

**BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD**

**In The Matter of**

**JENNIFER R. LAYTON,  
LMSW #6512**

**Case No.**

**SUMMARY PROCEEDING ORDER**

The above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board) for consideration of the application filed by Jennifer R. Layton for reinstatement of licensure as a Licensed Masters Social Worker within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 63-6301. Her application for reinstatement was considered by the following Board members: Ric Steele, Jacqueline Lightcap, Mary Jones, David Anderson, Bruce Nystrom, Andrea Perdoma-Morales, Carolyn Szafran and Laura Shaughnessy.

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

**FINDINGS OF FACT**

1. Jennifer R. Layton ("Layton") was a Licensed Master Social Worker ("LMSW") within the meaning of the Kansas Social Workers Licensure Act, K.S.A. 63-6301, *et seq.*, and amendments thereto. The Kansas Behavioral Sciences Regulatory Board ("Board") issued Layton's original LMSW No. 6512 on September 8, 2006.

2. On or about December 7, 2009, the Board received information that Layton had entered a guilty plea to a felony offense in Johnson County, Kansas District Court.

3. Layton was informed of the complaint on January 7, 2010 and a written response to the alleged violation was requested. Layton did not respond. On February 10, 2010 a second request for a response was requested. Again, Layton did not respond.

4. The Complaint Review Committee of behalf of the Board, pursuant to the authority granted by K.S.A. 65-6311 and K.S.A. 77-537, found that the Kansas Licensed Masters Social Work license of Jennifer R. Layton should be suspended effective March 10, 2010, the date of the Summary Proceeding Order and until such further order of the Board. Specifically, the Committee found that Layton violated K.A.R. 102-2-7, Unprofessional Conduct, (b)(4) and (i) when convicted of identity theft, a level 8 nonperson felony in Johnson County, Kansas District Court Case No. 08CR391 and by failing to notify the Board of her conviction and failing or refusing to cooperate with the Board's investigation.

5. On May 21, 2021 Applicant filed with the Board an application to reinstate her Licensed Master Social Work License. Applicant also included supplemental material including an explanatory statement, proof of expungement of her felony conviction, numerous positive statements of previous co-workers, supervisors and friends, written statements of her sons, information regarding her current treatment, credit counseling certificate and proof of completed continuing education.

#### **CONCLUSIONS OF LAW**

6. Pursuant to K.S.A. 65-6311 the Board may refuse to reinstate a license upon a finding that an applicant for license has been convicted of a felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust. K.A.R. 102-2-11 further addresses the process to reinstate a license issued under the Social Workers Licensure Act.

7. Because Applicant has applied for reinstatement of her Licensed Master Social Worker license the Board has jurisdiction over Applicant and this matter.

8. Administrative proceedings under the Social Worker Licensure Act are conducted in accordance with the Kansas Administrative Procedure Act (KAPA), K.S.A. 77-501 *et seq.* Under the KAPA, the Board may use summary proceedings to issue an order, subject to a party's request for hearing. The Board finds that the use of summary proceeding 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. K.S.A. 77-537.

9. After evaluating K.S.A. 65-6311, K.A.R. 102-2-11, K.S.A. 21-6614, Jennifer Layton's application for reinstatement, proof of expungement of her felony conviction, numerous positive character references, her explanatory statement and additional supplemental materials, the Board finds that Jennifer Layton has been sufficiently rehabilitated to merit the public trust.

10. Based upon the above findings of facts and conclusions of law, the Board determines that Layton's application for reinstatement of her masters of social work license should be reinstated.

### **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 the Board finds by two-thirds majority vote that the Licensed Masters of Social Work license of Jennifer R. Layton should be and is hereby **REINSTATED** effective the date of this Order as set forth in the Notice of Relief and the Certificate of Service below.

**IT IS SO ORDERED ON THIS 3<sup>rd</sup> DAY OF AUGUST, 2021.**



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Leslie Sewester, Chair  
On behalf of the Behavioral Sciences Regulatory  
Board

**NOTICE OF ADMINISTRATIVE RELIEF**

Pursuant to K.S.A. 77-537 and K.S.A. 77-542, this 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 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 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 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 3<sup>rd</sup> day of August, 2021, a true and correct copy of the above and foregoing Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Jennifer R. Layton



and by email to: [jane.weiler@ag.ks.gov](mailto:jane.weiler@ag.ks.gov)

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

A handwritten signature in cursive script, reading "Leslie A. Allen", written over a horizontal line.

Staff  
Behavioral Sciences Regulatory Board