

Whitney L. Casement, KS S. Ct. #25466  
Office of the Kansas Attorney General  
120 SW 10<sup>th</sup> St, Second Floor  
Topeka, KS 66612-1597  
Telephone (785) 296-2215

15 FEB 26 AM 10:49

**BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**

**In The Matter Of**

**Laura Moore,  
LBSW #2146**

**Case No. 13-BS-0097**

\_\_\_\_\_  
Pursuant to K.S.A. 77-537

**SUMMARY PROCEEDING ORDER**

NOW, on this 26 day of February, 2015, the above-captioned matter comes before the Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board (the "Board").

**FINDINGS OF FACT**

The Board finds that the following facts have been established by a preponderance of the evidence:

1. Laura Moore ("Licensee") was at all times relevant hereto a Licensed Bachelor Social Worker within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.

2. On or about April 11, 2013, the Board's licensing department filed a Report of Alleged Violation stating Licensee may have violated certain statutes and regulations governing unprofessional conduct and prohibited acts.

3. Licensee was informed of the reported information in a letter dated June 17, 2013. The Board received a phone call from Licensee stating she would be retiring, and no longer using her license. Audit materials were never sent in by Licensee.

4. As a result of the report and subsequent investigation, the Board finds that the following facts have been established by a preponderance of the evidence:

- a) On August 6, 2012, Licensee renewed her license online and was randomly selected for audit. In addition, Licensee signed an attestation clause in the application that stated the information in the application was accurate. The Licensee failed to respond to the audit by sending the requested continuing education documents to the Board.
- b) Licensee's license was set to expire on October 31, 2012.

#### **CONCLUSIONS OF LAW**

5. Based on the allegations and subsequent investigation, the Complaint Review Committee of the Board finds that Licensee, while a Licensed Bachelor Social Worker, violated the following statute and regulations:

**A. K.S.A. 65-6311. Grounds for suspension, limitation, revocation or refusal to issue or renew license; procedure.**

(a) The board may suspend, limit, revoke, condition or refuse to issue or renew a license of any social worker upon proof that the social worker:

(4) has been found guilty of unprofessional conduct as defined by rules established by the board.

**B. K.A.R. 102-2-7. Unprofessional conduct.**

Any of the following acts by a Licensee or applicant for a social work license shall constitute unprofessional conduct:

(i) failing or refusing to cooperate in a timely manner with any request from the board for a response, information that is not obtained in the context of a confidential relationship, or assistance with respect to the board's investigation of any report of an alleged violation filed against oneself or any other applicant or professional who is required to be licensed or registered by the board. Each person taking longer than 30 days to provide the requested response, information, or assistance shall have the burden of demonstrating that the person acted in a timely manner;

**C. K.A.R. 102-2-11a. Renewal audit.**

(a) A random audit of the continuing education documentation for 10 percent

of the social worker licenses expiring each month shall be conducted by the board.

- (c) Upon board notification, each renewal applicant for a social worker license shall submit the following to the board within 30 days after the license expiration date:
  - (1) The completed renewal audit forms; and
  - (2) the original continuing education documents that validate all continuing education units claimed for credit during the current renewal period.
- (d) Continuing education units that a renewal applicant for a social worker license earns after board receipt of the renewal application form shall not be approved for continuing education credit for the current renewal period.
- (e) Failure to comply with this regulation shall be considered unprofessional conduct.

6. Proceedings under the Kansas Social Workers Licensure Act are subject to the Kansas Administrative Procedure Act (K.S.A. 77-501, *et seq.*) (“KAPA”) pursuant to K.S.A. 65-6311. K.S.A. 77-537 of KAPA provides that the Board may use summary proceedings when necessary and appropriate.

7. The Board is authorized to take disciplinary action against a Licensed Bachelor Social Worker pursuant to K.S.A. 65-6311.

8. The Board has jurisdiction over Licensee because Licensee was at all times relevant hereto a Licensed Bachelor Social Worker within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto. The Board has been charged by the Kansas Legislature with the responsibility to protect the public health, safety, and welfare by assuring the current competence to practice of its licensees.

## SANCTION

Based on the above Findings of Fact and Conclusions of Law, Licensee Laura Moore's Kansas Licensed Bachelor Social Worker license should be and is hereby **suspended** until further order of the Board.

**IT IS SO ORDERED.**



Terry Pfannenstiel  
Chair, Complaint Review Committee

## **NOTICE OF RELIEF FROM SUMMARY PROCEEDING ORDER**

Pursuant to K.S.A. 77-537 and K.S.A. 77-542, this Summary Proceeding Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for hearing to:

Max Foster, Executive Director  
Behavioral Sciences Regulatory Board  
700 SW Harrison St., Suite 420  
Topeka, KS 66603-3929

Whitney L. Casement, Esq.  
Kansas Office of the Attorney General  
120 SW Tenth Ave., 2<sup>nd</sup> Floor  
Topeka, KS 66612

Any such request must be filed within fifteen (15) days of service of this Notice. If a hearing is not requested in the time and manner stated, this Summary Proceeding Order becomes final and effective upon the expiration of the time for requesting a hearing and will be a Final Order of the Board.

**CERTIFICATE OF SERVICE**

This is to certify that on this 26 day of February, 2015, a true and correct copy of the above and foregoing Summary Proceeding Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Laura Moore



and a copy delivered via interoffice mail to:

Whitney L. Casement  
Assistant Attorney General  
120 SW 10th Ave., 2nd Floor  
Topeka, KS 66612  
*Disciplinary Counsel for the Board*

Cindy D'Ercole  
For the Board