

Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto, from June 13, 1990 until September 20, 2005.

2. Licensee became licensed in Kansas and Missouri. At all times relevant, she has been continuously licensed in Missouri. However, she failed to renew her Kansas license when it expired September 30, 2005.
3. Licensee continued to practice social work and to hold herself out as a licensed specialist clinical social worker in Kansas for more than two years after she failed to renew her license in September 2005. She saw clients in private practice without supervision. She filed approximately 1500 claims and billed for her services as a social worker during the two-year period despite her unlicensed status.
4. She did not attempt to renew her Kansas license until October 2, 2007, when she falsified a renewal application and filed it with the Board. However, Licensee returned the next day to correct the record. She stated she answered questions 9, 10, 11 and 12 on the renewal application falsely.
5. Respondent provided a complete chronology of events surrounding this complaint to the Complaint Review Committee. She has been continuously represented by counsel since March 2008.
6. On December 1, 2008, Licensee provided the full evaluation report by Dr. Stacy for review by the Complaint Review Committee. Based on the evaluation, the Committee approves the recommendations for continued practice as stated in the report as detailed below.

CONCLUSIONS OF LAW

The Complaint Review Committee of the Board finds that probable cause exists to believe Licensee has violated the following statutes and regulations:

- (A) **K.S.A. 65-6303. Prohibited acts; penalty.** (a) No person shall engage in the practice of social work for compensation or hold forth as performing the services of a social worker unless such person is licensed in accordance with the provisions of this Act....
- (B) **K.S.A. 65-6307. Use of title by licensee; designation thereof by board; penalty for violation.** (a) Any person who possesses a valid, unsuspended and unrevoked license under the provisions of this Act shall have the right to practice and use the title and the abbreviations prescribed by the board for use by persons holding the license held by such person. The board shall establish a title and prescribe abbreviations for use by persons holding each class or type of license issued under the provisions of this Act. No other person shall assume such titles or use such abbreviations on any work or letter, signs, figures or devices to indicate that the person using the same is licensed as such under the provisions of this Act....
- (C) **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....

(D) **K.A.R. 102-2-7. Unprofessional conduct.** Any of the following acts by a licensee shall constitute unprofessional conduct:

(a) Obtaining or attempting to obtain licensure for oneself or another by means of fraud, bribery, deceit, misrepresentation or concealment of a material fact...

(b) Failing to notify the board within a reasonable time that any of the following conditions applied to ... that licensee ... (5) has practiced the licensee's ... profession in violation of the laws or regulations regulating the profession.

(h) failing to recognize, seek intervention and otherwise appropriately respond when one's own personal problems, psychosocial distress or mental health difficulties interfere with or negatively impact professional judgment...

(w) engaging in professional activities, including billing practices and advertising, involving dishonesty, fraud, deceit or misrepresentation;

(yy) practicing social work after the expiration of the social worker's license;

(zz) continuing after the expiration of a license to use any title or abbreviation prescribed by the board for use only by persons currently holding a type of class of license issued by the board;

(aaa) violating any provision of K.S.A. 65-6301, *et seq.*, and amendments thereto or any regulation adopted thereunder;

(ddd) engaging in independent private practice if not authorized by law.

K.A.R. 102-2-10 Licenses. (b) If a license expires, the individual shall return the license certificate to the board's executive director within 30 days of the license expiration.

K.A.R. 102-2-11 Renewal and reinstatement. (f) Each licensee who fails to renew the license in a timely manner and who thereafter applies for license reinstatement shall indicate whether or not the individual has practiced in Kansas as a social worker or has held forth as performing the services of a social worker after the expiration of the license and, if so, under what circumstances.

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. 08-CS-26.

WHEREFORE, Licensee consents to suspension of her license for twenty-four (24) months but with the suspension stayed on the following terms and conditions:

(a) Licensee shall follow the recommendations as stated on page nine of Dr. Scott Stacy's Focal Fitness to Practice Evaluation of March 21, 2008.

(b) Specifically, Licensee shall schedule an appointment with John Whipple, M.D., a board-certified psychiatrist, for [REDACTED] consultation and shall provide a letter from him summarizing the findings and his recommendations to the Committee within 30 days of the effective date of this Consent Agreement and Order. Licensee shall continue to consult with Dr. Whipple as needed upon his recommendation.

