

THE MATTER OF THE *HEALTH PROFESSIONS ACT*, R.S.A. 2000, c.H-7;

AND IN THE MATTER OF A HEARING INTO THE CONDUCT OF KRISTEN IVANY, A MEMBER OF THE ALBERTA COLLEGE OF SOCIAL WORKERS;

AND IN THE MATTER OF A PROFESSIONAL CONDUCT HEARING REGARDING THE CONDUCT OF KRISTEN IVANY

DECISION OF THE HEARING TRIBUNAL

I. INTRODUCTION

1. A hearing was held virtually on June 19, 2025 concerning allegations of unprofessional conduct against Kristen Ivany (the “**Member**”), a former provisional register regulated member of the Alberta College of Social Workers (“**ACSW**”). The hearing occurred by consent via a virtual platform through the Edmonton office of Parlee McLaws.
2. This decision sets out the findings, reasons and penalty orders of the Hearing Tribunal concerning the hearing.
3. The Hearing Tribunal was assisted by Blair E. Maxston, K.C. as independent legal counsel, including in the drafting of this decision.

II. THE HEARING GENERALLY

4. The June 19, 2025 hearing was held pursuant to the *Health Professions Act*, R.S.A. 2000, c.H-7 as amended (the “**Act**”).
5. The members of the Hearing Tribunal were:

Mary Berube, RSW (Chair)
Judith Mason, RSW
Brett Huculak, Public Member
Georgeann Wilkin, Public Member

Also participating in the hearing were Karen Smith K.C. (legal counsel for the ACSW Complaints Director) and Sheryl Pearson (ACSW Complaints Director).

Finally, the Member participated in the hearing. The Member acknowledged she was aware of her right to be represented by legal counsel but was proceeding with the hearing without legal representation.

6. The hearing was a public hearing pursuant to s. 78 of the Act. There were no objections regarding the timeliness of service of the Amended Notice of Hearing and no objections

regarding the composition or jurisdiction of the Hearing Tribunal. As well, there were no preliminary applications.

7. The allegations were set out in an Amended Notice of Hearing dated May 13, 2025 (the “**Amended Notice of Hearing**”). The allegations in the Amended Notice of Hearing arise from the Member’s actions at the John Howard Society (“**JHS**”). The allegations in the Amended Notice of Hearing are as follows:

Professional Boundaries

1. That while employed at JHS, you engaged in an inappropriate, intimate, and/or romantic relationship with clients of JHS, specifically, CJ and/or BP.
2. That you breached professional boundaries with clients of JHS, specifically:
 - You drove clients in your personal vehicle when it was not appropriate;
 - You engaged in friendship with clients outside of work hours;
 - You bought new clothing for a client of JHS;

Such conduct contravenes ss. F.1(e), F.3(a)(b) and F.7(a)(i) of the Standards of Practice 2023, Values 4 of the Code of Ethics 2005 and constitutes unprofessional conduct pursuant to s.1(1) (pp) (i) (ii) and (xii) of the Health Professions Act.

Wellness

3. That you engaged in the provision of professional social work services to clients when you were incapacitated.

Such conduct contravenes ss. F.4(a)(b)(c) of the Standards of Practice 2023, Values 4 of the Code of Ethics 2005 and constitutes unprofessional conduct pursuant to s. 1(1) (pp) (i) (ii) and (xii) of the Health Professions Act.

8. Pursuant to s. 70(1) of the Act, the Member provided a written admission of unprofessional conduct to the Hearing Tribunal dated June 16, 2025 stating that the Member admitted that the following allegations constituted unprofessional conduct:

Professional Boundaries

1. That while employed at JHS, I engaged in an inappropriate and/or intimate relationship with clients of JHS, specifically, CJ and/or BP.
2. That I breached professional boundaries with clients of JHS, specifically:
 - I drove clients in my personal vehicle when it was not appropriate;

- I engaged in friendship with clients outside of work hours;

Such conduct contravenes ss. F.1(e), F.3(a)(b) and F.7(a)(i) of the Standards of Practice 2023, Values 4 of the Code of Ethics 2005 and constitutes unprofessional conduct pursuant to s.1(1) (pp) (i) (ii) and (xii) of the Health Professions Act.

