonperson/felony.)

The Defendant stipulates that on or about the 1<sup>st</sup> day of April, 2019, through the 17<sup>th</sup> day of December, 2020, in Sedgwick County, Kansas, one Chi Chi Emeana did then and there unlawfully and with the intent to defraud, made, presented, submitted, offered or caused to be made, presented, submitted or offered any false or fraudulent report or filing which is or may be used in computing or determining a rate of payment for any goods, service, item, facility or accommodation, for which payment may be made, in whole or in part, under the Medicaid program, whether or not the claim is allowed or allowable, to wit: upcoding claims, all in violation of K.S.A. 21-5927(a)(1)(C)(b)(1)(E). (Making False Claim, Statement or Representation to the Medicaid Program, class A/nonperson/misdemeanor.)

8. Pursuant to the Journal Entry of Judgment entered in Sedgwick County Case No. SG-24-CR-561, Respondent was sentenced to twelve (12) months' probation and ordered to pay \$7,914.00 in restitution.

9. Through the investigation of this matter, Respondent revealed that during the criminal investigation which culminated in her convictions in Sedgwick County Case No. SG-24-

CR-561 that she lost certain client records which may have supported her defense. Respondent attributed the loss of the records to moving from her office and a health crisis following an accident in September of 2020.

### APPLICABLE LAW

10. The MFT Act authorizes the Board to condition, limit, revoke or suspend a license of a licensed clinical marriage and family therapist (“LCMFT”), 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. 65-6408(a)(1) – (11).

11. K.S.A. 65-6408(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) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations of the Board;

12. K.A.R. 102-5-12(b) provides in relevant part, that the following acts constitute unprofessional conduct:

(2) 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:

.....

(D) has been convicted of a crime;

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

.....

(22) failing to exercise due diligence in protecting the information regarding and the confidences and secrets of the client from disclosure by other persons in one's work or practice setting;

(23) engaging in professional activities, including billing practices and advertising, involving dishonesty, fraud, deceit, or misrepresentation;

13. K.A.R. 102-5-16(c) provides:

(a) The failure of a marriage and family therapist licensee or clinical marriage and family therapist licensee to comply with the recordkeeping requirements established in this regulation shall constitute unprofessional conduct.

(b) Content of marriage and family therapy or clinical marriage and family therapy records. Each licensed marriage and family therapist or clinical marriage and family therapist shall maintain a record for each client or client system that accurately reflects the licensee's contact with the client or client system and the results of the marriage and family therapy or clinical marriage and family therapy services provided. Each licensee shall have ultimate responsibility for the content of the licensee's records and the records of those persons under the licensee's supervision. These records may be maintained in a variety of media, if reasonable steps are taken to maintain confidentiality, accessibility, and durability. Each record shall be completed in a timely manner and shall include the following information for each client or client system:

- (1) Adequate identifying data;
- (2) the date or dates of services that the licensee or the licensee's supervisee provided;
- (3) the type or types of services that the licensee or the licensee's supervisee provided;
- (4) the initial assessment, conclusions, and recommendations;
- (5) a plan for service delivery or case disposition;
- (6) the clinical notes from each session; and
- (7) sufficient detail to permit planning for continuity that would enable another marriage and family therapist or clinical marriage and family therapist to take over the delivery of services.

(c) Retention of records. If a licensee is the owner or custodian of client or client system records, the licensee shall retain a complete record for the following time periods, unless otherwise provided by law:

- (1) At least six years after the date of termination of one or more contacts with an adult; and
- (2) for a client who is a minor on the date of termination of the contact or contacts, at least until the later of the following two dates:
  - (A) Two years past the date on which the client reaches the age of majority; or
  - (B) six years after the date of termination of the contact or contacts with the minor.

14. 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.

### **CONCLUSIONS OF LAW**

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

16. The Plea Agreement and journal entry of judgment entered in in Sedgwick County Case No. SG-24-CR-561 demonstrate that Respondent is in violation of K.S.A. 65-6408(a)(9) for engaging in unprofessional conduct as defined in K.A.R. 102-5-12(b)(2)(D), (10) and (23) relating to Respondent's conviction of a crime and failure to notify the Board within a reasonable time of such conviction, performing services incommensurate with her training, education, or experience or with accepted professional standards, and engaging in billing practices involving dishonesty, fraud, deceit, or misrepresentation.

17. Respondent is also in violation of K.S.A. 65-6408(a)(9) for engaging in unprofessional conduct as defined in K.A.R. 102-5-12(b)(22) and K.A.R. 102-5-16(c) for failing to maintain and protect client records as required by law.

### **ORDER**

WHEREFORE, in consideration of the above findings of fact and conclusions of law, and pursuant to the authority granted by K.S.A. 65-6408(a), and K.S.A. 77-537, the Complaint Review Committee on behalf of the Board hereby finds and orders that:

- A. Respondent's LCMFT License No. 2861 should be and are hereby **SUSPENDED** on an indefinite basis effective as of the date this Summary Proceeding Order becomes a final order of the Board, and until further order of the Board;
- B. Respondent shall notify in writing any supervisee(s) of her suspension in order to allow her supervisee(s) to find a new supervisor. Respondent must provide copies of the written notices to his supervisee(s) to the Board within thirty (30) days of the effective date of this Summary Proceeding Order;
- C. After Respondent completes all terms of probation, to include satisfaction of the requirement to pay restitution, Respondent may petition the Board for reinstatement of her LCMFT license pursuant to K.A.R. 102-5-9(d). In connection with the request for reinstatement, the Board may consider any materials, information, evaluation or assessment reports, or other documentation that the Board may request that will enable the Board to

satisfactorily evaluate and determine whether or not the license should be reinstated, including without limitation the following factors:

- (A) the extent to which the individual presently merits the public trust;
  - (B) the individual's demonstrated consciousness of the wrongful conduct that resulted in the license suspension;
  - (C) the extent of the individual's remediation and rehabilitation in regard to the wrongful conduct that resulted in the license suspension;
  - (D) the nature and seriousness of the original misconduct;
  - (E) the individual's conduct subsequent to the license suspension;
  - (F) the time elapsed since the license suspension; and
  - (G) the individual's present knowledge and competence in marriage and family therapy skills;
- D. In the event the Board approves the reinstatement of Respondent's LCMFT, the Board reserves the right to impose such other conditions or limitations as the Board in its discretion may deem necessary to protect the public interest, subject to notice and an opportunity for hearing in accordance with the requirements of KAPA;
- E. Respondent shall be responsible for any costs incurred in satisfying the terms of this Summary Proceeding Order; and
- F. Except as otherwise provided herein, Respondent shall submit to the Board's investigator at its offices at 700 SW Harrison, Suite 420, Topeka, Kansas, 66603, any and all documents evidencing compliance with the terms and conditions required by this Summary Proceeding Order.

**IT IS SO ORDERED.**

Entered this 18 day February, 2026.



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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 18 day of February, 2026, 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:

Chi Chi Emeana  


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*



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Staff,  
Kansas Behavioral Sciences Regulatory Board