

**BEFORE THE ALABAMA STATE BOARD  
OF SOCIAL WORK EXAMINERS**

**IN THE MATTER OF** )  
 )  
**KELLI KING,** ) **CASE NO. 10-1762C-06**  
 )  
**RESPONDENT.** )

**RECOMMENDATION OF ADMINISTRATIVE LAW JUDGE**

**ADMINISTRATIVE BACKGROUND**

This matter came before the Alabama State Board of Social Work Examiners (hereinafter the "Board") by a summons and complaint dated August 3, 2010, issued to Ms. Kelli King (hereinafter Ms. King) concerning her license to practice as a licensed social worker, pursuant to § 34-30-5, Code of Ala. 1975, and the Alabama Administrative Procedures Act. Said summons and complaint was mailed to Ms. King's most recent address with the Board, which is xxxxxxxxxxxxxxxxx. A hearing was held was on March 25, 2011. The Board was present at the hearing and represented by Attorney Bill Garrett. Ms. King failed to appear. At all times relevant to the administrative complaint, Ms. King was a licensed social worker with the Board.

**FINDINGS OF FACT**

The legal charge is based upon the Board's Administrative Code and Code of Ethics, and was clearly listed in the formal administrative complaint dated August 3, 2010. This complaint related to Ms. King's engaging in an inappropriate relationship with a client. More specifically, the allegations against Ms. King are as follows:

1. While licensed by the Board to practice social work, Ms. King worked as a social worker at Alabama Psychiatric Associates.

2. In 2008, J. J. and L. J. (who were then husband and wife) being treated by Ms. King for parenting and relational issues.
3. During 2008, a personal relationship developed between Ms. King and J. J., which included intimate relations between J. J. and Ms. King.
4. L. J. filed a formal complaint with the Board on February 25, 2010, against Ms. King regarding the inappropriate relationship with J. J. (Board's Exhibit 1.)
5. Ms. King, on March 20, 2010, responded to L. J.'s by stating her intentions and suggesting that she should have managed this case in a very different manner. (Board's Exhibit 2.)
6. Ms. King, in a letter dated July 16, 2010, to the Board, did acknowledge her friendship with J. J., but further denied any intimate relationship with J. J. (Board's Exhibit 3).
7. On May 17, 2010, Mr. James Dupree, an investigator for the Board, submitted an Investigation Report. (Board's Exhibit 4.) Mr. Dupree's report states that the relationship between Ms. King and J. J. dates back as early as October of 2008 which is evidenced by an exchange of text messages between Ms. King and J. J. (Board's Exhibit 4.)
8. Mr. Dupree also interviewed witnesses that would testify regarding the relationship. (Board's Exhibit 4.) Ms. King again denied any such relationship during her interview with Mr. Dupree. (Board's Exhibit 4.)
9. Even though Ms. King denied any such relationship in her letters to the Board and during her interview with Mr. Dupree, Ms. King was wedded to J. J. on May 24, 2010. (Board's Exhibit 5.)

## CONCLUSIONS OF LAW

The Board has the authority to discipline its licensees pursuant to § 34-30-4, Code of Ala 1975. More particularly the Board may revoke any license upon proof that the person has engaged in unprofessional conduct. Sections 34-30-4(a)6 and 34-30-4(b) provide as follows:

(a) The State Board of Social Work Examiners, after a hearing, may refuse to renew, may suspend or *may* revoke any license issued under this chapter upon proof that the person has engaged in unprofessional conduct within the last five years, including, but not limited to:

(6) Being found guilty *of* unprofessional conduct by the rules established by the Board of Social Work Examiners.

(b) In addition to the disciplinary powers provided in subsection (a), the board may levy and collect administrative fines for serious violations of this chapter or the rules and regulations of the board of not more than \$500.00 for each violation. (Acts 1977, No. 652, p. 1102, § 9; Acts 1992, No. 92-121, p. 204, § 3.)

The Board's Administrative Code sets out several sections concerning the inappropriate relationship. The relevant sections are as follows:

Section 850-X-9.01(2)(a)4 prohibits a social worker from engaging in any dual or multiple relationships with clients in which there is a risk of exploitation or of potential harm to the client;

Section 850-X-9-.01(2)(a)5 prohibits a social worker from engaging in sexual activity with current clients;

Section 850-X-9-.01(2)(a)10 prohibits a social worker from making sexual advances, sexual solicitation or other verbal or physical conduct of a sexual nature;

Section 850-X-10-.01(2)(m) prohibits a social worker from violating appropriate client-social worker boundaries; and

Section 850-X-10.01(2)(n) prohibits a social worker from committing any act of sexual misconduct or exploitation related to the practice of social work.

See Alabama Board of Social Work Examiners Administrative Code, §§ 850-X-9.01(2)(a)4, 5, 10 and 850-X-10-.01(2)(m) and (n). The Board presented uncontested evidence regarding Ms. King's relationship with J. J. Moreover, Ms. King eventually married J. J. in May of 2010.

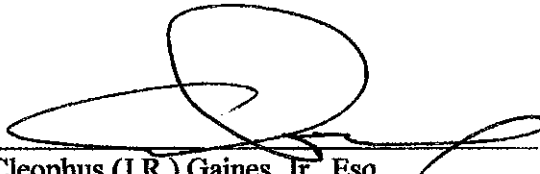
The Board's Administrative Code also covers dishonesty and similar misconduct. Section 850-X-9.01(2) prohibits a social worker from participating in, condoning or being associated with dishonesty, fraud, deceit, misrepresentation, or criminal activity. Ms. King denied any relationship with J. J. The Board, however, presented uncontested evidence regarding Ms. King's relationship with J. J. Moreover, Ms. King eventually married J. J. in May of 2010. Thus, Ms. King misrepresented her relationship with J. J.

#### **RECOMMENDATION**

The uncontested evidence presented against Ms. King constitutes a violation of § 34-30-4(a)6, Code of Ala. 1975 and Rules §§ 850-X-9.01(2)(a)4, 5, and 10, 850-X-10-.01(2)(m) and (n), and 850-X-9.01(2), Administrative Code, Alabama Board of Social Work Examiners.

Based on the facts and law as presented above, I hereby find that the revocation of Ms. King's license to engage in the practice of social work in the State of Alabama is justified.

Done this 21<sup>st</sup> day of April, 2011.

  
Cleophus (J.R.) Gaines, Jr., Esq.  
Administrative Law Judge