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Office of the Kansas Attorney General  
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Topeka, KS 66612-1597

**BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**  
**700 SW Harrison Street, Suite 420**  
**Topeka, Kansas 66603-3929**

In the Matter of )  
JERRY S. JONES, LCAC ) Case No. 22-CA-0003  
LAC License No. 32 )  
)  
Licensee/Respondent. )

**CONSENT AGREEMENT AND FINAL ORDER**

NOW on this 15 day of November, 2021, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (“Board”) by and through Assistant Attorney General Jane E. Weiler on behalf of the Board, and by agreement of Jerry S. Jones, (“Licensee”), for the purposes of resolving the above-captioned matters.

The parties knowingly and voluntarily agree as follows:

1. On July 11, 2011, the Board issued Licensee an original Licensed Clinical Addiction Counselor (“LCAC”) license No. 32. Licensee is currently, and was at all times relevant to this Consent Agreement and Final Order, an LCAC within the meaning of the Kansas Addiction Counselor Licensure Act, K.S.A. 65-6607 *et seq.*
2. Licensee’s LCAC license was due to expire, and on June 12, 2021, Licensee filed his renewal application with the Board.
3. Under Section III of this renewal, Question 1 states, “I understand that all CEU’s being used for this renewal must be completed prior to my renewal application being submitted to the Board.” Licensee responded “yes” to this statement.
4. Under Section III, Question 2 states, “I understand that I must have proof of all CEU’s being used for this renewal prior to my renewal being submitted to the Board. Licensee responded “yes” to this statement.

5. Under Section III, Question 3 states, I further understand that failure to comply with statements one and two of this section will constitute unprofessional conduct and may result in disciplinary action being taken against my license." Licensee responded "yes" to this statement.

6. Additionally, at the time he submitted the renewal application, Licensee certified that the information, including continuing education credit fulfillment, was true and correct. Furthermore, Licensee certified, "I further understand that it is unlawful to attempt to obtain licensure through false statements of fraudulent misrepresentation."

7. On or about June 14, 2021, Licensee received notice of a random continuing education fulfillment audit.

8. On or about June 29, 2021, Licensee submitted to the Board documentation evidencing completion the required 30 hours of continuing education. Further, 29 hours of the 30 hours of continuing education were obtained after June 12, 2021.

#### **APPLICABLE LAW**

9. Pursuant to K.S.A. 65-6608(e): "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed under this act.

10. Pursuant to K.S.A. 65-6615(a)(8): The board may refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed \$1,000 per violation upon a finding that a licensee or an applicant for licensure has failed to obtain continuing education credits as required by rules and regulations adopted by the board.

11. Licensee and the Board mutually desire to enter into this Consent Agreement and Final Order in lieu of further summary and adjudicative proceedings.

12. Licensee understands that by entering into this Consent Agreement and Final Order, Licensee waives all rights to further adjudication of facts and law that could be determined pursuant to summary proceedings or a hearing conducted in accordance with the Kansas Administrative Procedures Act, K.S.A. 77-501 *et seq.* in relation to Case No. 22-CA-0003.

13. Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Act for Judicial Review, K.S.A. 77-601 *et seq.* in relation to Case No. 22-CA-0003.

14. The Board accepts Licensee's waiver of rights and stipulations.

### **ORDER**

**WHEREFORE**, the Board finds that the above facts have been established by clear and convincing evidence; and further finds that Licensee was in violation of K.S.A. 65-6615(a)(8), in that Licensee failed to complete the required continuing education required for his license renewal despite his attestation that he had completed the required continuing educational hours at the time he submitted his renewal application.

**AND WHEREAS** Licensee and the Board mutually desire to enter into a Consent Agreement and Final Order in lieu of further adjudicative proceedings to resolve the reported violations.

