

P. Gilmore

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Marty M. Snyder, KS S Ct #11317
Kansas Attorney General Derek Schmidt's Office
120 SW 10th St, Second Floor
Topeka, Kansas 66612-1597

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**BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD
712 South Kansas Avenue
Topeka, KS 66603-3817**

In the Matter of)
)
VIVIAN L. STEAVENSON-MUNDY,)
LMSW #4222,)
Respondent)
_____)

Case No. 09 MS 0124
Case No. 10-MS-007

ORDER OF DISMISSAL WITH PREJUDICE

NOW on this 21 day of Feb, 2011, this matter comes before the Presiding Officer on the joint Motion of Petitioner Kansas Behavioral Sciences Regulatory Board [Board], by and through counsel Assistant Attorney General Marty M. Snyder, and Respondent Vivian L. Steavenson-Mundy [Respondent / Licensee], by and through counsel Jeffrey S. Kruske, Schlagel Kinzer LLC, for dismissal of the Petition in Discipline on file in this matter with prejudice. The parties appear through counsel.

Being well and duly advised in the premises, the Presiding Officer finds that the following facts are not in dispute:

1. At all times relevant, Vivian L. Steavenson-Mundy was a Licensed Masters Social Worker within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 63-6301, *et seq.*, and amendments thereto.

2. On April 20, 2010, in Lyon County District Court Case No. 09-CR-212, Licensee was convicted of five felony counts of Making a False Claim to Medicaid Program and one felony count of Obstruction of Medicaid Fraud Investigation.

3. The Lyon County District Court has ordered restitution exceeding \$158,000, which remains unpaid to date.

4. Respondent failed to report her felony convictions to the Kansas Behavioral Sciences Regulatory Board as required by statute.

5. The Board found that Respondent had not been sufficiently rehabilitated since the commission of the felony crimes to merit the public trust.

6. Based on those facts, the Board caused a Petition in Discipline to be filed, and an administrative disciplinary hearing on the Petition was set for February 18, 2011.

7. On February 17, 2011, Respondent, through counsel, wrote a letter to the Board surrendering her Kansas Licensed Masters Social Worker license [Exhibit A], and the Board, through counsel, accepted the surrender of the license effective immediately.

Therefore, the Presiding Officer finds that the Motion should be granted and the Petition should be and is hereby dismissed with prejudice, that the formal hearing on the Petition is canceled and that both parties shall bear their own costs in this matter.

IT IS SO ORDERED this 21 day of Feb, 2011.



Presiding Officer Edward J. Gaschler
OFFICE OF ADMINISTRATIVE HEARINGS

CERTIFICATE OF SERVICE

This is to certify that on the 22nd day of February, 2011, a true and correct copy of the above and foregoing ORDER OF DISMISSAL WITH PREJUDICE was deposited in the U.S. mail, first class postage prepaid, addressed to:

Vivian L. Steavenson-Mundy



Jeffrey S. Kruske
Attorney at Law
P.O. Box 10
Olathe, KS 66051-0010

and a true and correct copy was placed in interoffice mail addressed to:

Marty M. Snyder
Assistant Attorney General
Attorney General's Office
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612-1597
Telephone: (785) 296-2215

✓ Phyllis Gilmore
Executive Director
Kansas Behavioral Sciences Regulatory Board
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M. Dodds

Staff Person
Office of Administrative Hearings