Wellness

3. That I engaged in the provision of professional social work services to clients when I was incapacitated.

Such conduct contravenes ss. F.4(a)(b)(c) of the Standards of Practice 2023, Values 4 of the Code of Ethics 2005 and constitutes unprofessional conduct pursuant to s. 1(1) (pp) (i) (ii) and (xii) of the Health Professions Act.

(the “**Allegations**”)

9. The following documents were entered as Exhibits at the hearing with the consent of both parties:

Exhibit 1: Amended Notice of Hearing.

Exhibit 2: Notice to Attend.

Exhibit 3: Investigation Report.

Exhibit 4: Affidavit of Service

Exhibit 5: Admission of Unprofessional Conduct (the “**Admission**”).

Exhibit 6: Consent Order (the “**Consent Order**”).

10. Since the hearing proceeded as a consent hearing, the Hearing Tribunal heard from no witnesses at the hearing.

III. THE HEARING AND THE CONSENT ORDER

11. The Consent Order contained a “Agreed Statement of Facts”, “Agreed Findings”, “Acknowledgment of Responsibility” and “No Right to Appeal” sections.
12. The Consent Order also contained a “Orders as to Sanctions” section (the “**Sanction Orders**”).

A. Agreed Statement of Facts

13. The facts in this matter are not in dispute and are described in the Agreed Statement of Facts as follows:

- “1. At all material times, Ms. Ivany has been a Registered Social Worker with the Alberta College of Social Workers (“ACSW”) since August 2023.
2. At all material times, Ms. Ivany was a provisional Social Worker with the ACSW.
3. At all material times, Kristen Ivany was undertaking a practicum and was subsequently hired as an outreach worker with the John Howard Society (“JHS”) in Cold Lake, Alberta.
4. Ms. Ivany drove CJ and other clients in her personal vehicle. She engaged in friendship with clients outside of work hours.
5. Ms. Ivany engaged in a kiss with CJ. Witnesses who reviewed by video or saw the interaction, clearly indicated that they observed an intimacy between CJ and Ms. Ivany.
6. After Ms. Ivany was terminated from JHS, she allowed CJ to drive her car.
7. Ms. Ivany acknowledges that she has a diagnosed mental illness.
8. Ms. Ivany acknowledges that during the relevant times of November and December 2023, she was in a manic episode. It is acknowledged that this mania did have an influence on her behaviours.
9. Ms. Ivany is currently seeing both a psychiatrist and psychologist at Operational Stress Injury Clinic in Edmonton who have assisted her in re-balancing her medications and confirm that she is receiving on-going therapy and treatment.
10. Ms. Ivany was terminated from her employment at JHS on December 15th, 2023.
11. Ms. Ivany is presently completing her Bachelor of Social Work Degree at the University of Calgary with an expected graduation in 2025.”

B. Acknowledgment of Responsibility and Unprofessional Conduct

14. It was acknowledged by the Member and the ACSW Complaints Director that the Member's conduct as described in the Agreed Statement of Facts and the Admission constitutes unprofessional conduct.

C. No Right to Appeal

15. The ACSW and the Member agreed that there shall be no appeal from the Consent Order notwithstanding s. 87 of the Act.

IV. REASONS FOR DECISION: THE ALLEGATIONS

A. Generally

16. The ACSW is a self-governing professional body established under the Act and is responsible for regulation of the Social Work profession in the public interest. This includes ensuring that all ACSW regulated members practice their profession in a manner that protects the public from unsafe, incompetent or unethical acts.
17. The Hearing Tribunal sees protection of the public as the primary consideration in this matter.
18. After carefully considering all of the information and evidence presented during the Hearing, the Hearing Tribunal accepts all of the admissions of unprofessional conduct by the Member.
19. The factual basis for the three Allegations was proven as the result of uncontradicted evidence presented to the Hearing Tribunal. Bearing in mind the Admission signed by the Member, the Hearing Tribunal also concluded that the proven actions of the Member constituted unprofessional conduct as they were a clear breach of the Member's ethical and professional obligations.

