

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

In The Matter)
)
 of) Case No. 588
)
 Judy Bales, LASW)
 _____)

CONSENT AGREEMENT AND ORDER

Now on this 8 day of July, 1996, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Judy Bales, (Licensee) and the Kansas Behavioral Sciences Regulatory Board for the purpose of settling the above-captioned case.

Licensee hereby acknowledges the following:

1. Judy Bales is a licensed associate social worker within the meaning of the Kansas social workers act, K.S.A. 65-6301 *et seq.*, and amendments thereto.
2. On or about March 21, 1995, the Board received a report of information concerning Licensee's conduct alleging Licensee may have violated certain statutes and regulations governing the practice of social work.
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, and was given the opportunity to respond to the allegations, and did respond to the allegations.
5. As a result of the investigation, the Board makes the following factual determinations:
From April 5, 1993 until April 8, 1994 Licensee was the supervisor of Diana L. Large , a licensed baccalaureate social worker (LBSW) who was employed as a probationary social worker at the Pratt Social and Rehabilitation Services Office. Licensee was aware that her immediate

superior, Dale Barnum, wrote to Ms. Large on April 4, 1994 notifying her that she was being dismissed as a probationary social worker for “releas[ing] confidential information to a minor adoptive child, in direction violation of the Family Agenda for Children and Youth Policy Manual [4320(7)] and Kansas Statutes Annotated 59-2122,” and thus her “failure to follow laws, regulations and policy relating to your position as a social worker.”

By releasing confidential information to a minor adoptive child in violation of Kansas law and SRS policy, Ms. Large committed malfeasance, the doing of an act a social worker should not do, for which she was terminated from SRS employment. In addition, by releasing such confidential information Ms. Large violated a law regulating social work, to wit, K.S.A. 65-6311, which prohibits a social worker from disclosing any information acquired from persons consulting the social worker in the social worker’s professional capacity.

6. As a result of the investigation, the Board determined that reasonable grounds exist to believe the Licensee has been guilty of unprofessional conduct in violation of K.S.A. 65-6311(a)(4):

- for failure to notify the board that Ms. Large was terminated from employment for a form of malfeasance [K.A.R. 102-2-7(b)(2)(C)], and

- for failure to notify the board that Ms. Large had practiced social work in violation of a law regulating social work [K.A.R. 102-2-7(b)(8)].

HOWEVER, Licensee and the Board mutually desire to enter into the 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. 588.

WHEREFORE Licensee waives the right to file a motions for reconsideration and all rights of appeal pursuant to the Kansas act for judicial review in relation to Case No. 588.

WHEREFORE Licensee consents to continuation of her licensed practice as an associate social worker on the following conditions:

- (1) Licensee shall research and write a 10 page professional paper on the subject of the value of professional licensure laws in protecting the public. The paper shall be double spaced, in APA format, and contain at least 10 professional references that are integrated within the context

of the paper. Licensee shall submit the paper within 4 months of the date indicated in the below Certificate of Service.

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

(3) Evidence of Licensee's 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 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 the license shall be suspended for 1 month.

(4) 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 shall be good and sufficient evidence to support an alleged violation of non-compliance.

(5) 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 conditions. In such event, a designee of the Board is authorized to modify or amend this Consent Agreement and Order in writing.

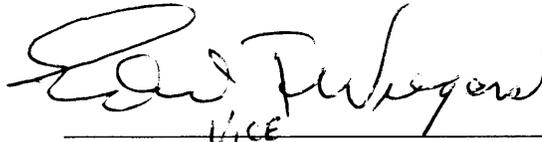
(6) This Consent Agreement and Order constitutes the entire agreement between the Licensee and may be modified or amended only by written agreement signed by the parties.

WHEREFORE Licensee consents to the submission of this Consent Agreement and Order to the Kansas Behavioral Sciences Regulatory Board, and understands that upon approval of the Board, this Consent Agreement and Order becomes a final order of the Board.

WHEREFORE the Board agrees that so long as Licensee complies with the above conditions that the Board will not initiate further disciplinary action against Licensee in relation to violation of K.S.A. 65-6311(a)(4) as defined by K.A.R. 102-2-7(b)(2)(C) and by K.A.R. 102-2-7(b)(8).

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.



John Homlish, Chairman
Behavioral Sciences Regulatory Board

APPROVED AND CONSENTED TO:

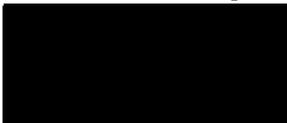

Judy Bales, LASW

6-3-96
(date)

Certificate of Service

This is to certify that on the 11th day of July, 1996 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:

Judy Bales
Social Service Supervisor




Kimberly Sides-Steiger
For the Behavioral Sciences Regulatory Board