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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In The Matter Of)

HEATHER L. LARUE, LCMFT)
License #709)

Case No. 22-CT-0074

Respondent)

_____) Pursuant to K.S.A. 77-536

SUMMARY PROCEEDING ORDER

NOW, on this 10 day of January, 2022, the above-captioned matter comes before the Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board (Board).

FINDINGS OF FACT

The Board finds that the following facts have been established by a preponderance of the evidence:

1. Heather L. LaRue (“Licensee”) was at all times a Licensed Clinical Marriage and Family Therapist (“LCMFT”) within the meaning of the Kansas Marriage and Family Therapists Licensure Act, K.S.A 65-6401, *et seq.*, and amendments thereto.

2. On or about September 13, 2021, Licensee entered into a Consent Agreement and Final Order (“Consent Agreement”) with the Board for violations of the Kansas Marriage and Family Therapists Licensure Act, in Case No. 21-CT-0114.

3. Under the terms and conditions of this Consent Agreement, Licensee was required to attend and successfully complete the “Professional Boundary Training for Medical Professionals” offered by the Acumen Institute in Lawrence, Kansas. Further, Licensee was required to complete this training within 60 days of the effective date of the Consent Agreement.

4. On or about December 6, 2021, Licensee sent to Board staff an email, and reported that she would be surrendering her LCMFT license. Additionally, she reported that she did not complete the “Professional Boundary Training for Medical Professionals” as required by the Consent Agreement.

APPLICABLE LAW

5. Pursuant to K.S.A. 77-537(a) of the Kansas Administrative Procedure Act (“KAPA”), a state agency may use summary proceedings, subject to a party’s request for a hearing on the order, if:

- (1) The use of those proceedings in the circumstances does not violate any provision of law;
- (2) 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;
- (3) based upon an investigation of the facts by the state agency, beyond receipt of the allegations, the state agency believes in good faith that the allegations will be supported to the applicable standard of proof, provided however that an alleged failure to meet the standards set forth in this subsection shall not be subject to immediate judicial review and shall not invalidate any later agency action that has been supported to the applicable standard of proof; and
- (4) the order does not take effect until after the time for requesting a hearing has expired.

6. K.S.A. 65-6402(d): “Licensed clinical marriage and family therapist” means a person who engages in the independent practice of marriage and family therapy including the diagnosis and treatment of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations and is licensed under this act.

7. Pursuant to K.S.A. 65-6408(a)(11): 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 license has violated any lawful order or directive of the Board previously entered by the Board.

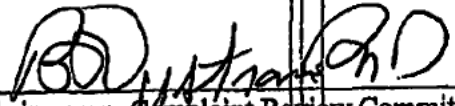
CONCLUSIONS OF LAW

8. Licensee is in violation of K.S.A. 65-6408(a)(11), in that Licensee failed to comply with a lawful order of the Board when she failed to complete the "Professional Boundary Training for Medical Professionals" as required by the Consent Agreement and Final Order in Case No. 21-CT-0114.

ORDER

WHEREFORE, based on the above Findings of Fact and Conclusions of Law and pursuant to the authority granted by K.S.A. 65-6408(a) and the Kansas Administrative Procedure Act K.S.A. 77-537, the Complaint Review Committee of behalf of the Board finds that the Licensed Clinical Marriage and Family Therapist of Licensee Heather L. LaRue is hereby **PUBLICALLY CENSORED** for her violations of the Kansas Marriage and Family Therapists Licensure Act.

IT IS SO ORDERED ON THIS 7th DAY OF January, 2022.



Chairperson, Complaint Review Committee
On behalf of the 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:

David B. Fye, Executive Director
Behavioral Sciences Regulatory Board
700 SW Harrison St., Suite 420
Topeka, KS 66603-3929

This written request must be filed within fifteen (15) calendar days from the date indicated in the below Certificate of Service. Pursuant to K.S.A. 77-503(c), the 15-day period begins the day after the date indicated in the Certificate of Service and includes weekends and legal holidays. If the 15th day falls on a Saturday, Sunday, or legal holiday, then the 15-day period runs until 5:00 p.m. on the next day which is not a Saturday, Sunday, or legal holiday. A request is considered "filed" on the date it is received at the Board's office. If a hearing is not requested in the time and manner stated, this Summary Order becomes a final order subject to judicial review. A petition for judicial review should be directed to the above recipient.

CERTIFICATE OF SERVICE

This is to certify that on this 10 day of January, 2022, a true and correct copy of the above and foregoing Summary Proceeding Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Heather L. LaRue, LCMFT


and by email to: jane.weiler@ag.ks.gov

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For the Board