B. Analysis

20. Being registered by the ACSW as a regulated member is accepted by the public as confirmation that the regulated member can practice safely, competently, ethically and honestly.
21. In terms of Allegations 1 and 2, members of the social work profession are not permitted to have intimate relationships or friendships with clients as those constitute boundary violations. The relationship between a patient and a social worker involves a power imbalance and the patient is in a vulnerable position. As well, the patient places trust in the social worker to act professionally and ethically. Having an inappropriate and/or intimate relationship with her clients at JHS was highly unprofessional for those reasons. Additionally, a client's decision-making may be impaired for reasons of physical or mental illness.
22. In terms of Allegation 3, members of the social work profession have an obligation to ensure that they are able to practice safely and competently, including having the mental capacity to provide the required level of treatment and to exercise appropriate professional judgment. Providing social work services to clients when the Member was incapacitated was highly inappropriate and put patients' interests at risk.
23. The Member's actions were clearly unprofessional conduct. This was not a "grey area". Instead, the Member's choices were deliberate and were a marked departure from the professional and ethical obligations of a Social Worker.

24. Based on this evidence, the Hearing Tribunal finds the Allegations factually proven and that the Allegations constitute unprofessional conduct.

V. REASONS FOR DECISION: SANCTIONS

A. The Joint Sanctions Proposal

25. As part of the Consent Order, the parties also jointly presented an Orders as to Sanctions (the "Sanction Orders") recommendation as follows:

- "1. A Reprimand shall be issued as against Ms. Ivany.
2. Ms. Ivany shall be suspended from the practice of social work for two (2) years commencing March 13, 2025.
3. Ms. Ivany's practice of social work shall be subject to supervision for a three (3) year period, commencing upon her return to practice. The supervisor may be inside or outside the employment of Ms. Ivany but must be approved by the Complaints Director. The ACSW Complaints Director shall be entitled to receive appropriate reporting from the supervisor. Any cost associated with the supervision will be the responsibility of Ms. Ivany.
4. Ms. Ivany shall complete any practicums associated with her Bachelor of Social Work degree on the basis of a self-directed practicums and with the full knowledge and cooperation of the University of Calgary Faculty of Social Work.
5. Ms. Ivany shall complete a paper of at least 1000 words regarding her ethical and professional responsibilities with respect to Professional Boundaries. The paper is to be completed within six (6) months of the date of this Order and must be to the satisfaction of the Complaints Director.
6. Ms. Ivany shall be required to receive regular mental health services (at least monthly) by a regulated health provider for a minimum of one year from the date of this Order. Reporting as to attendances shall be provided to the Complaints Director as requested.
7. Before returning to the practice of social work at the conclusion of Ms. Ivany's suspension from practice, Ms. Ivany shall be required to provide to the Complaints Director a letter from a medical or mental health practitioner confirming she is sufficiently well/healthy to provide professional social work services to the public.
8. Ms. Ivany shall pay costs in the amount of ONE THOUSAND (\$1,000) DOLLARS within two (2) years of the date of this Order. If Ms. Ivany is unable to pay those costs, specific permission and consultation must be made with the Complaints Director.
9. The Complaints Director shall maintain the discretion to suspend Ms. Ivany's permit to practice pending a Hearing should the Complaints Director, in his sole discretion, conclude that Ms. Ivany has breached this Order.

10. There shall be publication of this Decision and the Reasons on a “with names” basis.”

26. After considering submissions from the parties, the Hearing Tribunal confirmed that it was accepting the Sanction Orders for the reasons described below.

