

JAN 26 2016

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

**BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**

In the Matter of )  
)  
JENNIFER D. WESTON, LMSW, )  
License #8814, )  
Respondent )  
\_\_\_\_\_ )

Case No. 15-MS-092

**CONSENT AGREEMENT AND ORDER**

NOW, on this 28 day of January, 2016, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board [Board], by and through Assistant Attorney General Marty M. Snyder, by agreement of Jennifer D. Weston, LMSW [Respondent / Licensee], and the Board for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Jennifer D. Weston is 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.
2. On January 7, 2015, the Board received a report of information concerning Licensee's conduct alleging Licensee may have violated certain statutes and regulations governing unprofessional conduct.
3. The Board conducted an investigation concerning Licensee's alleged violations of statutes and regulations. During the investigation, Licensee also self-reported the information on January 12 and was given further opportunity to respond to

the allegations. Additional information was received from Licensee's employment supervisor on January 26 .

4. As a result of the investigation, the Board finds that the following facts have been established by a preponderance of the evidence:
  - a. Licensee's job at a community mental health center in Cherokee County was divided between outpatient therapy and serving as a school social worker.
  - b. She provided both outpatient therapy to a teenage client of the mental health center as well as being his school social worker under an IEP.
  - c. During the same time, the client became a social friend of Licensee's daughter and were Facebook friends. Both the client and his father were in Licensee's home on several occasions. Licensee and her daughters attended a party at the client's home.
  - d. Licensee failed to protect the boundary between professional and social roles with the client and his father.
  - e. Licensee discussed the situation with a supervisor at work and they decided to assign the client to a different therapist at the center. Nothing was done with regard to Licensee's school relationship with the client.
  - f. Licensee failed to research the Kansas statutes and administrative regulations with regard to her legal and ethical duties. She stated her belief that her family could continue its social relationships with the client and his father after a different out-patient social worker was assigned.
  - g. Licensee claims to have researched her ethical obligations. However, she and her employment supervisors appear to have considered a national

social worker code of ethics rather than the Kansas law which prohibits dual relationships for two years after the therapist relationship has ended.

5. The Complaint Review Committee of the Board concludes there is probable cause to find that Licensee violated the following statute and regulation:

**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 . . . shall constitute unprofessional conduct:

(tt) engaging in a dual relationship with a client;

(xx) practicing social work in an incompetent manner.

However, Licensee and the Board mutually desire to enter a Consent Agreement and Order [CAO] 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.15-MS-092.

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-MS-092.

WHEREFORE, Licensee consents to the following terms and conditions:

(a) Licensee shall obtain three additional CEU hours in Ethics / dual relationships to be obtained in person within six (6) months of the effective date of this CAO.

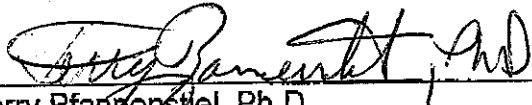
- (b) If Licensee is employed at a position requiring her Kansas Masters Social Worker license, she shall provide a copy of this CAO to her clinical supervisor. She shall continue her practice under supervision with the supervisor providing written quarterly reports for two years to the Board's special investigator regarding Licensee's understanding of and compliance with Kansas licensure laws with a focus on ethics, boundaries and dual relationships.
- (c) Licensee shall be responsible for any costs and expenses incurred in satisfying the terms of this CAO.
- (d) Evidence of Licensee's breach, violation or failure to comply with any of the above conditions could result in a determination that Licensee's Kansas Licensed Masters Social Worker license should 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.
- (e) 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 and as otherwise required by law.
- (f) Licensee acknowledges an affirmative duty to notify the Board within five (5) days of any changes in personal or professional status which would inhibit compliance with any condition of this CAO. In such event, a designee of the Board is authorized to modify or amend this CAO in writing.
- (g) 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.

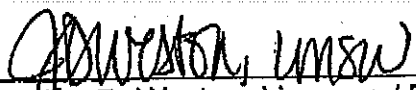
WHEREFORE, the Board agrees that, so long as Licensee complies with the above conditions, the Board will not initiate further disciplinary action against Licensee in relation to violations of K.S.A. 65-6311 and K.A.R. 102-2-7 as a result of this proceeding.

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 this 22 day of January, 2016.

  
Terry Pfanenstiel, Ph.D.  
Chair, Complaint Review Committee

**APPROVED AND CONSENTED TO:**

  
Jennifer D. Weston, Licensee / Respondent

12-28-2015  
Date

**CERTIFICATE OF SERVICE**

This is to certify that on this 28 day of January, 2016, 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:

Jennifer D. Weston

Jennifer D. Weston



and a copy delivered via interoffice mail to:

Marty M. Snyder, Esq.  
Assistant Attorney General  
*Disciplinary Counsel for the Board*

*Cindy D'Ercole*  
\_\_\_\_\_  
For the Behavioral Sciences Regulatory Board