

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

**BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**

**In The Matter Of** )  
)  
**NANCY LYNN WOOTTON,** )  
**LMSW #7936,** )  
**Respondent** )  
\_\_\_\_\_ )

**Case No. 13-MS-096**

Pursuant to KSA Ch. 77, KAPA

**EMERGENCY ORDER OF REVOCATION**

**A. SUMMARY OF CASE**

The Kansas Behavioral Sciences Regulatory Board [Board] received information sufficient to cause a reasonably prudent person to believe that Respondent Licensee Nancy Lynn Wootton currently represents a danger to the health, safety and welfare of certain individuals as well as the general public based on her self-report of inappropriate boundary violations with a client and voluntary surrender of her Licensed Masters Social Worker license in Kansas. This Emergency Order, issued pursuant to the Kansas Administrative Procedure Act [KAPA], K.S.A. 77-536, revokes Respondent's Kansas Licensed Masters Social Worker license.

**B. FINDINGS OF FACT**

1. Nancy Lynn Wootton is currently, and at all times relevant 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 April 4, 2013, the Board received a self-report of alleged violations concerning Licensee's conduct, alleging Licensee may have violated certain statutes and

regulations governing unprofessional conduct. Subsequently, on April 8, 2013, the Board received a report regarding the same unprofessional conduct from Licensee's employer at ASAP and raising additional concerns regarding the status of Licensee's mental health.

3. Based upon the two reports and upon Licensee's voluntary surrender of her license, the Board finds probable cause to believe the following facts:

a. There is credible evidence and information upon which a reasonable person could conclude that Licensee is engaged in an inappropriate personal relationship with a current client and / or the mother of a client (or persons who have been clients within the past twenty-four months) of the Licensee.

b. There is additional credible evidence and information that Licensee is experiencing a current aberrational mental health crisis. The health, safety and welfare of certain individuals as well as the general public are at risk from Licensee continuing to hold an unrestricted license as a Licensed Masters Social Worker in Kansas at the present time.

c. The nature of the allegations and self-reported information create an immediate risk of harm to the public health, safety or welfare that can be prevented or avoided only through emergency proceedings conducted pursuant to KAPA.

#### C. CONCLUSIONS OF LAW

1. The Board finds that probable cause exists to believe that Licensee, while a Licensed Masters Social Worker, violated the following statute and regulations and is currently an immediate danger to others:

**K.S.A. 65-6311(a)** – The Board may revoke a license upon proof that a social worker

(4) is guilty of unprofessional conduct; and

(6) committed wrongful actions in the performance of professional duties.

**K.A.R. 102-2-7 - Unprofessional Conduct.**

(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, professional performance and functioning, or the ability to act in the client's best interests;

(y) making sexual advances toward or engaging in physical intimacies or sexual activities with one's client, supervisee, or student;

(z) making sexual advances toward, engaging in physical intimacies or sexual activities with, or exercising undue influence over any person who, within the past 24 months, has been one's client;

(aa) exercising undue influence over any client, supervisee, or student, including promoting sales of services or goods, in a manner that will exploit the client, supervisee, or student for the financial gain, personal gratification, or advantage of oneself or a third party;

(pp) failing to terminate the social work services when it is apparent that the relationship no longer serves the client's needs or best interests; and

(tt) engaging in a dual relationship with a client, supervisee, or student.

2. Proceedings under the Kansas Social Workers Licensure Act are subject to Kansas Administrative Procedure Act (K.S.A. 77-501, *et seq.*) [KAPA] pursuant to K.S.A.65-6311(b). K.S.A. 77-536 of KAPA provides that the Board may employ emergency proceedings when a situation poses an immediate danger to the public health, safety or welfare.

3. The Board is authorized to take disciplinary action against Licensed Social Workers pursuant to K.S.A. 65-6311(a), expressly including revocation of a license.

4. The Board has jurisdiction over Respondent by virtue of her Kansas Masters Social Worker license. The Board has been charged by the Legislature with the responsibility to

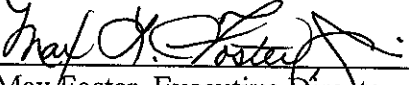
protect the public health, safety and welfare assuring the current competence to practice of its licensees.

5. K.S.A. 74-7508(e) expressly grants the Board the authority to revoke a license that has been voluntarily surrendered by a licensee while disciplinary charges are pending or anticipated.

WHEREFORE, the Board hereby orders the following:

Respondent / Licensee Nancy Lynn Wootton's Kansas Licensed Masters Social Worker license should be and is hereby immediately revoked subject to further proceedings pursuant to the Kansas Judicial Review Act, K.S.A. 77-601, *et seq.*, or further Order of the Board.

**IT IS SO ORDERED ON THIS 19<sup>th</sup> DAY OF APRIL, 2013.**

  
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Max Foster, Executive Director  
Kansas Behavioral Sciences Regulatory Board

#### **RELIEF FROM THIS EMERGENCY ORDER**


This Emergency Proceeding Order is effective when rendered. Notice has been provided to all persons who are required to comply with the order. To appeal this Emergency Order, a Petition for Judicial Review must be filed within thirty days pursuant to the terms of the Kansas Judicial Review Act, KSA 77-601, *et seq.*, with the Third Judicial District Court and a copy of the Petition served upon:

Max Foster, Executive Director  
Behavioral Sciences Regulatory Board  
700 SW Harrison St., Suite 420  
Topeka, KS 66603-3929

Marty M. Snyder, Esq.  
Kansas Attorney General's Office  
120 SW Tenth Ave., 2<sup>nd</sup> Flr.  
Topeka, KS 66612

**CERTIFICATE OF SERVICE**

This is to certify that on this 12<sup>th</sup> day of April, 2013, a true and correct copy of the above and foregoing Emergency Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

N. Lynn Wootton  


Dana Fitzer, ASAP  
9250 Glenwood  
Overland Park, KS 66212

and a copy placed in building mail to:

Marty M. Snyder, Esq.  
Assistant Attorney General  
120 SW 10th Ave., 2nd Floor  
Topeka, KS 66612

  
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For the Board