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REGISTRY
AUG 28 2018
BY: _____

BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter of)
)
CARRIE BELVEAL, LBSW)
License #2713,)
Respondent)
_____)

Case No. 18-BS-022

CONSENT AGREEMENT AND ORDER

NOW on this 29 day of August, 2018, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board [Board / BSRB] by agreement of Carrie Belveal [Licensee / Respondent] and the Board, through counsel Assistant Attorney General Marty M. Snyder, for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Carrie Belveal was, at all times relevant, a Licensed Bachelor Social Worker [LBSW] within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.
2. On or about August 8, 2017, Respondent filed a self-report that her bachelor Social Worker license had expired at the end of March. It was reinstated on August 8, 2017.

3. Board investigator Cindy D'Ercole wrote a follow-up letter requesting specific information on September 6, 2017; however, Respondent failed to respond to the letter.

4. The investigator emailed Respondent on November 7 and requested the information by December 7; however, Respondent failed to respond to the email.

5. The investigator telephoned Respondent at work on December 18 and inquired about the information. Respondent confirmed the correct email and work address but claimed she did not receive the email and said she would respond to it. She was told her response would be included for the review committee word for word; however, Respondent failed to respond.

6. The investigator telephoned Respondent at work on March 2 and inquired about the response. Respondent claimed she had forgotten about it but would respond to the specific questions by March 9; however, Respondent failed to respond as agreed.

7. Respondent continued to work as a LBSW at Rolling Hills adult care home in Topeka as a licensed social worker for four months after her license expired.

8. Respondent failed to cooperate with information requested by the Board in the investigation of this complaint, after receiving four opportunities over six months.

9. Based on the above facts, which have been established by a preponderance of persuasive evidence, the Board finds that reasonable grounds exist to believe Licensee has committed unprofessional conduct in violation of K.S.A. 65-6311(a)(9) unprofessional conduct through the following Kansas Administrative Regulations:

- a. K.A.R. 102-2-7(a) obtaining ... a license for oneself ... by means of ... deceit, misrepresentation or concealment of a material fact;
- b. K.A.R. 102-2-7(i) failing or refusing to cooperate in a timely manner with any request from the Board for a response 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. 102-2-7 (yy) practicing social work after one's license expires;
- d. K.A.R. 102-2-7(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 be 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 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. 18-BS-022.

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. 18-BS-022.

WHEREFORE, Licensee consents to the following terms and conditions for one year from the effective date of this Order as shown in the Certificate of Service below:

(a) Licensee shall provide the Board's investigator with current employment information within five days of the effective date of this Consent Agreement and Order.

(b) If Licensee is not currently working in an employment position that requires a LBSW license, she shall inform the Board's investigator when she becomes employed using her license. Licensee shall inform the Board's investigator to any changes in her employment within five days.

(c) When Licensee is employed using her LBSW license, she shall practice only under employment or Board-approved supervision for the one-year term of this Consent Agreement and Order. Supervision shall be weekly for at least one hour face-to-face and will focus on professional responsibility and general practice of social work. Licensee shall furnish a copy of this Order to her supervisor, and the supervisor shall provide quarterly written progress reports to the Board's investigator.

(d) Licensee shall obtain three additional Ethics CEUs in addition to the biennial requirement and furnish proof of completion to the Board's investigator within sixty (60) days of the effective date of this Consent Agreement and Order.

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

(f) Evidence of Licensee's breach, violation or failure to comply with any of the conditions may result in suspension of her LBSW license 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.

(g) 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 or pursuant to the Kansas Open Records Act.

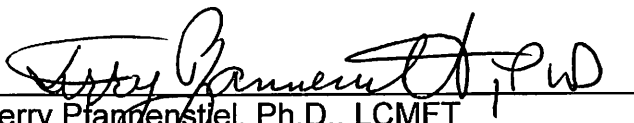
(h) This Consent Agreement and Order constitutes the entire agreement between the Licensee and the Behavioral Sciences Regulatory Board and may be modified or amended only by written agreement signed by Licensee and the Board or a designee of the Board.

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. 65-6311 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 24th day of August, 2018.


Terry Pfannenstiel, Ph.D., LCMFT
Chair, Complaint Review Committee


APPROVED AND CONSENTED TO:

Carrie Belveal
Carrie Belveal, LBSW
Respondent Licensee

8-8-18
Date

CERTIFICATE OF SERVICE

This is to certify that on this 29 day of August, 2018, 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:

Carrie Belveal Carrie Belveal


and emailed to: 

and a copy sent to:

Marty M. Snyder, Esq.
Kansas Attorney General's Office

Cindy D'Ercole
For the Board