

BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

712 SW Kansas Avenue
Topeka, Kansas 66603-3817

In the Matter)
)
 of)
)
 Tresa Woods)
 Applicant for Masters Social Worker)
 Respondent)
 _____)

FINAL ORDER

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Now on this 14th day of January, 2008, the above-referenced matter comes on for hearing before the Behavioral Sciences Regulatory Board, assisted by Assistant Attorney General Camille Nohe (Legal Opinions and Governmental Counsel Division) on the recommendation for denial of a masters social worker license. Applicant Tresa Woods appears in person. Assistant Attorney General Marty Snyder (Civil Division) appears on behalf of the Board's Complaint Review Committee in support of the recommendation.

The Board receives testimony, statements and arguments in support of and in opposition to the recommendation of denial of a masters social worker license.

Applicant's Exhibits 1 and 2 are admitted, as well as Exhibits A, B and C submitted by Ms. Snyder.

Whereupon the Board deliberates in private, following which the Board makes the following finding of fact, conclusions of law and order.

Findings of Fact

1. On July 27, 1998, Applicant pled no contest to tampering with a government

record in the case of State v. Theresa Jane Woods, case #12,116-C in the 251st District Court, Randall County, Texas.

2. Further proceedings without adjudication were deferred for 5 years without a conviction on the condition of Applicant's successful completion of community supervision for 5 years.

3. Applicant was ordered to pay and did pay approximately \$25,000 in restitution and a \$10,000 fine.

4. Nevertheless, this incident implicates Applicant's character in terms of whether Applicant now fully merits the public trust.

5. On September 18, 1998 the Texas State Board of Social Worker Examiners accepted the surrender of Applicant's license as a LMSW-ACP. Additionally, it was then ordered that Applicant's surrender of her Texas license be deemed to be the result of formal disciplinary action.

6. Through her testimony, consisting in large part of reading an affidavit of [REDACTED] [REDACTED], Applicant presented a complex account of troubling family dynamics surrounding a wealthy [REDACTED], who suffered from poor physical and mental health and for whom Applicant served as guardian as well as geriatric care manager. See Applicant's Exhibit 1.

7. Applicant acknowledged and accepted responsibility for poor choices she had made while serving in these dual capacities in relation to the elderly [REDACTED].

8. Applicant's record-keeping in relation to the elderly [REDACTED]'s financial accounts presented questions and concerns to some members of the [REDACTED]'s family.

9. Applicant faced difficulties and challenges in dealing with a family that was not

united in relation to the elderly ██████'s care, treatment and finances.

10. Nevertheless, Applicant appears to have been so emotionally drawn into the situation that her professional judgment was impaired.

10. Ten years have elapsed since the situation in Texas in which Applicant was involved that led to disciplinary action, via surrender of applicant's Texas license, by the Texas State Board of Social Worker Examiners, and in which criminal charges ensued against Applicant in Randall County, Texas.

11. During those ten years, Applicant has been law abiding.

Conclusions of Law

1. One of the eligibility requirements for a MSW license is that an applicant must merit the public trust. K.S.A. 65-6311(b)(3).

2. One reason that the Board may refuse to issue, or condition, a license to an otherwise eligible applicant is if the applicant has had disciplinary action taken by the proper licensing authority of another state. K.S.A. 65-6311(a)(7).

Order

Based on the foregoing, the Behavioral Sciences Regulatory Board determines and orders that Applicant be and hereby is granted a masters social worker license on the following conditions:

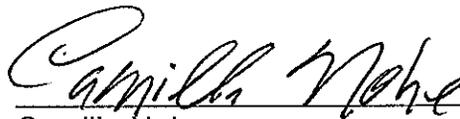
1. That Applicant practice under supervision of an LMSW or and LSCSW for one year from the date that Applicant engages in the practice of social work or provides supervision of social work students in a practicum. Applicant shall notify the Board when such supervision begins and the name and credential of her supervisor.

2. That Applicant fully disclose to her supervisor all aspects of the course of events in Texas that resulted in Applicant's surrender of her Texas license and criminal charges being filed.

3. That Applicant ensure that her supervisor submit quarterly reports to the Board regarding compliance with this Final Order as well as Applicant's professional judgment, accuracy of record-keeping and any issues relating to any potential dual relationship.

4. That at the conclusion of the 12-month conditional licensure period (to begin one year from the date that Applicant engages in the practice of social work or provides supervision of social work students in a practicum) and upon Board receipt of an acceptable reference form from Applicant's practice supervisor, Applicant shall be licensed unconditionally as a masters social worker.

IT IS SO ORDERED.



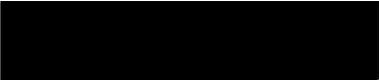
Camille Nohe
Assistant Attorney General
On behalf of and as authorized by the Behavioral
Sciences Regulatory Board

NOTICE OF RELIEF FROM THIS ORDER

This is a Final Order. It is effective upon the date indicated in the below Certificate of Service unless a stay is granted pursuant to K.S.A. 77-528. Within 15 days after service of the Final Order, any party may file a petition for reconsideration with the Real Estate Appraisal Board. Such petition must state the specific grounds upon which relief is requested. The filing of a petition for reconsideration is not a prerequisite for seeking judicial review. Judicial review may be had by filing a petition for judicial review with the appropriate district court as provided in the Kansas Act for Judicial Review, K.S.A. 77-601 et seq. The agency officer who may receive service of a petition for judicial review on behalf of the agency is Phyllis Gilmore, Executive Director, Kansas Behavioral Sciences Regulatory Board.

