

Marty M. Snyder, KS S.Ct. #11317
Assistant Attorney General
120 SW 10th Avenue, Second Floor
Topeka, KS 66612-1597
(785) 296-2215

**BEFORE THE KANSAS BEHAVIORAL SCIENCES
REGULATORY BOARD**

In the Matter of)
)
MAARIAH INGELHARDTS,) Case No. 16-CP-018
LCP #198 [expired])
Respondent)
_____)

SUMMARY PROCEEDING ORDER OF SUSPENSION

NOW, on this 11 day of April, 2017, the above-captioned complaint comes before the Complaint Review Committee [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 persuasive evidence:

1. Maariah Ingelhardtts was at all times relevant a Licensed Clinical Psychotherapist [LCP] within the meaning of the Licensure of Psychologists Act, K.S.A. 74-5361(d) and amendments thereto.

2. On or about August 24, 2015, the Board received a report of information concerning Licensee's conduct, alleging Licensee may have violated certain statutes or regulations related to her LCP license. That complaint was docketed and investigated. Licensee cooperated in the investigation of the complaint.

3. Based upon the investigation information, the Complaint Review Committee proceeded to review and discuss the information and found a preponderance of persuasive evidence of the following facts:

a. On or about March 14, 2015, Licensee went to work for Complainant RP-T as a personal care assistant. RP-T reports that she is 86% disabled and requires assistance in her apartment. They worked through Topeka Independent Living, although they primarily had an employer-employee relationship.

b. Licensee states that she presented herself to RP-T as a personal care worker and considered herself to be a therapist and counselor. However, she did not refer to herself as a Licensed Psychologist, Social Worker, Professional Counselor, Marriage and Family Therapist or Addictions Counselor.

c. For approximately four and a half months, Licensee remained in RP-T's employment as a personal care assistant. However, they entered other business relationships on the side in which RP-T would arrange for Licensee to make cinnamon rolls or do sewing work for her friends and neighbors at a modest price. At one point RP-T suggested going into the Avon sales business together, but Licensee rejected that idea.

d. On or about August 1, 2015, they had a disagreement about pricing for the baking and sewing work that RP-T had arranged for Licensee to do for others. Licensee felt she was being taken advantage of and abruptly informed RP-T that she would no longer perform the extra work.

e. RP-T became angry and terminated Licensee's employment. They both exchanged heated and accusatory text messages over the next day or two. One of Licensee's texts unprofessionally compared RP-T's "migraines, pain, loneliness, depression, rejection by your daughters and inability" with Licensee's own "blessings: a house, a car, a man, sex, my teeth, a slim and flexible body, a pain free body, loving contact with my daughter and grandchildren..."

f. In an advertisement for employment posted later that month, Licensee held herself out as having CNA certification and CMA certification, although both had expired and were not in good standing.

4. The Complaint Review Committee then found that probable cause existed to believe Respondent violated the following:

a. **K.S.A. 74-5369** The Board may suspend, limit, revoke, condition or refuse to issue or renew a license of any licensee upon proof that the licensee:

(d) has been guilty of unprofessional conduct as defined by the rules and regulations established by the Board.

b. **K.A.R. 102-4-12. Unprofessional Conduct.**

(a) Any license may be suspended, limited, conditioned, qualified, restricted, revoked, not issued or not renewed upon a finding that unprofessional conduct has occurred.

(b) Any of the following acts by a ... licensed clinical psychotherapist ... shall constitute unprofessional conduct:

(10) offering to perform or performing services clearly inconsistent or incommensurate with one's training, education or experience or with accepted professional standards;

(11) treating any client, student or supervisee in a cruel manner;

(28) exercising undue influence over any client, supervisee, or student, including promoting sales of services or goods, in a manner that will exploit the client, student, or supervisee for the financial gain, personal gratification, or advantage of oneself or a third party;

(47) engaging in a dual relationship with a client, student, or supervisee.

5. The Committee then authorized that a Consent Agreement and Order be offered to Respondent in lieu of further formal disciplinary proceedings. Respondent signed and dated the Consent Agreement on May 27, 2016. The executed Consent Agreement was filed, served and became effective June 15, 2016. The following terms and conditions were ordered in the Consent Agreement:

"A. When Licensee accepts employment using her LCP license, she shall serve a one-year period of supervision by a Board-approved supervisor. The supervision shall focus on boundaries, the role of the licensee and vulnerable clients. Supervision shall be for at least one hour in person per week. Licensee shall provide a copy of this Consent Agreement and Order to her supervisor who shall provide quarterly written reports on the supervision to the Board's Investigator but contact the Board immediately if there are any problems.

B. Licensee shall complete three hours in-person of CEUs focusing on professional ethics and maintaining boundaries in addition to her licensure requirements within six months of the effective date of this Consent Agreement and Order.

C. Licensee shall be responsible for any costs incurred in satisfying the terms of this Consent Agreement and Order.”

6. However, Respondent failed to comply with the terms of the Consent Agreement and Order. Further, her LCP license expired October 31, 2016.

7. Consequences of noncompliance stated in the Consent Agreement expressly listed an Order suspending Respondent’s LCP license until she could demonstrate compliance with the Consent Agreement and Order.


CONCLUSIONS OF LAW

8. Pursuant to K.S.A. 77-537, the Board may hold summary proceedings pursuant to the terms of the statute. The Board finds that this matter is appropriate for summary disposition.

9. The Complaint Review Committee of the Board concludes that Respondent has breached, violated and failed to comply with the conditions as set forth in the Consent Agreement and Order and finds that her Licensed Clinical Psychotherapist license should be and is hereby suspended until Respondent can demonstrate compliance with the terms she agreed to and were formally ordered.

WHEREFORE, pursuant to the Kansas Administrative Procedure Act and K.S.A. 74-5369, the Board finds that Licensee Maariah Ingelhardt’s Kansas Licensed Clinical Psychotherapist license should be and is hereby suspended.

IT IS SO ORDERED this 10th day of April, 2017.


Terry Pfannenstiel, Ph.D., Chair
Complaint Review Committee

Kansas 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:

Max Foster, Executive Director
Behavioral Sciences Regulatory Board
Eisenhower State Office Bldg., #420
700 SW Harrison St.
Topeka, KS 66603

Marty M. Snyder
Kansas Attorney General's Office
120 SW Tenth Ave., 2nd Floor
Topeka, KS 66612

Any such request must be filed within fifteen (15) days of service of this Notice. If a hearing is not requested in the time and manner stated, this Summary Proceeding Order becomes final and effective upon the expiration of the time for requesting a hearing and will be a Final Order of the Board.

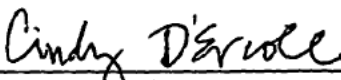
CERTIFICATE OF SERVICE

This is to certify that on this 11 day of April, 2017, a true and correct copy of the above Summary Proceeding Order of Suspension was deposited in the U.S. mail, first class postage prepaid, addressed to:

Maariah Ingelhardtts


and a copy sent by building mail to:

Marty M. Snyder
Assistant Attorney General



For the Board