**NOW THEREFORE**, Licensee consents to the following terms and conditions, and the Board orders that:

15. Licensee shall pay a fine of \$500.00 within thirty (30) days of the effective date of this Consent Agreement and Final Order. Licensee shall remit this payment by check or money order, payable to the "Kansas Behavioral Sciences Regulatory Board," and sent to the Board's investigator at its offices located at 700 SW Harrison St, Suite 420, Topeka, Kansas, 66603.

16. Licensee's renewal applications shall be audited for the next two (2) renewal cycles.

17. Licensee shall be responsible for any costs and expenses incurred in satisfying the terms of this Consent Agreement and Final Order.

18. Licensee shall all submit to the Board's investigator at its offices located at 700 SW Harrison St, Suite 420, Topeka, Kansas, 66603, any and all documents evidencing compliance with the terms and conditions required by this Consent Agreement and Final Order.

19. After completion of the actions set out in the Consent Agreement and Final Order, Licensee will have no remaining obligations to the Board in relation to this case. However, Licensee may be subject to further enforcement action if Licensee fails to comply with the terms, conditions, and requirements imposed by this Consent Agreement and Final Order.

20. The matters referred to in this Consent Agreement and Final Order shall not be grounds for future action against Licensee, except the extent that that such matters may be relevant for future disciplinary or licensure proceedings in the Board's consideration of the factors identified in K.S.A. 65-5806 [Licensure; expiration and renewal; continuing education; reinstatement of suspended or revoked license], and K.S.A. 65-5809 [Refusal to issue, suspension, limitation, refusal to renew or revocation of license or specialty designation; grounds], for establishing rehabilitation or a pattern of conduct.

21. Except as provided in paragraph 20, this Consent Agreement and Final Order shall operate as a complete release of all claims the parties may have against each other pending before the Board and arising out of the Board's investigation of these matters. Licensee agrees not to file, or cause to be filed, any litigation or claims in any federal or state court of law or federal or state administrative agency against the Board, its agents, Board members, or employees, individually or in their official capacity. Such litigation or claims include, but are not limited to, any K.S.A. Chapter 60 or Chapter 61 civil action regarding negligence and/or a 42 United States Code action and/or any administrative petition for redress. Licensee agrees that all actions in this matter were a bona fide use of administrative discretion on the part of the Board, its members, and employees, which is a statutory exception to liability within the Kansas Tort Claims Act, K.S.A. 75-6104(b), (c) or (e).

22. Licensee agrees that this Consent Agreement and Final Order conforms to Kansas and federal law and that the Board has jurisdiction to enter into it and enter the Final Order provided for herein.

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

24. This Consent Agreement and Final Order shall be a public record in the custody of the Board.

25. This Consent Agreement and Final Order constitutes the entire agreement of the parties and may only be modified by order of the Board or by a subsequent writing signed by the parties. The agreement shall be interpreted in accordance with the laws of the State of Kansas.

26. This Consent Agreement and Final Order shall become effective on the date indicated in the Certificate of Service.

WHEREFORE, the parties consent to these provisions, which are hereby made the Final Order of the Kansas Behavioral Sciences Regulatory Board in the above-captioned case.

IT IS SO ORDERED.

Dated this 12<sup>th</sup> day of December 2021.

[Signature]  
Chairperson, Complaint Review Committee  
On behalf of Kansas Behavioral Sciences  
Regulatory Board

AGREED AND CONSENTED TO BY:

[Signature]  
Jerry S. Jones, LCAC  
Licensee/Respondent

11-4-21  
Date

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Consent Agreement and Final Order was served on this 15 day of November 2021, by depositing the same in the United States mail, postage prepaid, addressed to:

Jerry S. Jones, LCAC



And a copy delivered via email to:

Jane E. Weiler, Assistant Attorney General  
Jane.weiler@ag.ks.gov  
Office of the Attorney General  
120 SW 10<sup>th</sup> Ave., 2<sup>nd</sup> Floor  
Topeka, KS 66612  
Disciplinary Counsel for the Board

[Signature]  
For the Board