#### DEPARTMENT OF PUBLIC HEALTH

Certified Mail

November 13, 2014

a171999991703415973326

Mr. Paul Boyne 8105 Creekview Drive Springfield, VA 22153

Re:

Petition No. :2013-478

Dear Mr. Boyne:

I am responding to your previous Freedom of Information Request. At that time we could not release any information since the case was still under investigation. The investigation has now been completed and the complaint has been dismissed. I have attached a copy of the investigation report for your review.

Please feel free to contact me at 860-509-7420 if you have any questions. Thank you.

Very truly yours,

Gary Griffin

**Investigations Supervisor** 

Practitioner Licensing and Investigations Section

Attachment



DEPARTMENT OF PUBLIC HEALTH

Jewel Mullen, M.D., M.P.H., M.P.A. Commissioner



Dannel P. Malloy Governor Nancy Wyman Lt. Governor

November 5, 2014

Paul Boyne 8105 Creekview Drive Springfield, VA 22153

Re: Kathleen Service Petition No. 2013-478

Dear Mr. Boyne:

Pursuant to Connecticut General Statutes §19a-14, this Department is responsible for handling petitions against regulated health professionals.

After a thorough investigation of the petition, referenced above, the Department has concluded that no violations of the statutes governing social work practice have been identified. Therefore, the case has been closed.

Sincerely,

Kathleen W. Boulware, RN

Public Health Services Manager

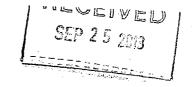
Kathler Bulware

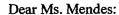
Practitioner Licensing and Investigation Section

KWB:dh



Phone: (860) 509-7552 • Fax: (860) 509-7535 • VP: (860) 899-1611 410 Capitol Avenue, P.O. Box 340308 Hartford, Connecticut 06134-0308 www.ct.gov/dph Affirmative Action/Equal Opportunity Employer Ms. Mary Beth Mendes State of Connecticut Department of Public Health Division of Health Systems Regulation 410 Capitol Ave. MS #12HSR PO Box 340308 Hartford, CT 06134-0308





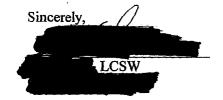
Pursuant to your request, I have reviewed the documents you have provided to me regarding a complaint against MS. Kathleen Service, MSW of Klingberg Family Centers. You also requested that I render an opinion as to whether Ms. Service was performing functions through the "Transition in Parenting Program" that fell within the "Scope of Practice" for Licensed Clinical Social Workers (LCSW) and should therefore have been provided by an LCSW. I have reviewed the documents you supplied, re-reviewed the "Scope of Practice" for LCSW's, and relied on my 20 years of experience as an MSW (licensed for the past 18) to form my opinion.

The Scope of Practice as defined by "The Practice Act" of the Connecticut General Statutes, Chapter 383b, Clinical Social Workers states:

"Clinical social work" means the application, by persons trained in social work, of established principles of psychosocial development, behavior, psychopathology, unconscious motivation, interpersonal relationships and environmental stress to the evaluation, assessment, diagnosis and treatment of biopsychosocial dysfunction, disability and impairment, including mental, emotional, behavioral, developmental and addictive disorders, of individuals, couples, families or groups. Clinical social work includes, but is not limited to, counseling, psychotherapy, behavior modification and mental health consultation;

The "Transition in Parenting" program described in both the Court Support Services Division (CSSD) Request for Proposal (RFP), the Klingberg response to the RFP and the Klingberg "fact sheet" use terms such as "clinical, therapist, and therapy" in their descriptions of the type of services provided and the qualifications of the program staff who are delivering said services. A closer review of the documents reveals that those services do not meet the criteria of "clinical social work" nor of "counseling, psychotherapy, behavior modification and mental health consultation" where - based on my experience and the practice guidelines - biopsychosocial assessments are conducted, psychiatric diagnoses formulated, and theories of behavior, behavior change, psychological processes, psychopathology, etc. are deliberately applied to fundamentally change levels of emotional functioning (anxiety, depression, etc), individual behaviors and/or interpersonal/familial relationships.

