

Marty M. Snyder, KS S.Ct. #11317  
Assistant Attorney General  
120 SW 10th Avenue, Second Floor  
Topeka, KS 66612-1597

**BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD**

In the Matter of )

WENDY M. HENSLEY, )  
License #7505 )  
\_\_\_\_\_ )

Case No. 11 MS 086

**CONSENT AGREEMENT AND ORDER**

NOW, on this 9<sup>th</sup> day of January, 2012, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board), by and through Assistant Attorney General Marty M. Snyder, by agreement of Wendy M. Hensley (Respondent/Licensee) and the Board for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Wendy M. Hensley, at all times relevant, was 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.
2. On June 21, 2011, the Board received a report of information concerning Licensee's conduct, alleging Licensee may have violated certain statutes and regulations related to her Licensed Masters Social Worker license.
3. The Board conducted an investigation concerning Licensee's alleged violation of statutes and regulations. During the investigation, Licensee was given the

opportunity to respond in writing to the possible violations. Licensee did respond by letter dated June 23, 2011.

4. As a result of the investigation, the Board finds that the following facts have been established by a preponderance of clear and convincing evidence:

a. On June 13, 2011, Licensee renewed her Licensed Masters Social Worker license online and declared that she had completed all of the requirements for renewal, including the 40 hours of continuing education.

b. Licensee was immediately notified that she had been selected for random audit. Her audit materials were received by the Board on June 21, 2011. The audit materials showed that six hours of CEUs were taken on June 14, 2011, the day after Licensee's notification of the audit.

c. Licensee states that, when completing the renewal application, she believed she had the required hours for the new Safety Awareness requirement. When gathering documentation for the audit, she realized she did not have the full six hours required. She then completed an on-line course.

d. Licensee signed and dated the Board's license renewal form directly below a paragraph that states:

"RENEWAL APPLICANT PLEASE READ CAREFULLY BEFORE SIGNING ATTESTATION

I understand that in signing this document I am attesting that the information is accurate. I further understand it is unlawful to attempt to obtain licensure through false statements or fraudulent misrepresentation. I understand that upon proof of fraud, deceit or any other act of unprofessional conduct in relationship to my licensure renewal application the board may suspend, limit, revoke, condition, find or refuse to renew my license."

5. The Complaint Review Committee of the Board finds that probable cause exists to believe Licensee has violated the following statute and regulation:

A. K.S.A. 65-6310 (a) – attempting to obtain renewal of a license by fraudulent misrepresentation; (b) – making a false statement in connection with any application under the Act; or (c) – making a false statement on any form promulgated by the Board in accordance with the provisions of the Social Worker Licensure Act or the rules and regulations promulgated thereunder; and

B. K.A.R. 102-2-7. Unprofessional Conduct. Any of the following acts by a licensee . . . shall constitute unprofessional conduct: (a) obtaining or attempting to obtain licensure for oneself or another by means of . . . deceit, misrepresentation or concealment of a material fact.

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. 11-MS-086. Licensee further waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Judicial Review Act in relation to Case No. 11-MS-086.

WHEREFORE, the Board and Licensee agree to the following terms and conditions:

(a) Licensee will attend three (3) hours of continuing education on ethics within ninety (90) days of the effective date of this Agreement and shall provide a copy of her certificate(s) of attendance to the Board upon completion. Such continuing education shall be attended in person and not on-line, shall be in addition to licensure requirements, and shall be at Licensee's expense.

(b) Licensee shall prepare a five-page professional quality paper on the importance of professional licensure and the requirements for maintaining such license. The paper shall be in APA format, contain at least five professional references, and be submitted to the Board within ninety (90) days of the effective date of this Consent Agreement.

(c) Licensee shall be responsible for any costs and expenses 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 conditions. Upon determination at such hearing that Licensee has breached, violated or failed to comply with any condition, Licensee understands and agrees that her Kansas Masters 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 an affirmative duty to notify the Board within five (5) days of any changes in personal or professional status which would inhibit 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.

(f) Licensee understands that a notification of this Consent Agreement and Order shall be provided to any other state licensing board if Licensee is also licensed, registered or certified in another state.

(g) This Consent Agreement and Order constitutes the entire agreement between Licensee and the 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 by 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 violations of K.S.A. 65-6310 and K.A.R. 102-2-7 as a result of this proceeding.

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 this 9<sup>th</sup> day of January, 2012.

  
Terry Pfannenstiel  
Chair, Complaint Review Committee

**APPROVED AND CONSENTED TO:**

  
Wendy M. Hensley  
Licensee

1/3/12  
Date

**CERTIFICATE OF SERVICE**

This is to certify that on this 10<sup>th</sup> day of January, 2012, 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:

Wendy M. Hensley



and a copy sent by building mail to:

Marty M. Snyder  
Assistant Attorney General  
120 SW Tenth Ave., 2<sup>nd</sup> Floor  
Topeka, KS 66612

*Carol Baldwin*  
*[Signature]*  
\_\_\_\_\_  
For the Board

April 2, 2012

Wendy Hensley

Re: Report of Alleged Violation 11-MS-0086

Dear Ms. Hensley,

This letter is to confirm that you complied with all of the conditions set forth in the Consent Agreement and Order dated January 9, 2012. You completed those conditions and all above mentioned cases were closed on April 2, 2012.

You are now unconditionally licensed to practice as an LMSW.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "C. Baldwin".

Carol Baldwin  
Special Investigator