

**BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD**

712 S. Kansas Ave., Topeka, KS 66603-3817  
785-296-3240

**IN THE MATTER OF  
THE LICENSE OF  
NANCY A. KRAUSE  
LBSW NO. 4194**

**CASE NO. 01 BS 44**

**CONSENT AGREEMENT  
AND FINAL ORDER**

Now on this 11<sup>th</sup> day of MARCH, 2002, the Behavioral Sciences Regulatory Board (the "board"), represented by litigation counsel, Michelle A. Davis, Assistant Attorney General, and the "licensee", Nancy A. Krause, represented by her attorney, Michael E. Francis, hereby enter into the following agreement.

**NATURE OF THE CASE**

1. Nancy A. Krause is currently, and at all times relevant, has been, licensed as a Licensed Baccalaureate Social Worker (LBSW), #4194, pursuant to 65-6301, et seq.
2. The board received information regarding licensee's conduct as a LBSW and the board conducted an investigation. Licensee was informed of the reported information and was given the opportunity to respond, and did respond to the allegations by admitting that she was abusing alcohol.
3. As a result of the investigation, the board found probable cause to believe that licensee's conduct met the criteria set forth in K.S.A. 65-6311 for which the board may revoke, suspend, limit or deny a social worker's license.

4. In lieu of further proceedings, licensee and the board enter into this agreement and order to resolve this matter. Licensee is waiving her right to an adjudicatory hearing on the facts and the law conducted in accordance with the Kansas administrative procedure act and the right to seek reconsideration and appeal of the decision rendered at that hearing pursuant to the Kansas act for judicial review.

5. It is hereby established that:

A. On the evening of October 9, 1999, licensee, while intoxicated and crying, called a former client (FC) and told her that licensee was experiencing panic attacks. FC went to licensee's house; licensee convinced FC to take her to FC's house where they watched television. On the evening of October 10, 1999, licensee went to FC's home and asked for Xanax. FC offered two tablets; licensee said that was not enough, took the remainder from the bottle, put it in an envelope, and left.

B. Licensee's conduct was unprofessional per K.S.A. 65-6311(a)(4) and K.A.R. 102-2-7, for exercising undue influence on a client in a manner that will exploit the client for the financial gain or personal gratification of the practitioner and for practicing social work in an incompetent manner.

6. In her defense, licensee offers the following mitigation:

Licensee began treatment for [REDACTED] in October, 1999, at [REDACTED] Kansas. Licensee graduated from Washburn University in December, 1999, with a master's degree in social work. At the time of the above-stated incidents, licensee was experiencing personal turmoil and physical problems which finally resulted in [REDACTED] in November of 2000. Licensee has continued in therapy and treatment.

## DISPOSITION

7. Licensee's license shall be subject to **the following conditions:**

**A. Suspension of License.** Licensee's license #4194 shall be suspended for a period of 12 months. By her signature on this document, licensee hereby states and avers that in the year 2001, she did not practice as a LBSW and she was unable to find such employment because of this case pending. Said suspension will therefore be applied retroactively and shall have been in effect for the year 2001.

**B. Practice Supervision.** From the effective date of this order, licensee's practice of social work for the next 12 (twelve) months of active practice shall be supervised by a board approved supervisor who shall monitor licensee's professional activities in at least one (1) supervisory session per week. The focus of supervision shall be the observance of appropriate boundaries. The Practice Supervisor shall submit directly to the board every three months a written report of the status and results of the practice supervision until the supervision period is completed.

Licensee shall submit in writing to the board the name, resume and commitment letter of a social worker licensed to practice in Kansas at the level of LMSW or higher who is willing to serve as Practice Supervisor. The commitment letter shall include a statement from the proposed supervisor that he or she has read this agreement and order and understands and agrees to perform the obligations set forth herein. Upon receipt of the above documentation, the board shall promptly review the supervisor for approval on the basis of his or her qualifications. If a proposed supervisor is rejected, licensee shall submit documentation for an alternate proposed supervisor until one is approved. Licensee shall

cease and desist from all activities for which a Kansas license to practice social work is required until licensee has an approved supervisor. The supervisor shall not be in a subordinate, familial or other dual relationship with licensee.

If at any time the Practice Supervisor believes licensee is not in compliance with this agreement and order, is unable to practice with skill and with safety to clients, is practicing negligently, or has committed a violation of the Social Work Act of Kansas, the Practice Supervisor shall notify the board in writing of such fact within 48 hours.

Licensee shall ensure that all reports by the Practice Supervisor are complete and submitted on time. If in the board's judgment, the Practice Supervisor fails to adequately perform the functions required by this agreement and order, the board may direct the licensee to obtain a new supervisor. If the board so directs, or licensee otherwise becomes aware that the Practice Supervisor has ceased to adequately perform the functions specified in this document, licensee shall immediately recommence the process to appoint a new Practice Supervisor as set forth herein.

Supervised hours pursuant to this agreement and order shall not count toward any supervised experience requirement for the next level of licensure. During the time this agreement and order is in effect, licensee shall not serve as a supervisor to any person who participates in the delivery of behavioral science services.