The documents provided indicate that an "intake" is required; the intake I reviewed that was conducted by Ms. Service was not a biopsychosocial assessment. The program descriptions do not indicate that psychiatric diagnoses or treatment plans are required, nor did I find anything indicating that individual and/or family therapy should/would be provided. While Ms. Service's report to the court identifies her as a "therapist," I found no evidence in the documents that Ms. Service was either expected to - or conducted - "therapy" or "clinical social work" that would have required the possession of a clinical license. I also believe that confusion was (and continues to be) generated by how CSSD and Klingberg (and other state/private agencies) use the terms "clinical, therapist, and therapy" when referring to services and providers." Please contact me directly if you require additional information and/or clarification of my opinion.



#### DEPARTMENT OF PUBLIC HEALTH

Certified Mail

November 13, 2014

a171999991703415973326

Mr. Paul Boyne 8105 Creekview Drive Springfield, VA 22153

Re:

Petition No. :2013-478

Dear Mr. Boyne:

I am responding to your previous Freedom of Information Request. At that time we could not release any information since the case was still under investigation. The investigation has now been completed and the complaint has been dismissed. I have attached a copy of the investigation report for your review.

Please feel free to contact me at 860-509-7420 if you have any questions. Thank you.

Very truly yours,

Gary Griffin

**Investigations Supervisor** 

Practitioner Licensing and Investigations Section

Attachment





DEPARTMENT OF PUBLIC HEALTH

November 5, 2014

Kathleen Service, MSW 52 Coolidge Street Hartford, CT 06106

Petition number 2013-478

Dear Ms. Service:

Pursuant to Connecticut General Statutes §19a-14, this Department is responsible for handling petitions against regulated health professionals.

After a thorough investigation of the petition, referenced above, the Department has concluded that no violations of the statutes governing social work practice have been identified. Therefore, the case has been closed.

The Department's consultant determined that your monitoring of Mr. Boyne and his minor children relating to their reunification did not constitute the practice of social work and therefore you were not required to have a social work license at the time.

The Department is aware that you have recently been issued your MSW license number 000106. Please be advised that you must still continue to be supervised by an appropriately licensed practitioner until such time that you qualify for your LCSW. The statutes define "Under professional supervision" as meaning the practice of clinical social work under the supervision of a licensed physician, a licensed advanced practice registered nurse, a licensed psychologist, a licensed marital and family therapist, a licensed clinical social or a licensed professional counselor.

Connecticut General Statutes define the practice of social work as "the application of established principles of psychosocial development, behavior, psychopathology, unconscious motivation, interpersonal relationships and environmental stress to the evaluation, assessment, diagnosis and treatment of biopsychosocial dysfunction, disability and impairment, including mental emotional behavioral, developmental and additive disorders, of individuals, couples, families or groups. Clinical social work includes but is not limited to counseling, psychotherapy, behavior modification and mental health counseling".



Phone: (860) 509-7552
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Kathleen Service, MSW Petition Number 2013-478 Page 2

As the Department's consultant clearly identified in his review that your responsibilities in the "Transition in Parenting" program, do not constitute clinical social work and you were therefore not required to have a license at the time, you should undertake and seek opportunities for supervision in areas that meet the definition of clinical social work in the future.

If you have any questions regarding this matter you may contact me by calling 860-509-7501 Monday through Thursday 8 a.m. to 4 p.m.

Sincerely,

Kathleen W. Boulware, RN

Public Health Services Manager

Kather Bealwan

Practitioner Licensing and Investigation Section

# State of Connecticut Department of Public Health Practitioner Investigations Unit Investigative Report September 26, 2013

Petition No. 2013-478

Date Case Opened and Assigned to Investigator:

May 17, 2013

Date Case Received by Investigator:

May 21, 2013

Respondent:

Kathleen Service

Petitioner:

Paul Boyne

52 Coolidge Street Hartford, CT 06106 8105 Creekview Drive Springfield, VA 22153

Investigated and Report Prepared By:

Mary Beth Mendes

#### Allegations

The petitioner, Paul Boyne, states that the respondent, Kathleen Service, who is unlicensed, is providing therapy to his children at Klingberg Family Center in Hartford and has been obstructing his ability to parent his children. The respondent does not hold a license with this Department.

#### A. Complaint

The petitioner provided this Department with a copy of a letter he sent to the respondent, dated December 8, 2012.

