

M. Snyder
AG

STATE OF KANSAS
BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

IN THE MATTER OF:
Vanessa Palenske
a/k/a Vanessa Dudley Miller
LMSW #6346

Case No. 2013-MS-036

Office of

OAH No. 17BS0001

SEP 01 2016


Administrative Hearings

STIPULATED ORDER OF DISMISSAL

The Court on this 1ST day of September, 2016 orders, adjudges and decrees that the above captioned matter is hereby dismissed by a joint stipulation between the parties under the following terms.

- 1) Respondent stipulates to the facts as outlined in Petitioner's Amended Pre-Hearing Questionnaire Paragraph No. 7.
- 2) Respondent stipulates that she violated K.A.R. 102-2-7 (2).
- 3) Respondent voluntarily withdraws her request for a hearing on the Summary Proceeding Order of Revocation.
- 4) Petitioner waives any reimbursement of costs on the Agency Record.
- 5) Respondent acknowledges that her license is Revoked in the SPO on her record.
- 6) Respondent acknowledges that this case would be considered as one factor when she applies for BSRB licensure in the future.

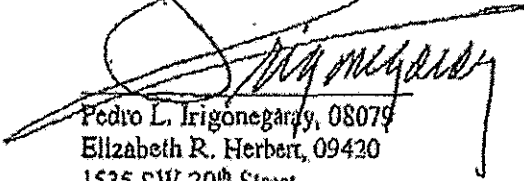
It is so ordered.


Hon. Edward J. Gaschler

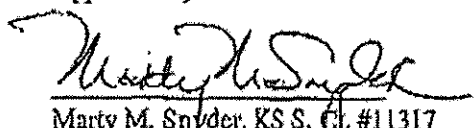


Prepared by:

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Approved by:


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CERTIFICATE OF SERVICE

On September 1, 2016, I mailed a copy of this STIPULATED ORDER OF DISMISSAL to:

Vanessa N. Dudley-Miller



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Topeka, KS 66611-1901

Marty M. Snyder
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Kansas Behavioral Sciences Regulatory Board
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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter of)
)
VANESSA PALENSKE,)
a/k/a VANESSA DUDLEY-MILLER,)
LMSW #6346)
_____)

Case No. 13-MS-0036

SUMMARY PROCEEDING ORDER OF REVOCATION

NOW, on this 24 day of January, 2014, the above-captioned complaint comes before the Complaint Review Committee [Committee] of the Kansas Behavioral Sciences Regulatory Board [Board].

I. FINDINGS OF FACT

The Committee finds that the following facts have been established by a preponderance of clear and convincing evidence:

1. Vanessa Palenske, a/k/a Vanessa Dudley-Miller, was a Licensed Masters Social Worker, License #6346, which was issued by the Kansas Behavioral Sciences Regulatory Board.
2. At all times relevant to the complaint herein, Licensee was practicing as a Licensed Masters Social Worker within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.
3. On or about November 7, 2012, the Board received information that Licensee was marrying a client to whom she had provided social worker services as recently as the summer of 2012.

4. Licensee was informed about the complaint and was requested to respond in writing but failed to respond to the allegations. Rather, she requested voluntary surrender of her Kansas Licensed Masters Social Worker license.

II. CONCLUSIONS OF LAW

The following conclusions of law are based on evidence the Committee finds is clear and convincing:

1. The Kansas Administrative Procedure Act [K.A.P.A.], K.S.A. 77-537, provides that a state agency may use summary proceedings, subject to a party's request for a hearing on the order, if the use of the proceedings in the circumstances does not violate any provision of law and the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties.

2. The actions of Vanessa Palenske, a/k/a Vanessa Dudley-Miller, violate: **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;

K.A.R. 102-2-7, Unprofessional Conduct,

(y) making sexual advances toward or engaging in physical intimacies or sexual activities with one's client, supervisee, or student;

(z) making sexual advances toward, engaging in physical intimacies or sexual activities

with, or exercising undue influence over any person who, within the past 24 months, has been one's client; and

(tt) engaging in a dual relationship with a client, supervisee, or student.

3. **K.S.A. 74-7508** authorizes the Board to revoke a license that has been voluntarily surrendered:

(e) In all matters pending before the behavioral sciences regulatory board, the board shall have the power to revoke the license or registration of any licensee or registrant who voluntarily surrenders such person's license or registration pending investigation of misconduct or while charges of misconduct against the licensee are pending ...

III. SANCTION

Based on the above Findings of Fact and Conclusions of Law and pursuant to K.S.A. 74-7508, K.S.A. 65-6311(a) and K.S.A. 77-537, the Committee orders as follows:

A. The surrender of the Licensed Masters Social Worker license of Vanessa Palenske, a/k/a Vanessa Dudley-Miller, is accepted. Pursuant to K.S.A. 74-7508, this license is hereby revoked.

B. This Order shall be posted to the Board's website and provided to HIPDB and any other jurisdictions where Licensee is known to have been licensed.

IT IS SO ORDERED.

Dated this 24th day of January, 2014.



Max Foster, Executive Director
Kansas Behavioral Sciences Regulatory Board

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
Kansas Behavioral Sciences Regulatory Board
Eisenhower State Office Bldg, Suite #420
Topeka, KS 66603

This written 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 24 day of January, 2014, a copy of the above and foregoing Summary Proceeding Order was placed in the U.S. mail, first-class postage prepaid, addressed to:

Vanessa Dudley-Miller

Dr. Timothy Rot



and by inter-office mail to:

Marty M. Snyder, Esq.
Assistant Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612

Cindy D'Ercole
For the Board