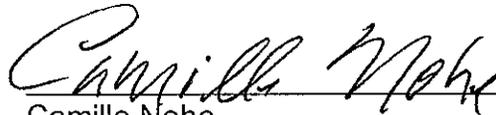
Certificate of Service

This is to certify that on the 30th day of January, 2008 a true and correct copy of the above and foregoing **Final Order** was deposited in the U.S. mail, first class postage prepaid, addressed to:

Tresa Woods


and a copy placed in inter-office mail addressed to:

Marty Snyder
Assistant Attorney General
Civil Litigation Division
Office of the Attorney General
Memorial Building
120 SW 10th Avenue
Topeka, Kansas 66612



Camille Nohe
Assistant Attorney General
On behalf of and as authorized by the Behavioral
Sciences Regulatory Board

Marty M. Snyder, Supreme Court #11317
Kansas Attorney General's Office
120 SW 10th Ave, Second Floor
Topeka, KS 66612-1597
(785) 296-2215

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BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter of)
)
Tresa J. Woods, LMSW #7051)
_____)

Case No. 07-NL-0090

CONSENT AGREEMENT AND ORDER

NOW, on this 26 day of January, 2009, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) by agreement of Tresa J. Woods (Licensee) and the Kansas Behavioral Sciences Regulatory Board for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following facts, and the Board finds that they have been established by clear and convincing evidence:

1. Tresa J. Woods is currently a 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 January 14, 2008, a hearing panel of the Board issued a Final Order, granting Licensee a masters social worker license, subject to certain terms and conditions set forth in the Final Order.
3. On June 9, 2008, Licensee began employment with TFI Family services as a family permanency supervisor, a position requiring licensure.

4. On September 12, 2008, the Board received a Supervision Documentation Form from Rhonda Thompson, Licensee's job supervisor and a Licensed Bachelor Social Worker, describing weekly meetings with Licensee since June 9, each lasting at least one hour.
5. However, according to the terms and conditions of the Final Order issued January 14, 2008, Licensee was to notify the Board of her new employment, be supervised by someone licensed at the LMSW or LSCSW level, and provide the name of the proposed supervisor.
6. Since Licensee failed to comply with the terms and conditions of the Final Order issued January 14, 2008, a Summary Proceeding Order was issued in November 2008, temporarily suspending Licensee from practicing social work in Kansas until further order of the Board.
7. Licensee timely requested a hearing before the Committee, and a prehearing conference was held on December 22, 2008.
8. Licensee and the Board mutually desire to enter a Consent Agreement and Order in lieu of adjudicative proceedings to resolve the alleged violations of the Final Order.

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. 07-NL-0090.

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. 07-NL-0090.

WHEREFORE, Licensee consents to the continuation of her license under the following

conditions:

- A. Licensee's one-year supervision period shall begin January 1, 2009.
- B. Licensee's supervisor shall be licensed at the independent clinical level.
- C. Licensee's supervision shall be separate from her employment supervision.
- D. Licensee's supervisor shall not be employed by licensee's current employer.
- E. Licensee's supervision shall focus on professional judgment, dual relationships, and professional ethics.
- F. Licensee shall submit names of possible supervisors to the Committee Investigator for approval.
- G. Licensee shall provide a copy of the Consent Agreement and Order to her supervisor, shall request that the supervisor provide quarterly written reports to the Board, and shall request that the supervisor notify the Board immediately of any problems with Licensee's practice.
- H. Licensee shall be responsible for any costs incurred in satisfying the terms of this Consent Agreement and Order.
- I. 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.

- J. 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.
- K. 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.
- L. 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.
- M. 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 hereby lifts the temporary suspension of Licensee's masters social workers license and will not initiate further disciplinary action against Licensee in relation to case number 07-NL-0090, so long as Licensee complies with the above conditions.

WHEREFORE, the Board further agrees that, upon the completion of the above conditions, Licensee shall be unconditionally licensed as a Licensed Masters 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 Jones, Ph.D.
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:



Tresa J. Woods, Licensee

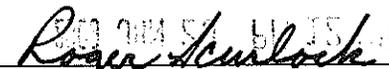
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Date

CERTIFICATE OF SERVICE

This is to certify that on this 29th day of January, 2009, a true and correct copy of the above Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Tresa J. Woods

For the Behavioral Sciences Regulatory Board

State of Kansas
Behavioral Sciences Regulatory Board

KATHLEEN SEBELIUS
Governor

PHYLLIS GILMORE
Executive Director



712 S. Kansas Ave.
Topeka, Kansas 66603-3817
(785) 296-3240
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February 9, 2010

Tresa J. Woods, LMSW
[REDACTED]

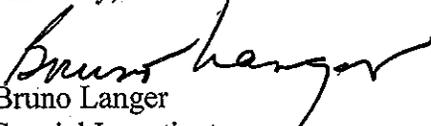
Re: Consent Agreement and Order 07-NL-0090

Dear Ms. Woods,

You have complied with all of the conditions set forth in the Consent Agreement and Order under which you have practiced since January 29, 2009. The Board has received notification of all dates of completion of the terms of your Consent Agreement and Order.

You are now unconditionally licensed as a (LMSW), Licensed Masters Social Worker.
Thank you for your cooperation in this matter.

Sincerely,


Bruno Langer
Special Investigator