

KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

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

In the Matter of)
)
Derek Parker,)
LMLP License No.2981,)
)
Licensee/Respondent)

Case No. 24-MP-0177

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

SUMMARY PROCEEDING ORDER

Now on this 6 day of April, 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 Licensure of Master's Level Psychologists Act, K.S.A. 74-5361 *et seq.*, and amendments thereto (the "Act").

2. Respondent Derek Parker ("Respondent") is an individual with a last known preferred mailing address on file with the Board of 131 N. Hillside St., El Dorado, KS 67042. At all times relevant hereto, Respondent has been licensed as a Licensed Masters Level Psychologist (LMLP) within the meaning of the Act.

3. The Board received a Report of Alleged Violation ("RAV") against Respondent from a representative of Respondent's former employer, who is also a licensee of the Board. In relevant part, the RAV provided that four (4) reports issued by Respondent had been reviewed which raised serious concerns regarding Respondent's practice. As a result of the review, Respondent's testing privileges were suspended and he was no longer involved in testing. According to the complainant, the systemic issues and lapses in the documentation were serious and could harm patients.

4. Respondent was provided with the RAV and in his response denied the allegations of the RAV, stated that his reports were reviewed and any areas of concern were corrected right away.

5. Complainant was contacted regarding Respondent's assertion that the reports at issue were reviewed and corrected before being released. Complainant clarified that

Respondent's reports were not reviewed for quality assurance, in part, because Respondent's level of licensure did not require it. The reviews conducted were administrative in nature and were not a review of the report quality and interpretation.

6. The Board conducted a review of the four (4) reports at issue, which concluded that Respondent's reports were exceptionally insufficient to meet the rigorous standards of conducting and presenting psychological assessments. Errors in data review, test selection, data analysis and integration were noted throughout the reports. The reports were deeply flawed as a result. The following non-exclusive list of issues were specifically noted:

- a. The reports exhibited problems with adequately describing for the reader the pertinent background information that is necessary to answer the referral question. In all instances, Respondent failed to ask diagnostic interview questions to better ascertain symptoms or failed to supply the results from such an interview. The conclusions he has drawn are undermined by the lack of supporting information.
- b. All four reports had incomplete or inappropriate tests being selected to answer referral questions. In one example, Respondent did not ask follow up questions, to obtain a reasonably complete understanding of what the client is experiencing. He did not supply information about the client's specific symptom [apparitions], a timeline that details symptom onset of where the client is presently experiencing hallucinations. Other information was missing. The incompleteness of his assessments undermines the foundation on which his diagnoses are based.
- c. There are several errors that affect interpretation of assessment results. In Report #3, Respondent provides potentially contradictory information regarding the client's apparent suicidality. In the report of behavioral observations it is stated "the client reported no current suicidal ideation," however in the description of the MMPI-3 results, he states, "there is an imminent risk of suicide which should be assessed immediately." It is unclear if Dr. Parker assessed the client for suicidal ideation after he ascertained (presumably) during the clinical interview.
- d. All of Dr. Parker's reports are inexcusably unclear and lack professionalism to the point where it is difficult to determine whether he made interpretation and integration errors. An interpretation error occurs where the psychologist does not appropriately explain the meaning and significance of the collected data. An integration error occurs when the psychologist does not appropriately combine different pieces of information to create a cohesive picture of the client's presentation.

APPLICABLE LAW

7. The Act authorizes the Board to refuse to issue, renew or reinstate a license, condition, limit, revoke or suspend a license, 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 has violated any provision of K.S.A. 74-5369(a)(1) – (11).

8. K.S.A. 74-5369(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 adopted by the board;

9. K.A.R. 102-4-12(b)(2)(C), (10) and (36) provide that the following acts by an LMLP constitute unprofessional conduct:

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

.....

(C) 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;

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

.....

(36) failing to maintain a record for each client that conforms to the following minimal requirements:

(A) Contains adequate identification of the client;

(B) indicates the client's initial reason for seeking the master's level psychologist's or clinical psychotherapist's services;

(C) contains pertinent and significant information concerning the client's condition;

(D) summarizes the intervention, treatment, tests, procedures, and services that were obtained, performed, ordered, or recommended and the findings and results of each;

- (E) documents the client's progress during the course of intervention or treatment provided by the master's level psychologist or clinical psychotherapist;
- (F) is legible;
- (G) contains only those terms and abbreviations that are comprehensible to similar professional practitioners;
- (H) indicates the date and nature of any professional service that was provided; and
- (I) describes the manner and process by which the professional relationship terminated;

10. 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

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

12. Respondent is in violation of K.S.A. 74-5369(a)(9), in that Respondent has engaged in unprofessional conduct as defined in K.A.R. 102-4-12(b)(2)(C), (10), and (36)(A) – (E), (G) and (H). Respondent's privileges were suspended by his former employer as a result of the significant concerns noted in Respondent's work product. Respondent failed to perform professional services consistent with his training, education or experience or with accepted professional standards. Respondent failed to maintain a record for each client which contains adequate identification of the client; indicates the client's initial reason for seeking the master's level psychologist's or clinical psychotherapist's services; contains pertinent and significant information concerning the client's condition; summarizes the intervention, treatment, tests, procedures, and services that were obtained, performed, ordered, or recommended and the

findings and results of each; documents the client's progress during the course of intervention or treatment provided by the master's level psychologist or clinical psychotherapist; contains only those terms and abbreviations that are comprehensible to similar professional practitioners; and indicates the date and nature of any professional service that was provided.

SANCTION

WHEREFORE, in consideration of the above findings of fact and conclusions of law, and pursuant to the authority granted by K.S.A. 74-5369(a) and K.S.A. 77-537, the Complaint Review Committee on behalf of the Board hereby finds and orders that:

- A. Respondent's LMLP License No. 2981 should be and is hereby LIMITED effective as of the date this Summary Proceeding Order becomes a final order of the Board, in that Respondent shall not provide psychological assessments, testing and evaluation for clients until further order of the Board.
- B. Respondent may petition the Board to lift the practice limitation imposed herein. In conjunction with such petition, Respondent shall bear the burden of demonstrating that lifting the practice limitation is warranted in light of the findings and conclusions of this Summary Proceeding Order, the Board's investigation and all other information which may be presented to or obtained by the Board in connection with this matter.
- C. In the event the practice limitation is lifted, the Board reserves the right to take further action in its discretion in furtherance of the public interest and the Act, subject to notice and opportunity for a hearing pursuant to KAPA.

IT IS SO ORDERED.

Entered this 6 day of April, 2026.



Mary Jones, Chairperson
Kansas Behavioral Sciences Regulatory Board

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 18th 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 18th 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 6 day of April, 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 and via electronic mail, addressed to:

Derek Parker


And by e-mail to:

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



Staff,
Kansas Behavioral Sciences Regulatory Board