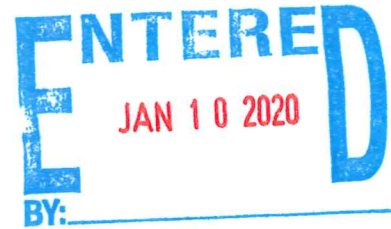


COMMONWEALTH OF KENTUCKY
BOARD OF SOCIAL WORK
CASE NO. 18-20

18-02



IN RE: THE LICENSE TO PRACTICE SOCIAL WORK IN THE COMMONWEALTH OF KENTUCKY
HELD BY BEVERLY KIRK TURNER, LCSW, LICENSE NO. 697

AGREED ORDER

Come now the Kentucky Board of Social Work (hereinafter "the board"), and BEVERLY KIRK TURNER (hereinafter "Turner"), and, based upon their mutual desire to fully and finally resolve this pending matter in an expeditious manner, without the need for filing a formal complaint and notice of evidentiary hearing pursuant to KRS 335.155, hereby ENTER INTO the following **AGREED ORDER**:

STIPULATION OF FACTS

The parties stipulate the following facts, which serve as the factual bases for this Agreed Order:

1. Turner was duly licensed by the board to practice social work within the Commonwealth of Kentucky upon reinstatement of her license on July 24, 2013, which reinstatement was effective for three (3) years with an expiration date of July 24, 2016.
2. On or about February 5, 2018, the board received a written complaint filed by Kristopher Karl Alfred (hereinafter "Alfred"), stating that he had been a client of Turner's for approximately twenty years and had been in therapy most recently with her until January 2016. He further stated that he was diagnosed with late stage cancer in late 2015 and faced extended treatment; that in January 2016, during one of his therapy sessions, he informed Turner that he had no place to live and was unable to afford his own apartment, and Turner invited him to

move into her residence and discontinued therapy with him when he moved into her home. He alleged he lived with Turner and her spouse in Turner's residence until mid-September 2016 when she evicted him;

3. On or about September 5, 2018, Turner responded to the complaint and admitted that Alfred was her client "on and off" since he was 21 years old, and that she provided therapy services to him regularly throughout 2015. Turner admitted that she invited Alfred to temporarily move into her residence after he informed her during their last session that he was being evicted from his current residence and had nowhere to live, stating that she offered to house him temporarily until he received an expected inheritance and could find his own housing;

4. In her response, Turner stated after Alfred agreed to move into her residence that she told him he would have to continue mental health services with another agency, that she informed Alfred that she would not be able to see him again as a client, and that in the past Alfred had gone years without seeing her in therapy and could tolerate the loss of her as his therapist; and

5. In her response, Turner acknowledged that permitting Alfred to move into her home gives rise to a violation of the Code of Ethical Conduct provision addressing dual relationships between social workers and clients; while acknowledging the breach, the licensee pointed out that she did not intend to use her position as a social worker to take advantage of Alfred but felt forced into making a decision between her moral values and social work regulations.

6. Subsequently, a board investigator conducted interviews with Turner and Alfred, resulting in a final investigative report being submitted to the board.

7. On January 8, 2019, the board's complaint committee reviewed the case file and recommended an agreed order to resolve this matter, in lieu of the issuance of a formal complaint and notice of evidentiary hearing. The board approved the terms of the agreed order by unanimous vote.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Agreed Order:

1. During the period from July 24, 2013 to July 24, 2016, Turner's Kentucky social work license was active and subject to regulation and discipline by the board.

2. Pursuant to 201 KAR 23:080 Section 2(3), a client who directly receives social work services shall be deemed to continue to be a client for a period of five (5) years following the last date of service actually rendered.

3. Based upon the Stipulation of Facts, the licensee has engaged in conduct which violates the provisions of KRS 335.150(1)(g) and 201 KAR 23:080, Sections 2 and 11.

Accordingly, there are legal grounds for the parties to enter into this Agreed Order.

4. Pursuant to KRS 335.150(4), the parties may fully and finally resolve this pending matter without the filing of a formal complaint and an evidentiary hearing by entering into informal resolution such as this Agreed Order.

