

Whitney L. Casement, KS S. Ct. # 25466
Office of the Kansas Attorney General
120 SW 10th Avenue, Second Floor
Topeka, KS 66612-1597

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BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter of)
)
Amy E. Hester, LSCSW,)
License #2523,)
Respondent)
_____)

Case No. 15-CS-0097

CONSENT AGREEMENT AND ORDER

NOW, on this 10 day of September, 2015, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board or BSRB), by and through Assistant Attorney General Whitney L. Casement, by agreement of Amy Hester (Licensee) and the Board for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Amy Hester is currently, and was at all times relevant to this Consent Agreement and Order, a Licensed Specialist Clinical Social Worker (LSCSW) within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.
2. On or about February 5, 2015, the Licensee self-reported that she may have violated certain statutes and regulations governing unprofessional conduct and prohibited acts.
3. 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. Licensee is a Licensed Specialist Clinical Social Worker currently licensed in Kansas.
 - b. On February 5, 2015, Licensee self-reported that her license had expired on

January 31, 2015, and she had failed to renew prior to that date.

- c. Licensee worked as a licensed social worker from February 2, 2015, through February 5, 2015.
- d. Licensee reported the failure to renew her license to her employer on February 5, 2015, and was suspended until her license was reinstated.

4. The Complaint Review Committee of the Board finds that Licensee has 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 an applicant for a social work license shall constitute unprofessional conduct:

- (yy) practicing social work after one's license expires;
- (zz) using without a license, or continuing to use after the expiration of a license, any title or abbreviation prescribed by the board for use only by persons currently holding that type or class of license;

However, Licensee and the Board mutually desire to enter a Consent Agreement and Order in lieu of adjudicative proceedings to resolve the reported 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. 15-CS-0097.

WHEREFORE, Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Judicial Review Act in relation to Case No. 15-CS-0097.

WHEREFORE, Licensee consents to the following terms and conditions:

(a) Licensee shall pay a fine of \$50.00 to the Board within 30 days of the effective date of this Consent Agreement and Order.

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

(c) Licensee understands that a notification of this Consent Agreement and Order may be provided to any other state or federal agency with which Licensee is licensed, registered, or certified.

(d) Licensee acknowledges an affirmative duty to notify the Board within ten (10) days of any changes in personal or professional 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.

(e) 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.

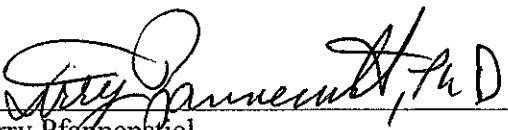
WHEREFORE, Licensee consents to the submission of this Consent Agreement and Order to the Board's Complaint Review Committee and understands that, upon approval by the Complaint Review Committee, this Consent Agreement and Order will become a Final Order of the Board. The Board has authorized the Complaint 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. 65-6311 and K.A.R. 102-2-7 as a result of this proceeding.

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

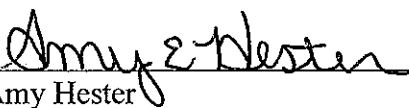
indicated in the Certificate of Service below.

IT IS SO ORDERED.

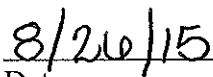


Terry Pfannenstiel
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:



Amy Hester
Licensee



Date

CERTIFICATE OF SERVICE

This is to certify that on this 10 day of September, 2015, a true and correct copy of the above Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Amy Hester



and a copy emailed to:

Whitney L. Casement
Assistant Attorney General
whitney.casement@ag.ks.gov
Disciplinary Counsel for the Board

Cindy D'Ercole
For the Behavioral Sciences Regulatory Board

09/10/2015
10:00 AM