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**BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**

In The Matter Of )  
)  
JENNIFER M. HARDIN, LMSW )  
License #6459 )  
)  
Respondent )  
\_\_\_\_\_ )

**Case No. 21-MS-0011**

Pursuant to K.S.A. 77-536

**SUMMARY PROCEEDING ORDER OF SUSPENSION**

NOW, on this 8 day of September, 2020, the above-captioned matter comes before the Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board (Board).

**FINDINGS OF FACT**

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

1. Jennifer M. Hardin ("Respondent") was at all times relevant, a Licensed Master Social Worker ("LMSW"), having been issued LMSW License No. 6459 within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.
2. On or about January 2, 2020, Respondent entered into a Consent Agreement and Final Order with the Board in Case No. 19-CT-0025 for violations of K.S.A. 65-6311(a)(9) as defined in K.A.R. 102-2-7(b)(3) and K.A.R. 102-2-7(j).

3. Respondent agreed to comply with the terms and conditions ordered by the Consent Agreement and Final Order. In this Consent Agreement and Final Order, Respondent agreed to Obtain six (6) extra CEU hours in Ethics, focusing on profession practice and professional conduct, in addition to the biennial requirement to be taken in-person and proof of completion furnished to the Board's Investigator within three (3) months of the effective date of the Consent Agreement and Final Order.

4. Pursuant to the terms and conditions of the Consent Agreement and Order, Respondent was required to submit these six (6) extra CEU hours in Ethics were due to the Board's investigator on or before May 7, 2020.

5. Respondent did not submit to the Board documentation evidencing completion of the six (6) extra CEU hours in ethics by May 7, 2020.

6. On or about June 8, 2020, the Board's investigator sent to Respondent notice of the Board opened a complaint against Respondent's LMSW license when she did not provide to the Board documentation evidencing completion of the six (6) extra CEU hours in ethics by May 7, 2020. The Board's investigator requested a response from Respondent to this allegation no later than July 8, 2020.

7. On or about June 30, 2020, Respondent responded to the Board's investigator that she could not afford to complete the six (6) extra CEU hours in ethics despite having agreed to complete these hours related to her violations of the Kansas Social Workers Licensure Act.

8. At this time, Respondent has not submitted to the Board documentation evidencing completion of the required CEU hours as requested by the Board's investigator.

## **APPLICABLE LAW**

9. Pursuant to K.S.A. 77-537(a) of the Kansas Administrative Procedure Act (“KAPA”), a state agency may use summary proceedings, subject to a party’s request for a hearing on the order, if:

- (1) The use of those proceedings in the circumstances does not violate any provision of law;
- (2) 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;
- (3) based upon an investigation of the facts by the state agency, beyond receipt of the allegations, the state agency believes in good faith that the allegations will be supported to the applicable standard of proof, provided however that an alleged failure to meet the standards set forth in this subsection shall not be subject to immediate judicial review and shall not invalidate any later agency action that has been supported to the applicable standard of proof; and
- (4) the order does not take effect until after the time for requesting a hearing has expired.

10. Pursuant to K.S.A. 65-6302(b): "Social work practice" means the professional activity of helping individuals, groups or communities enhance or restore their capacity for physical, social and economic functioning and the professional application of social work values, principles and techniques in areas such as psychotherapy, social service administration, social planning, social work consultation and social work research to one or more of the following ends: Helping people obtain tangible services; counseling with individuals, families and groups; helping communities or groups provide or improve social and health services; and participating in relevant social action. The practice of social work requires knowledge of human development and behavior; of social, economic and cultural institutions and forces; and of the interaction of all these factors. Social work practice includes the teaching of practicum courses in social work and includes the diagnosis and treatment of mental disorders as authorized under K.S.A. 65-6306 and 65-6319, and amendments thereto.

11. Pursuant K.S.A. 65-6311(a)(9): The board may refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed \$1,000 per violation upon a finding that a licensee or an applicant for license has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board. Specifically, 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, 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.


#### **CONCLUSIONS OF LAW**

12. Respondent is in violation of K.S.A. 65-6311(a)(9), as defined in K.A.R. 102-2-7(i), in that Respondent failed to submit to the Board documentation evidencing completion of the required CEU hours as requested by the Board's investigator.

#### **ORDER**

WHEREFORE, based on the above Findings of Fact and Conclusions of Law and pursuant to the authority granted by K.S.A. 65-6311(a) and KAPA, K.S.A. 77-537, the Complaint Review Committee of behalf of the Board finds that the Kansas LMSW license of Respondent Jennifer M. Hardin should be and is hereby **SUSPENDED** until further order of the Board.

IT IS SO ORDERED ON THIS 7<sup>th</sup> DAY OF September, 2020.



Chairperson, Complaint Review Committee  
On behalf of the 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  
Behavioral Sciences Regulatory Board  
700 SW Harrison St., Suite 420  
Topeka, KS 66603-3929

This written request must be filed within fifteen (15) calendar days from the date indicated in the below Certificate of Service. Pursuant to K.S.A. 77-503(c), the 15-day period begins the day after the date indicated in the Certificate of Service and includes weekends and legal holidays. If the 15<sup>th</sup> day falls on a Saturday, Sunday, or legal holiday, then the 15-day period runs until 5:00 p.m. on the next day which is not a Saturday, Sunday, or legal holiday. A request is considered "filed" on the date it is received at the Board's office. If a hearing is not requested in the time and manner stated, this Summary Order becomes a final order subject to judicial review. A petition for judicial review should be directed to the above recipient.

**CERTIFICATE OF SERVICE**

This is to certify that on this 8 day of September, 2020, a true and correct copy of the above and foregoing Summary Proceeding Order of Suspension was deposited in the U.S. mail, first class postage prepaid, addressed to:

Jennifer M. Hardin, LMSW



and by email to: [jane.weiler@ag.ks.gov](mailto:jane.weiler@ag.ks.gov)

Jane E. Weiler, Esq.  
Assistant Attorney General  
*Disciplinary Counsel for the Board*

  
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For the Board