

Jane E. Weiler, KS S. Ct. #25276
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BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

In The Matter Of)
)
JENNIFER M. KEANE, LMSW) Case No. 22-MS-0007
License #5105)
)
Respondent)
_____))
Pursuant to K.S.A. 77-536

SUMMARY PROCEEDING ORDER

NOW, on this 8 day of November, 2021, 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. Jennifer M. Keane (“Respondent”) was at all times relevant, a Licensed Master Social Worker (“LMSW”), having been issued LMSW License No. 5105. This license expires on July 31, 2023. Respondent is currently, and was at all times relevant an LMSW within the meaning of the laws relating to regulation of social workers, K.S.A. 65-6301 *et seq.*
2. On or about May 28, 2021, Respondent’s license to practice as an LMSW expired.
3. On or about June 29, 2021, Respondent realized that her LMSW license expired, and she ceased seeing patients on that date.

4. On or about July 9, 2021, Respondent's LMSW license was reinstated to active status.

5. Additionally, on or about November 26, 2019, Respondent entered into a Consent Agreement and Final Order with the Board for violations of the Kansas Social Workers Licensure Act. Respondent is required to comply with the terms and conditions of this Consent Agreement and Final Order, which includes in part, to only practice under the individual supervision by an independent clinical-level supervisor. At the time her license expired, Respondent was subject to this requirement.

APPLICABLE LAW

6. 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.

7. Pursuant to K.S.A. 65-6302(b): "Social work practice" means the professional activity of helping individuals, groups or communities enhance or restore their capacity for physical, social and economic functioning and the professional application of social work values, principles and techniques in areas such as psychotherapy, social service administration, social planning, social work consultation and social work research to one or more of the following ends:

Helping people obtain tangible services; counseling with individuals, families and groups; helping communities or groups provide or improve social and health services; and participating in relevant social action. The practice of social work requires knowledge of human development and behavior; of social, economic and cultural institutions and forces; and of the interaction of all these factors. Social work practice includes the teaching of practicum courses in social work and includes the diagnosis and treatment of mental disorders as authorized under K.S.A. 65-6306 and 65-6319, and amendments thereto.

8. K.S.A. 65-6311(a)(9): 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 been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the Board. Specifically:

- a. K.A.R. 102-2-7(yy): Practicing social work after one's license expires.
- b. K.A.R. 102-2-7(zz): Using without a license, or continuing to use after the expiration of a license, any title or abbreviation prescribed by the board for use only by persons currently holding that type or class of license.

CONCLUSIONS OF LAW

9. Respondent finds that Respondent was in violation of K.S.A. 65-6311(a)(9), as defined in K.A.R. 102-2-7(yy), and K.A.R. 102-2-7(zz), in that Respondent practiced social work after her LMSW license expired, and she held herself as an LMSW after her license expired.

ORDER


WHEREFORE, based on the above Findings of Fact and Conclusions of Law and pursuant to the authority granted by K.S.A. 65-6311(a) and K.S.A. 77-537, the Complaint Review

Committee of behalf of the Board finds that the Kansas LMSW license of Respondent Jennifer M. Keane should be and is hereby **PUBLICALLY CENSORED** for her violations of the Kansas Social Workers Licensure Act.

Additionally, Respondent's renewal applications shall be audited for the next two (2) renewal cycles.

Furthermore, Respondent shall pay a fine of \$500.00 within thirty (30) days of the effective date of this Consent Agreement and Final Order. Respondent 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.

IT IS SO ORDERED ON THIS 2nd DAY OF November, 2021.



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 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.

In the Matter of Jennifer M. Keane, Case No. 22-MS-0007

CERTIFICATE OF SERVICE

This is to certify that on this 8 day of November, 2021, 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:

Jennifer M. Keane, LMSW


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

Jane E. Weiler, Esq.
Assistant Attorney General
Disciplinary Counsel for the Board



For the Board