

MOL-05-0137

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

BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD
712 South Kansas Avenue
Topeka, Kansas 66603-3817

In the Matter of)
)
Mary Njoroge-Thompson, LMSW)
License #3768)
Respondent)
_____)

Case No. 04-MS-0011

CONSENT AGREEMENT AND ORDER

NOW on this 8th day of August, 2005, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Mary Njoroge-Thompson, (Licensee), through counsel Sean M. Dwyer, and the Board, through counsel Marty M. Snyder, for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Mary Njoroge-Thompson is currently and at all times relevant except for the period from May 31, 2003 until September 5, 2003, has been 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 or about August 26, 2003, the Board received a report of information concerning Licensee's conduct, alleging Licensee had been terminated on April 25, 2003 for failure to complete client paperwork and failure to meet productivity standards of the employer.

3. The Board conducted an investigation concerning Licensee's alleged violation of statutes and regulations.

4. During the investigation, Licensee was informed of the reported information, was given the opportunity to respond to the allegations and did respond to the allegations in a faxed written response received November 27, 2003.

5. As a result of the investigation, the Board finds probable cause to believe the following facts:

(a) Licensee was terminated from her employment with Family Consultation Services in Wichita, Kansas on April 25, 2003 for failure to complete paperwork and failure to meet productivity standards. At that time, Licensee offered to complete her paperwork but the agency declined.

(b) Licensee failed to report the termination to the Board.

(c) Following the termination, the employer found that Licensee had billed for 297.5 hours which were not documented.

(d) Licensee admits that she reported incomplete social work information.

6. The Board finds that reasonable grounds exist to believe Licensee has committed unprofessional conduct in violation of K.S.A. 65-6311(a)(4) as defined as follows:

(a) K.A.R. 102-2-7(11) - reporting ... incomplete social work information,

(b) K.A.R. 102-2-7(b)(3) - failing to notify the Board that Licensee has been terminated from employment for some form of misfeasance, malfeasance or nonfeasance.

However, Licensee and the Board mutually desire to enter into 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. 04-MS-0011.

WHEREFORE, Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Act for Judicial Review in relation to Case No. 04-MS-0011.

WHEREFORE,

(a) Licensee consents to accept a letter of reprimand to be issued by the Complaint Review Committee of the Behavioral Sciences Regulatory Board.

(b) Licensee agrees to write a ten-page professional paper on the subject of protocol and appropriate timeliness of completing social work records. This paper shall be submitted to the Board office within sixty (60) days from the date on the below Certificate of Service.

(c) 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.

(d) If the Board does not approve this Consent Agreement and Order, Licensee waives any right she may have to object to the composition of any subsequent hearing panel due to hearing panel members having knowledge of matters contained within this Consent Agreement and Order.

(e) Evidence of Licensee's breach, violation or failure to comply with any of the conditions stated herein will result in a hearing, with notice and opportunity to be heard, to determine whether Licensee has in fact failed to comply with any condition. Upon determination at the hearing that such failure has occurred, Licensee understands that her License shall be suspended for three (3) months (reportable).

(f) Licensee acknowledges that proof submitted to the Board by affidavit or other form of competent evidence that Licensee has breached, violated or failed to meet the conditions of this Consent Agreement and Order shall be good and sufficient evidence to support an alleged violation

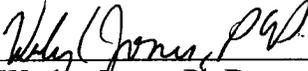
of the Order.

(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 an authorized 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.

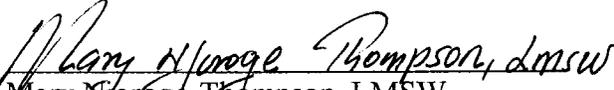
WHEREFORE, the foregoing provisions are consented to, are hereby made the final Order of the Kansas Behavioral Sciences Regulatory Board and become effective on the date indicated in the Certificate of Service below.

IT IS SO ORDERED.



Wesley Jones, Ph.D.
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:



Mary George-Thompson, LMSW

08/04/05

Date

Certificate of Service

This is to certify that on this 9th day of August, 2005, a true and correct copy of the above and foregoing final Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Mary Njoroge-Thompson



Roger Scurlock

For the Behavioral Sciences Regulatory Board