

Marty M. Snyder, KS S.Ct. #11317
Assistant Attorney General
120 SW 10th St, Second Floor
Topeka, KS 66612-1597
Telephone (785) 296-2215

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

In the Matter of)

KRISTIN POTTER,)
LBSW #7034)
_____)

Case No. 10-BS-0138

SUMMARY PROCEEDING ORDER OF SUSPENSION

NOW, on this 3rd day of September, 2010, the above-captioned complaint comes before the Complaint Review Committee [Committee] of the Kansas Behavioral Sciences Regulatory Board [Board].

I. FINDINGS OF FACT

The Committee finds that the following facts have been established by clear and convincing evidence:

1. Kristin Potter is a Licensed Bachelors Social Worker, License #7034, which was issued by the Kansas Behavioral Sciences Regulatory Board.

2. At all times relevant to the complaint herein, Licensee was practicing as a Licensed Bachelors Social Worker within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.

3. On or about May 19, 2010, the Board received information that Licensee may have falsified records, practiced social work in an incompetent manner, and failed to notify the Board of termination from her employment.

4. Licensee was informed about the complaint on May 24, 2010, and was requested to respond in writing. Licensee did not respond. On June 21, 2010, a telephone message was left for Licensee, requesting she respond to the Report of Alleged Violation. Licensee still did not respond.

II. CONCLUSIONS OF LAW

The following conclusions of law are based on evidence the Board finds is clear and convincing:

1. The Kansas Administrative Procedure Act [KAPA], K.S.A. 77-537, provides that a state agency may use summary proceedings, subject to a party's request for a hearing on the order, if the use of the proceedings in the circumstances does not violate any provision of law and the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties.

2. The actions of Kristin Potter violate K.A.R. 102-2-7, Unprofessional Conduct, (b)(i).

3. Specifically, Licensee has failed and refused to cooperate with requests from the Board for a response with respect to the Board's investigation of the alleged violation.

III. SANCTION

Based on the above Findings of Fact and Conclusions of Law, and pursuant to K.S.A. 65-6311(b) and K.S.A. 77-537, the Committee finds that the Licensed Bachelors Social Worker license of Kristin Potter shall be suspended until further order of this Committee.

IT IS SO ORDERED.

Dated this 3rd day of September, 2010.

Phyllis Gilmore

Phyllis Gilmore, Executive Director
Kansas Behavioral Sciences Regulatory Board

NOTICE OF RELIEF FROM SUMMARY PROCEEDING ORDER

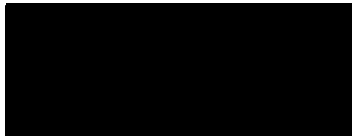
Pursuant to K.S.A. 77-537 and K.S.A. 77-542, this Summary Proceeding Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for hearing to:

Phyllis Gilmore, Executive Director
Kansas Behavioral Sciences Regulatory Board
712 South Kansas Avenue
Topeka, KS 66603

If a hearing is not requested within fifteen (15) days of service of this Notice, this Summary Proceeding Order becomes final and effective upon the expiration of the time for requesting a hearing and will be a Final Order of the Board.

CERTIFICATE OF SERVICE

This is to certify that on this 3rd day of September, 2010, a copy of the above and foregoing Summary Proceeding Order was placed in the U.S. mail, first-class postage prepaid, addressed to:



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

Carol Baldwin

For the Board