**C. Research Paper.** Licensee shall research, write, and submit to the board, within 4 months of the effective date of this order, a fifteen (15) page professional paper, double-spaced and properly referenced with at least 10 professional references integrated within the context of the paper, APA format, on the subject of the implications for social worker

ethics and client care when abusing substances. The board, in its sole discretion, shall determine whether the professional paper is acceptable. In the event the professional paper is unacceptable, licensee shall have thirty (30) days from the rejection date to submit a revised paper for the board's consideration.

**D. Therapy.** Licensee shall continue in her current course of therapy for twelve (12) months or until the therapist provides a written statement that licensee has attained maximum therapeutic benefit. Licensee shall authorize a release of information to the board and her therapist shall submit a written report to the board every three months regarding licensee's compliance with the therapy process.

**E. Notification of Practice.** Until **conditions B, C, and D** stated above are satisfied, licensee shall notify the board, in writing, of all locations where she is engaged in the practice of social work, setting forth the name of any employer (if applicable), address, and telephone number for each such location within five days after commencement of practice or change of location, and licensee shall notify the board, in writing, and of any change in personal or professional status which would inhibit compliance with any condition of this agreement and order. In the event of such change in status, the board may modify or amend this order upon reasonable notice to licensee.

**F. Enforcement.** If the board has reasonable grounds to believe that licensee has not complied with one of these conditions, then the board may initiate further disciplinary action, including a summary order suspending licensee's license. The issues at a hearing would be limited to licensee's compliance and appropriate sanctions. The pendency of such an action does not alter licensee's obligation to comply with this agreement and order.

At the conclusion of the conditional licensure period, when licensee has satisfied all conditions, then licensee's status shall return to unconditionally licensed.

### **MISCELLANEOUS**

8. Definition. The word license as used in this document means a current license and any future licenses issued to or applied for by licensee.

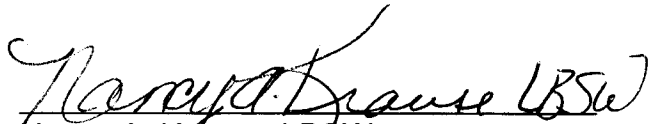
9. Acknowledgments and Affirmations. Licensee has read this document and she enters into it voluntarily, after the opportunity to consult with counsel and with full understanding of its consequences. This document is not effective unless and until accepted by the board as its order. If the board does not accept it, then licensee waives any right she may have to object to the composition of any subsequent hearing panel due to the members having knowledge of matters contained within this document.

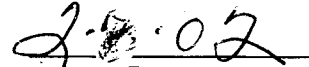
10. Disclosure. Notification of this agreement and order shall be provided to a state licensing board where licensee is also licensed, registered or certified, and the board shall disclose the agreement and order to another licensing board upon request. The board will report this discipline to national reporting databases. This document is a public record that may be disclosed upon request.

11. Expenses. Licensee shall be responsible for any costs incurred in satisfying the terms of this agreement and order.


12. Complete. This is the entire agreement between licensee and the board and may be modified or amended only by written agreement of the parties except as otherwise provided herein.

By their signatures, the parties hereby acknowledge this agreement and consent to its provisions which are hereby made the final order of the Behavioral Sciences Regulatory Board effective upon the date distributed per the Certificate of Service below.

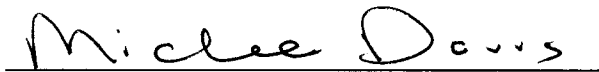
  
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Nancy A. Krause, LBSW  
Licensee


  
\_\_\_\_\_  
Date

[REDACTED] (address)

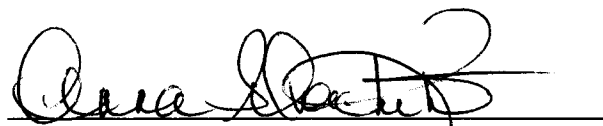
  
\_\_\_\_\_  
Michael E. Francis  
Attorney for licensee  
714 Capitol Federal Bldg.  
700 Kansas Ave.  
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785-357-6311

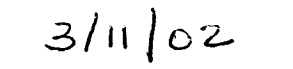
  
\_\_\_\_\_  
Date

  
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Michelle A. Davis  
Litigation Counsel  
Assistant Attorney General  
120 S.W. 10<sup>th</sup> Street, Second Floor  
Topeka, Kansas 66612-1597.  
785-368-8436

  
\_\_\_\_\_  
Date

FOR THE BOARD

  
\_\_\_\_\_  
Anna Silva-Keith, Chairperson  
Behavioral Sciences Regulatory Board

  
\_\_\_\_\_  
Date

**CERTIFICATE OF SERVICE**

This to certify that on the 12<sup>th</sup> day of March, 2002, I mailed, first-class postage prepaid, a true and correct copy of the above Consent Agreement and Final Order to Nancy A. Krause, to Michael E. Francis, and to Michelle Davis at their addresses listed above.

Roger Scurlock  
Roger Scurlock, Special Investigator  
Behavioral Sciences Regulatory Board