#### **Analysis**

- 1. The petitioner states that the respondent fails to recognize that his children have been isolated from him and all of his relatives by the deliberate acts of their mother for over 6 years. He states that the respondent states that the children have concerns and feelings about this but she fails to state what these concerns and feelings are. The respondent prevented a meeting from occurring between him and his children because of her own personal schedule. He states that the respondent's supervisor at Klingberg, Judi Orlando Mahan, LCSW, Director of Child and Family Services, states that the children trust the respondent. The petitioner states that the respondent never explained to the children why they were even at Klingberg.
- 2. The petitioner states that the respondent should have explained to the children why they were prevented from having any contact with him for 6 years
- 3. The petitioner states that the respondent's feigned clinical therapy is a hoax to sanctify the horrible emotional abuse of the children by their mother. The petitioner states that the respondent needs to cease her non-clinical and non-therapeutic acts.

#### B. E-mail from Petitioner

On April 27, 2013 this Department received an e-mail from the Petitioner.

#### Analysis

The petitioner states that the respondent is acting as a counselor and a therapist and she is passing judgment on adults.

Petition No. 2013-478 Kathleen Service Page 2

E-mails from Petitioner C.

On April 29, 2013 this Department received e-mails from the petitioner.

#### **Analysis**

- The petitioner states that the respondent is conducting therapy and therapeutic treatment without supervision. He 1. states that she makes significant decisions and opinions without supervision. He states that she conducts therapy sessions without a licensed individual in the room with her.
- The petitioner states that he and his daughter were abused by the respondent. He states that there is no limit on 2. the amount of damage the respondent can do to the public.

#### Review of Documents Received from Klingberg D.

- On the Child Intake Information Sheet, (Document C), regarding the respondent's meeting with the petitioner's 1: children, filled out by the respondent, dated December 4, 2012, the respondent is listed as a "therapist".
- On the Client Agreement Form, (Included in Document D), received from Klingberg, the respondent is referred to 2. as a "therapist".
- On the Fact Sheet for Access and Visitation, (Included in Document D), received from Klingberg, the respondent 3. is referred to as a "therapist". It states that her goal is to decrease barriers between the children and the noncustodial parent.
- On the Access and Visitation Program Transition in Parenting Sheet, (Included in Document D), received from 4. Klingberg, the respondent is referred to as a "master's level therapist". It states that her goal is to mitigate barriers between the children and the non-custodial parent. It states that she engages the custodial parent and the children while she strives to understand and decrease any concerns they may have about the reunification visits. It states that she engages and guides the non-custodial parent on how to best support the children, which may include increasing parenting, communication and child development skills.
- On a Staffing Pattern document, (Included in Document D), received from Klingberg, the respondent is referred 5. to as a "Masters level therapist" who provides "clinical services". It further states that the respondent provided "individual and family therapy" in the Transition in Parenting Program at Klingberg.
- On a Staff Experience and Qualifications, (Included in Document D), received from Klingberg, it states that the 6. respondent "has worked at Klingberg for over fourteen years and that she has been providing therapeutic services to many clients referred to the Transitions in Parenting Service".
- On the Family Relations Report from Hartford Superior Court, (Included in Document E), received from the 7. petitioner, the respondent is referred to as a "therapist" throughout this report. It is stated in this report that the respondent is the "primary therapist" and that she works with the petitioner, three of his children and their mother. The respondent describes that there was positive interaction between the petitioner and the children.

#### Review of Records at Klingberg C.

On June 20, 2013 this investigator and Kathleen Boulware, RN, Public Health Systems Manager, met with the respondent, Ms. Orlando Mahan and David Tompkins, Vice President of Klingberg at Klingberg in Hartford to review the respondent's reports of the visitation meetings between the petitioner and his children.

### <u>Analysis</u>

On the respondent's reports of her meetings with the petitioner and his children, her observations are referred to as "Counselor's Observations". Throughout these reports the respondent refers to herself as "this therapist".

