

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

BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD

In the Matter of)
)
LESLIE ABBEY, LSCSW,)
License #1264,)
Respondent)
_____)

Case No. 13-CS-0110

CONSENT AGREEMENT AND ORDER

NOW, on this 16 day of December, 2015, 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 Leslie Abbey, LSCSW [Respondent / Licensee], by and through counsel Mark B. Schaffer, Esq., and the Board for the purpose of resolving the above-captioned case.

Licensee hereby acknowledges the following:

1. Leslie Abbey is, and was at all times relevant, a Licensed Specialist Clinical Social Worker within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 65-6301, *et seq.*, and amendments thereto.
2. On May 6, 2013, the Board received a report of information concerning Licensee's conduct alleging Licensee may have violated certain statutes and regulations governing unprofessional conduct.
3. The Board conducted an investigation concerning Licensee's alleged violations of statutes and regulations. During the investigation, Licensee was informed of the reported information and was given the opportunity to respond to the allegations.

On May 29, 2013, Licensee's response was received by the Board. She denied and admitted some of the allegations as set forth in the complaint.

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

- a. Licensee was providing therapeutic services to BN and his two minor daughters, who were involved in child custody proceedings.
- b. After learning of an incident between the mother, CN, and one of the daughters from the father's perspective, Licensee, without consulting the controlling court order, advised the father to suspend the mother's visitation.
- c. Licensee attempted to email CN to tell her the visitation was suspended and she should have no further contact, but the email did not go through.
- d. Licensee telephoned CN and left a voice mail message informing her that the visitation was suspended. CN returned the call and demanded to learn who reported suspected abuse. Licensee told her it was a therapist from Synergy.
- e. During this time, Licensee failed to review the controlling court order that gave CN scheduled visitation time with her daughters, and she provided false information to CN regarding termination of visitation.

5. The Complaint Review Committee of the Board finds that Licensee has violated the following statutes and regulations:

A. K.S.A. 65-6311. Grounds for suspension, limitation, revocation or refusal to issue or renew license; procedure.

- (a) The board may suspend, limit, revoke, condition or refuse to issue or renew a license of any social worker upon proof that the social worker:

(4) has been found guilty of unprofessional conduct as defined by rules established by the board;

...

(6) has been found guilty of negligence or wrongful actions in the performance of duties;

B. K.A.R. 102-2-7. Unprofessional Conduct. Any of the following acts by a licensee . . . shall constitute unprofessional conduct:

(s) revealing or failing to protect ... information contained in a client's records;

(xx) practicing social work in an incompetent manner;

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. 13-CS-0110.

WHEREFORE, Licensee 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.13-CS-0110.

WHEREFORE, Licensee consents to the suspension of her Licensed Specialist Clinical Social Worker license for a period of twelve months commencing on the effective date of this Consent Agreement and Order. However, such suspension shall be stayed subject to the following terms and conditions:

(a) Licensee shall obtain three additional CEUs in Ethics / Confidentiality to be accomplished in person within six months of the effective date of this CAO.

(b) Licensee shall begin individual supervision with a Board-approved supervisor within 30 days of the effective date of this CAO. Licensee shall meet with her

supervisor one hour for every 30 hours of clinical practice, with the focus of the supervision on ethical and general clinical social work practices. Licensee shall provide a copy of the Consent Agreement to the supervisor and authorize the supervisor to provide written quarterly reports to Cindy D'Ercole, Special Investigator for the Board, for a period of one year.

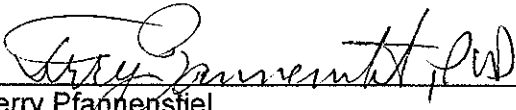
- (c) Licensee shall be responsible for any costs and expenses incurred in satisfying the terms of this Consent Agreement and Order.
- (d) Evidence of Licensee's breach, violation or failure to comply with any of the conditions could result in a determination that Licensee's Kansas Licensed Specialist Clinical Social Worker license should 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 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 and as otherwise required by law.
- (f) 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.
- (g) 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 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. 65-6311 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 16 day of December, 2015.



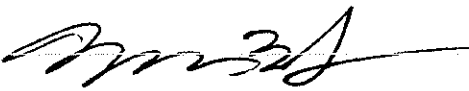
Terry Pfannenstiel
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:

Leslie A. Abbey, L.S.C.S.W.
Leslie Abbey, Licensee / Respondent

12/09/2015
Date

APPROVED:



Mark B. Schaffer, Esq., KS S Ct #20221
Counsel for Licensee / Respondent

12/10/15
Date

CERTIFICATE OF SERVICE

This is to certify that on this 16 day of December, 2015, 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:

Leslie Abbey



Mark B. Schaffer, Esq.
12980 Foster, Suite 370
Overland Park, KS 66213

and a copy delivered via interoffice mail to:

Marty M. Snyder, Esq.
Assistant Attorney General
Disciplinary Counsel for the Board

Cindy D'Sroce
For the Behavioral Sciences Regulatory Board