Licensee advises that she has completed consultation with Dr. Whipple and no further follow-up is currently deemed necessary.

(c) Licensee shall enter a professional and personal coaching process that involves implementing a personal life plan that focuses on internalizing more effective coping, limit-setting and career-planner objectives. Licensee shall notify the Committee of the identity of this service provider within 30 days of the effective date of this Consent Agreement and Order.

(d) For six months from the effective date of this Consent Agreement, Licensee's practice shall be supervised. Licensee shall meet not less than monthly face-to-face with her supervisor. The supervisor shall be board-approved, licensed at the independent clinical practice level and not a member of Licensee's current practice group. The supervision shall focus on separating personal life situations from professional demands.

(e) Licensee shall provide a copy of this Consent Agreement to her supervisor. The supervisor shall provide a written report on the supervision after the first meeting, at the end of three months, and again at the end of six months to the Board's investigator.

(f) At the end of the six-month supervision period, the Committee will review Licensees' request to reduce or terminate the suspension period.

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

(h) Evidence of Licensee's breach, violation or failure to comply with any of the conditions will result in a hearing, with notice and opportunity to be heard, to determine whether Licensee has in fact breached, violated or failed to comply with any conditions.

Upon determination at such hearing that Licensee has breached, violated or failed to comply with any condition, Licensee understands and agrees that her license shall 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.

(i) Licensee understands that a notification of this Consent Agreement and Order may be provided to any other state licensing board if Licensee is also licensed, registered or certified in another state.

(j) Licensee acknowledges an affirmative duty to notify the Board within five business 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 in writing.

(k) 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.

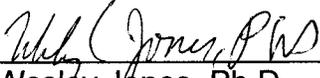
WHEREFORE, Licensee consents to the submission of this Consent Agreement and Order to the Board's Complaint Review Committee and understands that, upon approval of the Complaint Review Committee, this Consent Agreement and Order will become a Final Order of the Board. The Board has authorized the Complaint 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 as defined by K.A.R. 102-2-7 as a result of this proceeding in Case No. 08-CS-26.

WHEREFORE, the foregoing provisions are consented to, are hereby made the 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.

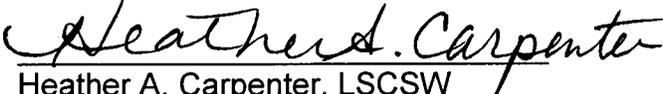


Wesley Jones, Ph.D.
Chair, Complaint Review Committee

2/9/09

Date

APPROVED AND CONSENTED TO:

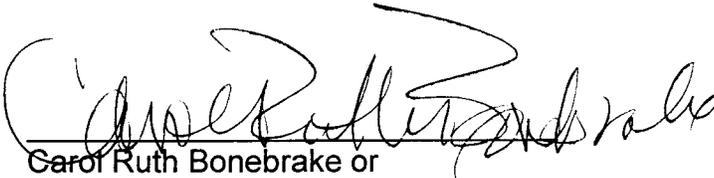


Heather A. Carpenter, LSCSW
Respondent Licensee

2-3-09

Date

APPROVED BY:



Carol Ruth Bonebrake or
Jennifer Conkling Bazin,
Counsel for Respondent

2/4/9

Date

Certificate of Service

This is to certify that on this 10th day of February, 2009, a true and correct copy of the above and foregoing Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Heather A. Carpenter



Jennifer Conkling Bazin, Esq.
Law Office of Carol Ruth Bonebrake
107 SW Sixth Street, Suite #210
Topeka, KS 66606

Roger Scurlock
For the Behavioral Sciences Regulatory Board

State of Kansas
Behavioral Sciences Regulatory Board

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PHYLLIS GILMORE
Executive Director



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March 22, 2011

Heather Carpenter



Re: Consent Agreement Order 08-CS-0026

Dear Ms. Carpenter,

This letter is to confirm that you complied with all of the conditions set forth in the Consent Agreement and Order dated February 10, 2009. You completed those conditions and this case was closed on February 10, 2011.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Carol Baldwin".

Carol Baldwin
Special Investigator

cc: Carol Ruth Bonebrake