- 5. The Department's consultant reviewed the file and identified the following:
- a. The descriptions of the services of the Transition in Parenting Program and the qualification of the program staff, who are delivering these services, include the terms "clinical", "therapist" and "therapy".
  - Note: The terms "clinical, "therapist" and "therapy" are not protected terms under Connecticut General Statutes.
- b. The services provided by the respondent do not meet the criteria of clinical social work, counseling, psychotherapy, behavior modification or of a mental health consultation.
- c. The Transition in Parenting Program does not meet the criteria of clinical social work, counseling, psychotherapy, behavior modification or a mental health consultation.
- d. Clinical social work includes conducting biopsychosocial assessments, formulating psychiatric diagnoses and deliberately applying theories of behavior, behavior change, psychological processes and psychopathology to fundamentally change levels of emotional functioning, such as anxiety or depression, individual behaviors and/or interpersonal/familial relationships.
- e. Although an intake is required by Klingberg for the Transition in Parenting Program, the intake conducted by the respondent does not constitute a biopsychosocial assessment.
- f. The program descriptions do not indicate that psychiatric diagnoses or treatment plans are required. Nothing indicates that individual and/or family therapy should or would be provided. Although the respondent's report to the court identifies her as a "therapist", there is no evidence that the respondent was expected to conduct or conducted therapy or clinical social work that would have required her to be licensed.
- g. The respondent did not require a license to perform the tasks related to the Transition in Parenting Program.
- 6. The recommendation made by the Klingberg Family Center to the Superior Court Family Division was that the petitioner was unable to adhere to the rules established by the program or to respect the process of reunification, leaving Klingberg Family Center questioning where their intervention was the appropriate venue at this time.

Dear Kathy,

The discussions this week have been quite disturbing. You fail to recognize that the children have been isolated from their father and all paternal relatives by deliberate acts of the mother for a period of over six years. You advise that the children have "concerns/feelings" but omit any description. You allude to a "follow through" but absent executable definition. You want to schedule time for a "discussion" but with no agenda. You constantly refer to "process" and "procedure" but you fail to reveal such documentation. You claim a deceptive opinion that you are somehow singularly specific or perhaps even critical to dealing with my kids and thus prevented a meeting from occurring due to your own personal schedule. Your supervisor falsely states that the children are "trusting" you, but you failed to explain to the kids why they are at Klingberg in the first place.

You should have already explained to the children why they were prevented from contact with their father for six years. Your use of the word "blame" is grotesque; lie to the children and blame Dad?? There is truth here. The mother is to blame for the abuse and emotional harm of the children. How do the children begin to understand why have been isolated if you exclude explanation of the mother's acts? Does your arrogance and self-deception allow you to conclude that the mother is not at fault?? Only malice confuses truth with your concept of 'negative comments' of the mother.

The realization of the truth will provide reconciliation. Your feigned clinical therapy is a hoax to sanctify the horrible emotional abuse of these kids by their own mother. I have spent many years preparing to see my kids again. It will tearful, emotional, hurtful and joyous. Such being well beyond the limits of your abilities; usurped parental privilege notwithstanding. Please cease and desist your non-clinical and non-therapeutic acts of impediment. It is a simple matter to arrange a meeting without delay. They are my kids; I will take care of them.

Sincerely,

Paul A. Boyne

A

#### Boulware, Kathleen

From:

Paul Boyne <paboyne@gmail.com>

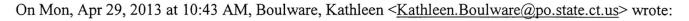
Sent:

Monday, April 29, 2013 10:44 AM

To: Subject: Boulware, Kathleen Re: License Question

ok, thanks will get this back to you today.

pb



No I am not saying that. I answered your question regarding supervision. She cannot practice independently without supervision. However, supervision is not always obvious. If you are making a complaint that she was practicing without supervision, then that is another matter. The Department would be happy to review the issue on your behalf. If you have a complaint about the care provided to you and your daughter, you may also include that in your complaint. I have attached another complaint form and a release. If a co-custodial parent is involved we will need signatures of both custodial parents in order to get records regarding your daughters treatment.

From: Paul Boyne [mailto:paboyne@gmail.com]

Sent: Monday, April 29, 2013 10:23 AM

To: Boulware, Kathleen

Subject: Re: License Question

So you are saying that Ms. Service can go hunting without a hunting license as she has not taken the hunting exam?

I was abused by this lady along with my daughter for her so called professional actions. She is not licensed, she was not being supervised but she was being paid to act like something she has not be licensed to do??

