

MEK 07006158

Marty M. Snyder, Supreme Court #11317
Kansas Attorney General's Office
120 SW 10th St, Second Floor
Topeka, KS 66612-1597

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BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD
712 South Kansas Avenue
Topeka, Kansas 66603-3817

In the Matter of)
)
Sandy Halbrook, LMFT)
License No. 654)
Respondent)
_____)

Case No. 06 - MF- 43

CONSENT AGREEMENT AND ORDER

NOW on this 22 day of December, 2006, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Sandy Halbrook, LMFT, (Licensee) and the Kansas Behavioral Sciences Regulatory Board for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Sandy Halbrook is currently, and at all times relevant has been, a Licensed Marriage and Family Therapist within the meaning of the Kansas Marriage and Family Therapists Licensure Act, K.S.A. 65-6401 *et seq.*, and amendments thereto.

2. On or about March 9, 2006, the Board received a report of information concerning Licensee's conduct, alleging Licensee had engaged in an inappropriate relationship with a Kansas Department of Corrections inmate with who she was in a therapy relationship.

3. The Board conducted an investigation concerning Licensee's alleged violation of statutes and regulations.

4. During the investigation, Licensee was informed of the reported information, was given the opportunity to respond to the allegations and did respond fully to the allegations in her letter received on April 13, 2006.

5. As a result of the investigation, the Board finds probable cause to believe the following facts:

a. Although she was not the primary therapist, Licensee was in a therapist - client relationship with Mr. ██████ despite her opinion that such a relationship did not exist.

b. Licensee engaged in a dual relationship with Mr. ██████ in violation of prison regulations and Kansas Statutes and Administrative Regulations and used poor judgement and deception in her contacts with the inmate.

6. The Board finds that reasonable grounds exist to believe Licensee has committed unprofessional conduct in violation of K.S.A. 65-6408(3) and (7) as defined as follows:

a. K.A.R. 102-5-12 (b) (44) engaging in a dual relationship with a client.

However, Licensee and the Board mutually desire to enter into a Consent Agreement and Order in lieu of adjudicative proceedings to resolve the report of alleged violations.

WHEREFORE, Licensee waives all rights to an adjudication of facts and law which could be determined pursuant to a hearing conducted in accordance with the Kansas Administrative Procedure Act in relation to Case No. 06-MF-43.

WHEREFORE, Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Act for Judicial Review in relation to Case No. 06-MF-43.

WHEREFORE, Licensee consents to suspension of her license for twelve (12) months with the suspension stayed on the following terms and conditions:

(a) Twelve (12) months of supervised practice by a board-approved supervisor employed by ComCare who is not in a subordinate or familial relationship with the Licensee. The supervisor shall be at the LCMFT level or higher. The focus of the supervision shall be on marriage and family therapist ethics and boundary issues. There shall be at least one one-hour supervision session per week so long as Licensee is employed in a position that requires her license.

(b) The supervisor shall provide written progress reports to the Board every three (3) months regarding Licensee's compliance with the supervision process. In the event of non-compliance, the supervisor shall report to the Board immediately. Licensee shall provide the supervisor with a copy of this Consent Agreement and Order and shall make every effort to ensure that all conditions of the Agreement are met. Licensee shall cooperate with her practice supervisor to enable the supervisor to discharge his or her duties in a responsible manner.

(c) During the period of supervised practice, Licensee shall continue her therapy with Maureen Morrison or notify the Board if a different therapist is retained.

(d) Within thirty (30) days of the effective date of this Agreement, Licensee shall furnish a signed authorization allowing Dr. Morrison to communicate with the Board and respond to questions regarding Licensee's compliance and therapeutic progress.

(e) Within sixty (60) days of the effective date of this Agreement, Licensee shall complete a psychological evaluation of her fitness to practice in the mental health field. She shall first submit the names of three persons not otherwise affiliated with Licensee for Board

approval of one to conduct the evaluation.

(f) Additional conditions for practice may be set based on the evaluation results, the therapist's recommendations and Licensee's current type of employment.