AGREED ORDER

Based upon the foregoing Stipulation of Facts and Stipulated Conclusions of Law, and based upon their mutual desire to fully and finally resolve this pending matter without an evidentiary hearing, the parties ENTER INTO the following AGREED ORDER:

1. The licensee agrees to surrender her license, and states her understanding that the board shall treat the surrender of her license as if it was revoked.

2. The license to practice social work in the Commonwealth of Kentucky held by BEVERLY KIRK TURNER, LCSW No. 697, is SURRENDERED AS IF REVOKED FOR A PERIOD OF FIVE (5) YEARS, effective immediately upon the entry of this order;

3. During the effective period of this Agreed Order, Turner SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS OF RESTRICTION until further orders of the board:

- a. Turner SHALL NOT seek reinstatement of Kentucky license to practice social work for a period of five (5) years from the date of entry of this order;
- b. Turner SHALL NOT engage in the practice of social work or otherwise provide social work services unless and until approved to do so by this board;
- c. Turner SHALL NOT violate any provision of KRS 335.010 – 335.160 and 201 KAR 23:080.

4. Turner freely and voluntarily enters into this Agreed Order, motivated by a desire to resolve the issues addressed herein, and has executed this Agreed Order only after a careful reading of it, and consultation with an attorney of her choosing should she so desire, and a full understanding of all of its terms; that she is fully aware of and expressly waives the right to contest charges in a formal hearing pursuant to KRS 335.155, the right to obtain judicial review of the board's decision, and the right to appeal any final order of the board to the Franklin Circuit Court as otherwise allowed by KRS 335.155(3).

5. Turner acknowledges the board has jurisdiction over the licensee and the conduct which precipitated this Agreed Order; that the board has the legal power to take disciplinary action up to and including revocation of the licensee's license to practice social work in Kentucky; and the licensee further acknowledges the board shall retain jurisdiction over this matter until all terms and conditions set forth in this Agreed Order have been met to the satisfaction of the board.

6. Pursuant to KRS 335.150 (2), Turner may petition the board for reinstatement no sooner than five (5) years from the date of the entry of this order. The board shall investigate the petition and may reinstate the license upon a finding that Turner has complied with terms prescribed by the board and is again able to engage competently and ethically in the practice of social work.

7. This Agreed Order is considered a public document, available for inspection at any time by any member of the public under the Kentucky Open Records Act.

8. This matter shall constitute disciplinary action which may be reportable under state or federal law.

9. Turner expressly understands that any violation of the terms of this Agreed Order shall provide the legal basis for additional disciplinary action, and shall constitute failure to comply with an order of the board under KRS 335.150(1)(f), and for which the board may impose additional penalties available under law after notice and an opportunity to be heard.

10. This Agreed Order shall be governed in all respects, whether as to validity, construction, capacity, performance or otherwise, in accordance with the laws of the Commonwealth of Kentucky. Furthermore:

a. Any dispute arising hereunder shall be settled by a state court of appropriate jurisdiction in Franklin County, Kentucky. The parties irrevocably consent to the personal jurisdiction and venue of such court.

b. This Agreed Order may not be modified except by a written agreement signed by the parties.

11. In consideration of execution of this Agreed Order, Turner, her executors, administrators, successors and assigns, hereby release and forever discharge the Commonwealth of Kentucky, the Board of Social Work, and each of its members, agents, and employees in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, the licensee ever had, now has, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this investigation, this disciplinary action, this Agreed Order, or its administration.

Upon consideration of this Agreed Order, it is hereby ORDERED that the terms of this Agreed Order are approved and adopted.

SO ORDERED on this 10th day of January, 2019. 2020

LICENSEE:

Beverly Kirk Turner
BEVERLY KIRK TURNER

Date 11-13-, 2019

FOR THE BOARD OF SOCIAL WORK:

J. Miller, Ph.D., CSW

JAY MILLER, CSW, PhD
CHAIR, KENTUCKY BOARD OF SOCIAL WORK


HON. NICOLE S. BEARSE
ATTORNEY, BOARD OF SOCIAL WORK

CERTIFICATE OF SERVICE

I hereby certify that copies of the Agreed Order were mailed by regular first class mail
on this 27th day of January, 201~~9~~²⁰²⁰, to:

Beverly Kirk Turner
1117 Jouett Creek Drive
Lexington, KY 40509


Board Administrator