C'mon, there is no limit on the damage and opinions this nut can do on her own.



You are saying the State allows her to abuse consumers without a license????
pb
On Mon, Apr 29, 2013 at 10:10 AM, Boulware, Kathleen < Kathleen.Boulware@po.state.ct.us > wrote:
Direct supervision of all her activities is not a requirement, although there should be some direct observation of her work. Professional supervision can be carried out in many ways including supervisor observation of the trainee/intern, co-interventions with the practitioner and her supervisor and a patient(s), i.e. group activities and individual therapy, chart reviews, case discussion, treatment planning discussions and participation, etc. The "professional supervision" component is face-to-face, but means face-to-face with the trainee, not the patient.
From: Paul Boyne [mailto:paboyne@gmail.com] Sent: Monday, April 29, 2013 10:03 AM To: Boulware, Kathleen Subject: Re: License Question
Is Ms. Service allowed to conduct 'therapy' or 'therapeutic' treatment by herself? If she is not licensed can she be making significant decisions or opinions on her own? Is she allowed to conduct therapy sessions without a licensed person in the room?
Just curious as to the real rules of what an unlicensed person is allowed to do when it comes to the treatment of the public.
pb

On Mon, Apr 29, 2013 at 9:37 AM, Boulware, Kathleen < Kathleen.Boulware@po.state.ct.us> wrote:

Mr. Boyne:

All of the mental health professionals licensed by the Department are required to achieve a period of clinical experience post master's or doctoral degree before they become eligible to take the licensing exam. For social workers the requirement (CGS, Section 20-195n) is that they have three thousand hours post-master's social work experience which shall include no less than one hundred hours of work under professional supervision by a licensed clinical or certified independent social worker.

Connecticut General Statutes Chapter 383b identifies:

Section 20-195m(7): "Under professional supervision" means the practice of clinical social work under the supervision of a physician licensed pursuant to chapter 370, an advanced practice registered nurse licensed pursuant to chapter 378, a psychologist licensed pursuant to chapter 383, a marital and family therapist licensed pursuant to chapter 383a, a clinical social worker licensed pursuant to this chapter or a professional counselor licensed pursuant to chapter 383c.

CGS, Section 20-195m(8): "Professional supervision" means face-to-face consultation between one supervisor who is a person describe in subdivision (7) of this section and one person receiving supervision that consists of not less than monthly review, a written evaluation and assessment by the supervisor of such person's practice of clinical social work.

CGS, Section 20-195q(c) Use of title identifies:

Nothing in this section shall prohibit (2) a person holding a doctoral or master's degree from a program accredited by the Council on Social Work Education from gaining social work experience under professional supervision, provided such activities are necessary to satisfy the work experience required by section 20-195n and such person is designated as "social work intern", as" social work trainee" or other title clearly indicating the status appropriate to his level of training.

Of note is that Ms. Service currently has an application pending for her SW license. This means she has satisfied the clinical supervision hours and is preparing to take the exam.

I hope this is helpful to you.

			а ал	
Kathleen W. Boulware, RN		919	and a	
Public Health Services Manager	*			
Practitioner Investigation Unit				
Office of Practitioner Licensing and Certification		 		
410 Capitol Avenue, MS#12HSR				
PO Box 340308				
Hartford, CT 06134-0308				
Phone: (860) 509-7552				
Fax: <u>(860) 509-7535</u>				
Email: kathleen.boulware@ct.gov				
From: Paul Boyne [mailto:paboyne@gmail.com] Sent: Saturday, April 27, 2013 8:15 PM To: Boulware, Kathleen Subject: License Question				
Kathleen,				
Will you kindly direct me to the regulations the counselor/therapist. Specifically, there is a K adults.				
			•	,
Specifics are desired.				
Thanks,				
nh				

----- Forwarded message ------

From: Boulware, Kathleen < Kathleen.Boulware@ct.gov >

Date: Thu, Dec 4, 2014 at 1:31 PM

Subject: RE: Fraud

To: Paul Boyne <paboyne@gmail.com>

## Mr. Boyne:

The Department has the authority to investigate complaints regarding care provided by licensed health care providers. We also have authority to issue a cease and desist order against a person who is practicing a profession without a license. As Ms. Service was determined not to be practicing social work, she did not require a license and the Department has no authority to proceed further.