(g) Supervised hours will not count toward any supervised experience requirement for the next level of licensure.

(h) Licensee shall be responsible for any costs and expenses incurred in satisfying the terms of this Consent Agreement and Order.

(i) Evidence of Licensee's breach, violation or failure to comply with any of the conditions will result in a hearing, with notice and opportunity to be heard, to determine whether Licensee has in fact breached, violated or failed to comply with any conditions. Upon determination at such hearing that Licensee has breached, violated or failed to comply with any condition, Licensee understands and agrees that her license shall be suspended until such time as Licensee can demonstrate compliance with all terms and conditions of this Consent Agreement and Order to the satisfaction of the Board .

(j) Licensee acknowledges that proof submitted to the Board by affidavit or other form of competent evidence that Licensee has breached, violated or failed to meet the conditions of this Consent Agreement and Order shall be good and sufficient evidence to support an alleged violation of breach, violation or non-compliance.

(k) Licensee understands that a notification of this Consent Agreement and Order shall be provided to any other state licensing board if Licensee is also licensed, registered or certified in another state.

(l) Licensee acknowledges an affirmative duty to notify the Board within five (5) days of any changes in personal or professional employment status which would inhibit compliance with any condition of this Consent Agreement and Order. In such event, a

designee of the Board is authorized to modify or amend this Consent Agreement and Order in writing.

(m) If the Board does not approve this Consent Agreement and Order, Licensee waives any right she may have to object to the composition of any subsequent hearing panel due to hearing panel members having knowledge of matters contained within this Consent Agreement and Order.

(n) This Consent Agreement and Order constitutes the entire agreement between the Licensee and the Behavioral Sciences Regulatory Board and may be modified or amended only by written agreement signed by Licensee and the Board or a designee of the Board.

WHEREFORE, Licensee consents to the submission of this Consent Agreement and Order to the Board's Complaint Review Committee and understands that, upon approval of the Complaint Review Committee, this Consent Agreement and Order will become a Final Order of the Board. The Board has authorized the Complaint Review Committee to determine approval of this Consent Agreement and Order.

WHEREFORE, the Board agrees that, so long as Licensee complies with the above conditions, the Board will not initiate further disciplinary action against Licensee in relation to violations of K.S.A. 65-6408 as defined by K.A.R. 102-5-12 as a result of this proceeding.

WHEREFORE, the Board further agrees that, at the conclusion of the twelve-month conditional supervision period upon determination of Licensee's compliance with the conditions stated herein and upon Board receipt of an acceptable reference from Licensee's supervisor on a Board-approved form, Licensee shall be unconditionally licensed as a Licensed Marriage and Family Therapist.

WHEREFORE, the foregoing provisions are consented to, are hereby made the final Order of the Kansas Behavioral Sciences Regulatory Board and become effective on the date indicated in the Certificate of Service below.

IT IS SO ORDERED.

Wesley Jones, Ph.D.

Wesley Jones, Ph.D.
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:

Sandy Halbrook, LMFT
Sandy Halbrook, LMFT
Respondent Licensee

12/22/06

Date

APPROVED BY:

(none)

Counsel for Respondent

Date

Certificate of Service

This is to certify that on this 9th day of January, 2006, a true and correct copy of the above and foregoing Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Sandy Halbrook, LMFT

~~[attorney]~~

Roger Scurlock
For the Behavioral Sciences Regulatory Board

State of Kansas
Behavioral Sciences Regulatory Board

KATHLEEN SEBELIUS
Governor

PHYLLIS GILMORE
Executive Director



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February 20, 2008

Sandy Halbrook
[REDACTED]

Re: Consent Agreement and Order 06-MF-0043

Dear Ms. Halbrook,

You have successfully complied with the conditions of Consent Agreement and Order which you entered into with the Kansas Behavioral Sciences Regulatory Board. You are now unconditionally licensed as a marriage and family therapist.

Sincerely,

Roger Scurlock
Roger Scurlock
Special Investigator