

KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD

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

In the Matter of

Michelle E. Busk
LCMFT #3197

Case No. 23-MF-0047

CONSENT AGREEMENT AND ORDER

Now, on this 14th day of June, 2023, the above-captioned matter comes before the Complaint Review Committee of the Kansas Behavioral Sciences Regulatory Board ("Board") by agreement of Michelle E. Busk ("Licensee") and the Kansas Behavioral Sciences Regulatory Board for the purposes of resolving the above-captioned case.

FINDINGS OF FACT

Licensee hereby acknowledges the following facts:

1. Licensee was at all times relevant herein, a Licensed Marriage and Family Therapist (LMFT) within the meaning of the Marriage and Family Therapy Licensure Act, K.S.A. 65-6401 et seq., and amendments thereto.
2. Licensee's LMFT license expired on July 31, 2022. On September 6, 2022, Licensee discovered that her license was expired, notified her supervisor, contacted the Board, and her license was reinstated.
3. From the time period of August 1, 2022, until September 6, 2022, Licensee provided professional services as a Licensed Marriage and Family Therapist, though her license was expired. Licensee reported providing professional services to multiple individuals on several days that her license was expired, and insurance was billed for some of the services.
4. Licensee states that she has implemented technical changes to ensure that she does not allow her license to become expired in the future.
5. Since reinstating her LMFT license on September 6, 2022, Licensee satisfied the requirements to become a Licensed Clinical Marriage and Family Therapist (LCMFT) on December 12, 2022. Licensee's current license number is LCMFT #3197.

VIOLATIONS

The Board finds that Licensee, while a Licensed Marriage and Family Therapist, violated the following statute and regulation:

A. K.S.A. 65-6408. Refusal to grant, suspension, condition, limitation, qualification, restriction or revocation of license; grounds.

(a) 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:

(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board.

B. K.A.R. 102-5-12. Unprofessional Conduct

(b) Any of the following acts by either a marriage and family therapy licensee or a marriage and family therapy licensure applicant shall constitute unprofessional conduct:

(51) practicing marriage and family therapy after one's license expires; and

(52) using without a license or continuing to use after a license has expired any title or abbreviation prescribed by law to be used solely by persons who currently hold that type or class of license.

However, Licensee and Board mutually desire to enter a Consent Agreement and Order ("Agreement") in lieu of adjudicative proceedings at this time.

WHEREFORE, Licensee consents to the following interim conditions:

a. Licensee will notify affected insurance providers and clients of the timeframe her license was expired, providing documentation of these notifications to the Board's investigator within 45 days of the effective date of this Diversionary Agreement.

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

c. Licensee shall pay a fine to the Board in the amount of \$200.

d. This Consent Agreement and Order will be reported to other licensing boards, it is public record in the custody of the Board and it can only be modified by a further order of the Board.

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

WHEREFORE, the Board further 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. 65-408 or K.A.R. 102-5-12 as a result of this proceeding.

WHEREFORE, the foregoing provisions are consented to, are hereby made the 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.



Mary Jones
Chairperson, Complaint Review Committee
On behalf of the Behavioral Sciences Regulatory Board

APPROVED AND CONSENTED TO:



Michelle E. Busk, Licensee

6-7-23

Date

CERTIFICATE OF SERVICE

This is to certify that on this 14 day of ^{June}~~May~~ 2023, a true and correct copy of the above and foregoing Consent Agreement and Order was placed in the U.S. mail, first-class postage prepaid, addressed to:

Michelle E. Busk

And by e-mail to: Jeremy.Dorsey@ks.gov

Jeremy Dorsey
Disciplinary Counsel for the Board of the Behavioral Sciences Regulatory Board
503 S. Kansas Ave.
Topeka, KS 66603
758-296-5543

Cindy D'Amico
Staff,
Kansas Behavioral Sciences Regulatory Board