

Marty M. Snyder, Supreme Court #11317  
Kansas Attorney General's Office  
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Topeka, KS 66612-1597  
(785) 296-2215

2008 OCT 27 4:12:33

**BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD**

In the Matter of )  
 )  
ANNE M. BARTELS, LBSW #7148 )  
 )  
\_\_\_\_\_ )

Case No. 08-NL-0074

**CONSENT AGREEMENT AND ORDER**

NOW, on this ~~23~~ day of October, 2008, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Anne M. Bartels (Licensee) and the Kansas Behavioral Sciences Regulatory Board for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Anne M. Bartels is currently a Bachelors Level 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 January 30, 2008, the Board received a report of information concerning Licensee's conduct, alleging Licensee may have violated certain statutes and regulations governing her practice as a Social Worker. The information was from a self-report by Licensee.
3. The Board conducted an investigation concerning Licensee's alleged violation of statutes and regulations.

4. As a result of the investigation, the Board finds clear and convincing evidence of the following facts:
  - a) Licensee has been employed at Indian Meadows Nursing Center since August of 2005 and practiced social work in Kansas.
  - b) Licensee has identified herself as a social worker in Kansas.
  - c) While Licensee was licensed in the State of Missouri, Licensee did not apply for licensure in Kansas until January 24, 2008.
  - d) Licensee was issued her Kansas license on April 9, 2008.
  - e) Licensee does not dispute these facts.
  
5. The Board finds by clear and convincing evidence that reasonable grounds exist to believe Licensee has violated K.S.A. 65-6503(a) - engaging in the practice of social work for compensation or holding forth as performing the services of a social worker unless such person is licensed, a class B misdemeanor pursuant to K.S.A. 65-6303(d); and K.S.A. 65-6307(a) – person who possesses a valid, unsuspended, and unrevoked license shall have the right to practice and use the title and the abbreviations prescribed by the Board, a class C misdemeanor pursuant to K.S.A. 65-7307(b).

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-NL-0074.

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-NL-0074.

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

- A. Licensee accepts a formal censure in this matter.
- B. Licensee shall pay a fine of \$250.00. The fine payment must be received at the Board office within 30 days of the effective date of this Consent Agreement and Order.
- C. Licensee shall be responsible for any costs incurred in satisfying the terms of this Consent Agreement and Order.
- D. 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 condition. Upon determination at such hearing that Licensee has breached, violated or failed to comply with any condition, Licensee understands and agrees that her Social Worker license could 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.
- 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 violation of breach, violation or non-compliance.

- F. Licensee acknowledges an affirmative duty to notify the Board within five (5) days of any changes in personal or professional status which would inhibit her 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 and Order in writing.
- G. 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.
- H. 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 case number 08-NL-0074.

WHEREFORE, the Board further agrees that, upon the completion of the above conditions, Licensee shall be unconditionally licensed as a Licensed Bachelors Level Social Worker.

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

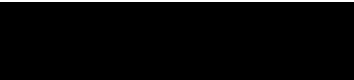
**APPROVED AND CONSENTED TO:**

Anne M. Bartels  
Anne M. Bartels, Licensee

10-14-08  
Date

**CERTIFICATE OF SERVICE**

This is to certify that on this 29<sup>th</sup> day of October, 2008, 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:

Anne M. Bartels  


Roger Scurland  
For the Behavioral Sciences Regulatory Board