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

In the Matter of)

JENNIFER R. LAYTON,)
LMSW #6512)
_____)

Case No. 10-MS-0085

SUMMARY PROCEEDING ORDER OF SUSPENSION

NOW, on this 8th day of March, 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. Jennifer R. Layton is a Licensed Masters Social Worker, License 6512, 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 Masters 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 December 7, 2009, the Board received information that Licensee had entered a guilty plea to a felony in Johnson County District Court.

4. Licensee was informed about the complaint on January 7, 2010, and was requested to respond in writing. Licensee did not respond. On February 10, 2010, Licensee was again requested to 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 Jennifer R. Layton violate K.A.R. 102-2-7, Unprofessional Conduct, (b)(4), and (i).

3. Specifically, Licensee was convicted of identity theft, a level 8, nonperson felony, in Johnson County District Court Case No. 08CR391. [Exhibit A] Licensee has failed to notify the Board of her conviction, and 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 Masters Social Worker license of Jennifer R. Layton shall be suspended until further order of this Committee.

IT IS SO ORDERED.

Dated this 10th day of March, 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:

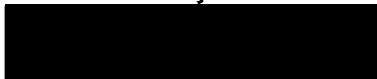
Phyllis Gilmore, Executive Director
Kansas Behavioral Sciences Regulatory Board
712 South Kansas Avenue
Topeka, KS 66603

This written request must be filed within fifteen (15) days of service of this Notice. If a hearing is not requested in the time and manner stated, 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 10th day of March, 2010, a copy of the above and foregoing Summary Proceeding Order was placed in the U.S. mail, first-class postage prepaid, addressed to:

Jennifer R. Layton



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

Phyllis Gilmore

For the Board

Case Number : 08CR00391
 Division/Judge : 1/PETER V RUDDICK
 NAME : LAYTON, JENNIFER
 DEF ATTY : TOTTH
 PROS ATTY: RIEBLI

	Original	Suspended	Final
Jail Time	10 months		10 months
Prob Time	1 year, 6 months		

	Section	Date	Title	ACS	Drug	PL	Finding	TP	LVL	PN	Sent Date
Count 1	21-4018(C),F	12/01/06	IDENTITY THEFT			G	GUILTY	F	8	N	02/03/2010
Count 2	[REDACTED]										
Count 3	[REDACTED]										