Kathleen W. Boulware, RN Public Health Systems Manager Practitioner Investigation Unit Department of Public Health 410 Capitol Avenue, MS#12 HSR PO Box 340308 Hartford, CT 06123-0308

Phone: <u>860-920-3084</u> Fax: 860-509-7535

Email: kathleen.boulware@ct.gov

**From:** Paul Boyne [mailto:paboyne@gmail.com] **Sent:** Wednesday, December 03, 2014 11:47 PM **To:** Boulware, Kathleen **Cc:** Mendes, Mary Beth; Griffin, Gary; Antonetti, Matthew; Commissioner, DPH **Subject:** Fraud

Kathleen.

On the complaint against Kathy Service for providing therapy without a license, which you have now determined was not therapy at all, the Department of Consumer Protection advises me that this

misrepresentation is your duty to address.

Would you be so kind as to explain what DPH will do to protect the public form such fraud upon the public that was committed under your licensing authority?

Favour of a prompt and professional reply appreciated.

----- Forwarded message ------

From: Paul Boyne <paboyne@gmail.com>

Date: Mon, Dec 1, 2014 at 2:24 PM

Subject: Re: FOIA

To: "Gary.Griffin@ct.gov" < Gary.Griffin@ct.gov>

Cc: "thomas.hennick@ct.gov" <thomas.hennick@ct.gov>, "Boulware,

Kathleen" <Kathleen.Boulware@po.state.ct.us>,

"mary.beth.mendes@ct.gov" <mary.beth.mendes@ct.gov>,

"matthew.antonetti@ct.gov" <matthew.antonetti@ct.gov>,

"dph.commissioner@ct.gov" <dph.commissioner@ct.gov>, Attorney

General <attorney.general@ct.gov>, "conndcj@ct.gov" <conndcj@ct.gov>,

"Minnie.Gonzalez@cga.ct.gov" < Minnie.Gonzalez@cga.ct.gov>,

"<Edwin.Vargas@cga.ct.gov>" <edwin.vargas@cga.ct.gov>,

"len.fasano@cga.ct.gov" <len.fasano@cga.ct.gov>,

"christie.carpino@housegop.ct.gov" <christie.carpino@housegop.ct.gov>,

"Libbin, Martin" <martin.libbin@jud.ct.gov>, "Bozzuto, Elizabeth"

<Elizabeth.Bozzuto@jud.ct.gov>

# Gary,

Regarding the letter from the secret consultant that opined the judiciary is a bit nutty in its use of regulated terms, would you be able to provide a FOIA response this week. There is a motion before the Superior Court attacking the judges' game of therapy, it is based on the redacted letter you provided. As this pits the DPH Commissioner against the court, a proper copy of the letter is requested. See attached.

Another citizen is being victimized by judicial reunification therapy scam and has asked the court to explain the 'treatment' in proper clinical terms as suggested by the attached letter. It is set for hearing on 12/11 according to the court.

Would you be so kind as to provide an unredacted copy of the letter from your expert consultant whom the Commissioner relies for opinions of 'therapy' associated with the family court. It would be in the best interest of the public and a matter of child safety.

Thanks,

pb

On Tue, Nov 25, 2014 at 12:07 PM, Paul Boyne cpaboyne@gmail.com
wrote:

Gary,

Thanks for your recent letter on the FOIA matter of unredacted material. Simply put, the law offers no authority to withhold Dave Matulis's name from the report where he is the principal investigator who determines the fault. It is the Department of Public Health....not a private coverup service. There is no claim at law where DPH can hide its investigative process from the public.

Would you be so kind as to provide a copy of the agreement that is in place between your shadow investigators and DPH. The public has great interest

to completely understand the review process of public complaints. The public has great interest to see how DPH is failing public duty by dismissing so many valid complaints against players associated with the AFCC and family court.

The public is suspicious that your investigative process is not transparent and is controlled by outside players with connections to the judiciary, family/juvenile court. Without proper disclosure the public is left to conclude that there is something very sinister being protected by the Commissioner. Children are being trafficked and your department appears to be providing protection to the perps.

Favour of a professional reply is in the public interest.

pb