

State of Kansas
Behavioral Sciences Regulatory Board

KATHLEEN SEBELIUS
Governor

PHYLLIS GILMORE
Executive Director



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March 10, 2010

Helen L. Santi, Ph.D., LCPC



Re: Consent Agreement and Order 08-LC-0022

Dear Dr. Santi,

You have complied with all of the conditions set forth in the Consent Agreement and Order under which you have practiced since February 10, 2009. The Board has received an acceptable reference from your supervisor.

You are now unconditionally licensed as a Licensed Clinical Professional Counselor.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Roger Scurlock".

Roger Scurlock
Special Investigator

Marty M. Snyder, S. Ct. #11317
Assistant Attorney General
120 SW 10th Avenue, 2nd Floor
Topeka, KS 66612
(785) 296-2215

BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter of)
)
HELEN ROADS SANTI, Ph.D., LCPC #0331,)
Respondent)

Case No. 08-LC-0022

CONSENT AGREEMENT AND ORDER

NOW, on this 9 day of February, 2009, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Helen Roads Santi, Ph.D. (Licensee) and the Kansas Behavioral Sciences Regulatory Board for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Helen Roads Santi, Ph.D., is currently, and at all times relevant has been, a Licensed Clinical Professional Counselor within the meaning of the Professional Counselors Licensure Act, K.S.A 65-5801, *et seq.*, and amendments thereto.
2. On or about September 7, 2007, the Board received a report of information concerning Licensee's conduct, alleging Licensee may have violated certain statutes and regulations governing the practice of professional counseling related to her job as a Licensed Clinical Professional Counselor.
3. The Board conducted an investigation concerning Licensee's alleged violation of statutes and regulations. During the investigation, Licensee was informed of the

reported information, was given the opportunity to respond to the allegations, and did respond in her letter dated July 11, 2008 and subsequently provided additional information.

4. As a result of the investigation, the Board finds probable cause that the following facts have been established by clear and convincing evidence:
 - a. Licensee was retained to treat a five-year-old child for allegations of sexual abuse by a parent during the process of a divorce in which child custody was a contested issue.
 - b. Licensee had a great deal of contact with the mother, including observations of parent-child interaction, but initiated no contact with the father and never met him.
 - c. Licensee wrote an unsolicited letter to SRS to be placed in the child's file, which had already been closed as the allegations were found to be "unsubstantiated." Licensee provided information supporting the allegations of the child's sexual abuse and suggesting that the father's conduct was consistent with that of a child molester, based on insufficient information.
 - d. Licensee reported false information to SRS, claiming the father had been ordered by the court to pay for her billings and was in contempt of court. She further claimed this was evidence of the father's lack of interest in the child's welfare.

The Board finds that reasonable grounds exist to believe Licensee has violated K.A.R. 102-3-12a, "Unprofessional conduct," ...

- (b) Practicing professional counseling in an incompetent manner;

(38) making or filing a report that one knows to be false, distorted, erroneous, incomplete, or misleading.

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-LC-0022.

WHEREFORE, Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions in relation to Case No. 08-LC-0022.

WHEREFORE, Licensee consents to continuation of her license without restriction under the following conditions:

- A. Licensee will attend six hours of continuing education in the area of child sexual abuse evaluations and treatment and shall provide a copy of her certificate of attendance to the Board within ninety days of the effective date of this Agreement. Such training shall be in addition to licensure requirements.
- B. Licensee's practice shall be supervised for a period of twelve months by a Board-approved supervisor who is licensed at the clinical level and who has experience working in divorce situations. The focus of the supervision will be on sexual abuse evaluations in the context of contested divorce proceedings. Licensee and her supervisor shall meet in person at least one hour for every forty hours worked by Licensee. The supervisor shall provide quarterly written progress reports to the Board but with immediate contact should Licensee fail to comply with the

supervision process or should the supervisor become concerned with her practice competence.

- C. Licensee shall be responsible for any costs incurred in satisfying the terms of this Order.
- D. Evidence of Licensee's breach, violation or failure to comply with any of the conditions will result in an order to appear and show cause why Licensee's license should not be suspended temporarily pending full compliance with this Consent Agreement and Order. At such show cause hearing, the issues will be limited to whether this Consent Agreement and Order has been violated and the appropriate sanction for such violation.
- E. 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 breach, violation or non-compliance.
- F. 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.
- G. 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 Consent Agreement and Order. In such event, a designee of the Board is authorized to modify or amend this Order in writing.
- H. 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.

- I. This Consent Agreement and Order constitutes the entire agreement between the Licensee and the Board and may be modified or amended only by written agreement signed by Licensee and the Board or a designee of the Board.

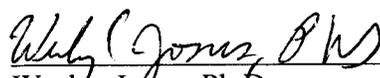
WHEREFORE, Licensee consents to the submission of this Consent Agreement and Order to the Board's Complaint Review Committee, and understands that, upon approval of the Complaint Review Committee, this Consent Agreement and Order becomes a final order of the Board. The Board has authorized the Complaint Review Committee to approve 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 the violations of K.A.R. 102-3-12a listed above.

WHEREFORE, the Board further agrees that at the conclusion of the supervision period, upon determination of Licensee's compliance with the conditions stated herein, Licensee shall be unconditionally licensed as a Licensed Clinical Professional Counselor.

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

IT IS SO ORDERED.



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

APPROVED AND CONSENTED TO:

Helen Roads Santi
Helen Roads Santi, Ph.D.,
Respondent Licensee

1-22-09
Date

CERTIFICATE OF SERVICE

This is to certify that on the 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:

Helen Roads Santi, Ph.D.



Roger Scurlock
For the Behavioral Sciences Regulatory Board