B. The Sanction Orders and the Public Interest Test

27. The Hearing Tribunal acknowledges the significant efforts of the parties in preparing the Consent Order and the Sanction Orders. The Hearing Tribunal is also aware of the well-established legal principles indicating that deference should be shown to joint submissions on penalties as they promote certainty for both the member and the regulatory body, reduce the time and cost associated with contested hearings and are the result of careful negotiation.
28. Although the Hearing Tribunal retains ultimate discretion in terms of making penalty orders, it is aware of the legal principles which establish that a decision-maker (such as this Hearing Tribunal) should not depart from a joint submission on sanction unless the joint submission is unfit, unreasonable or contrary to the public interest.
29. For the reasons set out in this decision, the Hearing Tribunal finds that the public interest test for accepting the Sanction Orders was met.
30. The proposed penalty orders must and do convey to the Member, the profession and the public that this conduct will not be tolerated by the ACSW. The ACSW has a clear public protection mandate and an obligation to uphold the integrity of the profession of social work in the eyes of the public.
31. Ultimately, the Hearing Tribunal concludes that the proposed sanctions are reasonable and appropriate and reflect the serious nature of the Member's conduct, the rehabilitation of the Member and her clear acceptance of responsibility for her actions. Very importantly, by the Member admitting unprofessional conduct and agreeing to the terms of a consent hearing, both parties avoided the time, cost and uncertainty associated with a contested hearing which could have been very lengthy.
32. Publishing this decision with the Member's name is a serious but proportionate consequence for the Member having regard to the nature of the unprofessional conduct. Publication with name in concert with the other penalty orders will serve as a specific deterrent to the Member as well as a general deterrent to other social workers that this type of conduct will not be tolerated and will result in significant penalty orders.
33. The overall costs to the Member (including the costs order itself and the effect of suspension), represent a significant financial impact on the Member but are fair and reasonable having regard to her actions.
34. In summary, the Hearing Tribunal concludes that the sanctions recommended by both parties are fair, reasonable and appropriate and reflect the seriousness of the Member's conduct as well as her acceptance of responsibility for those actions. They also reflect her efforts in resolving these matters by way of a consent hearing.

35. Accordingly, the Hearing Tribunal makes the following orders in accordance with s. 82 of the Act:

1. A Reprimand shall be issued as against Ms. Ivany.
2. Ms. Ivany shall be suspended from the practice of social work for two (2) years commencing March 13, 2025.
3. Ms. Ivany's practice of social work shall be subject to supervision for a three (3) year period, commencing upon her return to practice. The supervisor may be inside or outside the employment of Ms. Ivany but must be approved by the Complaints Director. The ACSW Complaints Director shall be entitled to receive appropriate reporting from the supervisor. Any cost associated with the supervision will be the responsibility of Ms. Ivany.
4. Ms. Ivany shall complete any practicums associated with her Bachelor of Social Work degree on the basis of a self-directed practicums and with the full knowledge and cooperation of the University of Calgary Faculty of Social Work.
5. Ms. Ivany shall complete a paper of at least 1000 words regarding her ethical and professional responsibilities with respect to Professional Boundaries. The paper is to be completed within six (6) months of the date of this Order and must be to the satisfaction of the Complaints Director.
6. Ms. Ivany shall be required to receive regular mental health services (at least monthly) by a regulated health provider for a minimum of one year from the date of this Order. Reporting as to attendances shall be provided to the Complaints Director as requested.
7. Before returning to the practice of social work at the conclusion of Ms. Ivany's suspension from practice, Ms. Ivany shall be required to provide to the Complaints Director a letter from a medical or mental health practitioner confirming she is sufficiently well/healthy to provide professional social work services to the public.
8. Ms. Ivany shall pay costs in the amount of ONE THOUSAND (\$1,000) DOLLARS within two (2) years of the date of this Order. If Ms. Ivany is unable to pay those costs, specific permission and consultation must be made with the Complaints Director.
9. The Complaints Director shall maintain the discretion to suspend Ms. Ivany's permit to practice pending a Hearing should the Complaints Director, in her sole discretion, conclude that Ms. Ivany has breached this Order.
10. There shall be publication of this Decision and the Reasons on a "with names" basis.

Dated this 12th day of August, 2025.

Mary Berube

Mary Berube
Chair on behalf of the Hearing Tribunal