

# BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD

Eisenhower State Office Building  
700 SW Harrison, Suite 420  
Topeka, Kansas 66603-3240

In the Matter of	)	
	)	
Bethany L. Anderson	)	Case No. 22-MS-012
	)	
Applicant for Licensure as a	)	
<u>Master Social Worker</u>	)	

## SUMMARY PROCEEDING ORDER

The above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) for consideration of the application filed by Bethany L. Anderson for licensure as a master social worker. The Presiding Officers who considered his application were the following Board members: David Anderson, Donna Hoener-Queal, Jacqueline Lightcap, Johnna Norton, Andres Perdomo-Morales, Laura Shaughnessy, Ric Steele, and Deb Stidham. Board members Mary Jones, Bruce Nystrom, Leslie Sewester, and Carolyn Szafran were not present.

After reviewing its administrative records, the Board makes the following findings of fact, conclusions of law, and orders.

### Findings of Fact

1. On May 10, 2022, the Board received the form to request a temporary license to practice as a master social worker (T-LMSW) from Bethany Anderson (Applicant). On May 17, 2022, a member of the Board's staff contacted Applicant advising her that the Board could not accept her request because she needed to submit a LMSW application and the required documentation for licensure prior to obtaining a temporary license.

2. On June 6, 2022, the Board received Applicant's LMSW application. In her application, Applicant answered "Yes" to the following question: "Have you ever identified yourself as a social worker in Kansas (excluding student work)?"

3. Applicant stated she changed her title that she used on her email signature from MSW to T-LMSW. She claimed to have used the abbreviation T-LMSW for a couple of hours after sending her request in May for a temporary license. Upon realizing that she could not use T-LMSW, she removed it from her email signature. Applicant said her use of T-LMSW was a huge mistake and she did not intend to refer to herself as being something that she was not. She assumed the temporary license would come through

quickly based on a temporary license a co-worker had received. She had not used the abbreviation on any other documents.

### Conclusions of Law

4. The Kansas Social Workers Licensure Act (Act), K.S.A. 65-6301 *et seq.*, authorizes the Board to issue a license as a master social worker to applicants who meet the requirements. See K.S.A. 65-6306(b). Because she has applied for licensure as a master social worker, the Board has jurisdiction over Applicant and this matter.

5. The Board conducts administrative proceedings regarding licensure under the Act in accordance with the Kansas Administrative Procedure Act (KAPA), K.S.A. 77-501 *et seq.* K.S.A. 2021 Supp. 65-6311(c). Under the KAPA, the Board may use summary proceedings to issue an order, subject to a party's request for a hearing. The Board finds that the use of summary proceedings in this matter does not violate any law and the protection of the public interest does not require the Board to give notice and opportunity to participate to persons other than the parties. See K.S.A. 77-537.

6. Upon submitting an application and payment of the required fee, the Board shall issue a temporary license to persons who have submitted all documentation and met all qualifications for licensure under the Act, except passage of the required examination. K.S.A. 2021 Supp. 65-6309(b). A person practicing social work with a temporary license must use the words "temporary license." K.S.A. 2021 Supp. 65-6309(g).

7. Any person who does not hold a license issued by the Board is prohibited from engaging in the practice of social work for compensation or holding forth as performing the services of a social worker. K.S.A. 65-6303(a). The Act authorizes the Board to deny a license, limit or condition a license, or impose a fine up to \$1,000 per violation upon finding that an applicant has violated a provision in the Act or a regulation adopted by the Board K.S.A. 2021 Supp. 65-6311(a)(5).

8. Applicant admitted she used the abbreviation T-LMSW in her email signature when she did not hold a temporary license as a master social worker. One week elapsed between Applicant submitting the request for a temporary license and being advised she must first submit an LMSW application and required documentation. Applicant claimed she believed she could identify herself as a T-LMSW because she had submitted a prior request for such license. However, K.S.A. 65-6303(a) expressly states that persons cannot identify themselves as a social worker unless so licensed. Additionally, K.S.A. 2021 Supp. 65-6309(b) makes it clear that prior to receiving a temporary license, an applicant must have submitted all documentation and met all qualifications for licensure. That information is submitted with the LMSW application.

9. The Board concludes that by using the abbreviation T-LMSW in her email signature when not licensed as a master social worker by temporary license, Applicant violated K.S.A. 2021 Supp. 65-6311(a)(5) by not complying with K.S.A. 65-6303(a) and

K.S.A. 2021 Supp. 65-6309(g). However, Applicant deleted the abbreviation T-LMSW from her email signature after realizing she could not use such abbreviation prior to the Board issuing her a temporary license as a master social worker. Based on her violation, the Board further concludes that imposing a \$100.00 fine is appropriate rather than denying, conditioning, or limiting her LMSW license.

10. Based upon the above findings of facts and conclusions of law, the Board determines that Applicant shall be granted a master social worker license subject to paying a fine of \$100.00 within thirty (30) days of the date on the Certificate of Service below and passing the examination provided by the Association of Social Work Boards.

#### Order

After consideration of the above findings of facts and conclusions of law, it is the decision and order of the Board that the application filed by Bethany L. Anderson for licensure as a master social worker should be granted, subject to her paying a fine in the amount of \$100.00 within thirty (30) days of the date on the Certificate of Service below and passing the examination by the Association of Social Work Boards.

IT IS SO ORDERED.

Kansas Behavioral Sciences Regulatory Board



Deb Stidham, Board Member and  
Presiding Officer

#### **NOTICE OF ADMINISTRATIVE RELIEF**

Pursuant to K.S.A. 77-537(b) and 77-542(a), a party may file a written request for a hearing before the Board on the above Summary Proceeding Order with the Board within fifteen (15) days of the date listed on the Certificate of Service below. Pursuant to K.S.A. 77-503(c), the 15-day period begins the day after the date shown in Certificate of Service below. If the 15<sup>th</sup> day falls on a Saturday, Sunday, or legal holiday, then the 15-day period runs until 5:00 p.m. on the next day that is not a Saturday, Sunday, or legal holiday. Receipt of a written request occurs on the date the Board's office receives it. If the Board does not receive a request for a hearing in the time and the manner stated, the above Summary Proceeding Order becomes effective upon expiration of the 15-day period.

The Board's designee who may receive service of a request for a hearing on behalf of the Board is:

David Fye, Executive Director  
Behavioral Sciences Regulatory Board  
700 SW Harrison, Suite 420  
Topeka, Kansas 66603

**CERTIFICATE OF SERVICE**

This is to certify that on this 19<sup>th</sup> day of July 2022 I placed a copy of the above and foregoing Summary Proceeding Order and Notice of Administrative Relief in the U.S. mail, first-class postage prepaid and addressed to:

Bethany L. Anderson



A handwritten signature in blue ink, reading "Hester A. Allen", written over a horizontal line.

Staff,  
Kansas Behavioral Sciences Regulatory Board