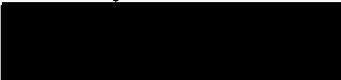


KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD
712 SW Kansas Avenue
Topeka, Kansas 66603

Summary Proceeding Order
Pursuant to K.S.A. 77-537

May 11, 2010

Timothy White


Dear Dr. White:

At its regular meeting held on May 10, 2010, the Kansas Behavioral Sciences Regulatory Board reviewed your application materials. Subsequently, pursuant to K.S.A. 74-5324 and based on the following, the Board voted to grant your application for a psychologist license on specified conditions.

Findings of Fact

1. On January 25, 2010, Timothy White applied to the Behavioral Sciences Regulatory Board (Board) for a psychologist license.

2. On August 21, 2009, the Board received from the New York Office of the Professions, Division of Professional Licensing Services, copies of the following documents which had been certified as true, complete and correct copies of their files relating to the case of In the Matter of Timothy John White, Case No. 22055:

- (a) Application for Consent Order, including Exhibit "A" (Specification of Professional Misconduct) and Exhibit "B" (Terms of Probation); and
- (b) Original Vote and Order granting the application for a Consent Order.

3. In the Application for Consent Order, Timothy White admitted guilt to the following Specification of Professional Misconduct:

Pursuant to a Superior court Information filed in the Supreme Court of the State of New York, Kings county, Respondent was charged with Grand Larceny in the Second Degree, a class C felony. It was alleged that between January 1, 1995 and December 1, 1998, Respondent submitted fraudulent claims to Medicaid, to reflect mental health services were provided to patients, which in fact were not provided. Based on the fraudulent submissions to Medicaid, Respondent was paid in excess of

\$50,000.

On October 12, 2000, Respondent entered a plea of guilty to Grand Larceny in the Second Degree.

4. On May 17, 2005, based on his acknowledgment of professional misconduct and by virtue of the application for a consent order being granted, Timothy White's license to practice as a psychologist in New York was suspended for four (4) years, to be followed by a five (5) years probation on specified terms and conditions.

5. Timothy White subsequently moved back to his home state of Kansas.

6. Timothy White has submitted a "Personal Statement" dated January 25, 2010, to the Board in which he expressed great sorrow, shame and embarrassment concerning his commission of Medicaid fraud. He also stated that during the criminal investigation, he readily acknowledged his involvement to Albert Maiorano, Senior Investigator, and "was then given the opportunity to assist on a part-time basis as a psychologist with other on-going criminal investigations within the Medicaid Fraud Unit of the New York State Attorney General's Office." A November 8, 2009 letter from Mr. Maiorano verifies Mr. White's assistance, and urges the Board to grant a psychologist license to Mr. White.

7. Timothy White's cooperation with the authorities is also verified by a January 30, 2004 letter from Richard Harrow, Regional Director for the New York Attorney General Medicaid Fraud Control Unit, in which Mr. Harrow stated that Mr. White's "cooperation has been outstanding," and that he "rendered superior assistance and fully cooperated." Mr. Harrow further stated that he had "never seen a defendant who has exhibited such remorse for his transgressions and a desire to pay the State back in restitution and service."

8. Additionally, letters of recommendation have been submitted from persons who know Timothy White.

Conclusions of Law

1. Pursuant to K.S.A. 74-5324(g) the Board may issue a conditioned license as a psychologist if an applicant has had a license as a psychologist suspended by the proper regulatory authority of another state, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

2. The Board's receipt of certified copies of Timothy White's Application for Consent Order, including Exhibits "A" and "B" and the Original Vote and Order granting the application for a Consent Order is conclusive evidence that Timothy White's New York psychologist license was suspended on May 17, 2005.

Decision and Order

WHEREFORE the Board voted to grant your application for a psychologist license on the following specified conditions:

1. That for 24 months following employment as a psychologist and while employed as a psychologist, your practice as a psychologist shall be supervised. Any period of time that you are not employed as a psychologist shall not count towards the 24 month supervised practice requirement. Further, that during this time, you shall not engage in private practice.

2. Your supervisor shall be a person approved by a BSRB psychology Board member and licensed at the clinical level by the Board; however, if such person is not available at your employment setting (e.g. a federal hospital, such as a Veteran's Administration Hospital), your supervisor may be a psychologist at the employment setting who is not licensed by the Board. Your supervisor may not be in a subordinate, familial or other dual relationship with you.

3. A copy of this Summary Proceeding Order shall be provided to your supervisor and to your employer. You shall, therefore, inform the Board when you have obtained employment as a psychologist.

4. The focus of supervision shall be psychology practice and billing practices, which shall include ethical practice, policies and procedures and billing practices.

5. The supervision schedule shall be 1 one-hour supervisory session per week.

6. You shall arrange for your supervisor to submit written reports to the Board every 3 months regarding the status and progress of your supervised practice.

7. Additionally, if you are billing for your work as a psychologist, you shall arrange for your supervisor or other appropriate personnel to review your billing and submit a report to the Board every 3 months to verify appropriate billing practices.

8. During the time of supervised practice, you may engage in supervision of licensed or unlicensed persons, including students and volunteers who participate in the delivery of psychology services only if pre-approved by a BSRB psychology Board member.

9. You shall be responsible for any costs incurred in satisfying the conditions of this summary proceeding order.

10. You understand and agree that notification of this Summary Proceeding Order will be provided to any other state licensing authority if you are also licensed,

registered or certified by another state.

11. You have an affirmative duty to notify the Board within 5 days of any change in your personal or professional status which would inhibit compliance with this summary proceeding order, in which case a psychologist Board member is authorized to modify any condition contained herein.

12. At the conclusions of the 24 month conditional licensure period and upon Board receipt of an acceptable reference from your supervisor, you shall be licensed unconditionally as a psychologist.

13. However, your failure to comply with any of the conditions specified herein or upon Board receipt of a negative report from your supervisor, upon notice and opportunity to be heard, may result in your conditioned license being revoked.

IT IS SO ORDERED.



Phyllis Gilmore
Executive Director

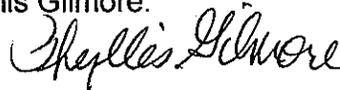
Notice of Relief from Summary Proceeding Order

Pursuant to K.S.A. 77-537, this Summary Proceeding Order is subject to your request for a hearing before the Kansas Behavioral Sciences Regulatory Board. If you desire a hearing, you must direct a written request for a hearing within 15 days to:

Behavioral Sciences Regulatory Board
c/o Phyllis Gilmore, Executive Director
712 S. Kansas Avenue
Topeka, Kansas 66603-3817

If you do not request a hearing, this decision becomes final and effective upon expiration of the 15 day time period for requesting a hearing. In that event, please be advised that this decision constitutes final agency action that is subject to judicial review under the Kansas Act for Judicial Review and Civil Enforcement of State Agency Actions, K.S.A. 77-601 *et seq.* A petition for judicial review must be filed with the appropriate district court within 30 days from the date indicated in the below Certificate of Service. However, please be advised that your failure to exhaust administrative remedies by not requesting a hearing may preclude a petition for judicial review. The agency officer to receive service of any petition for judicial review on behalf of the

Behavioral Sciences Regulatory Board is Phyllis Gilmore.

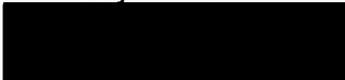


Phyllis Gilmore
Executive Director

Certificate of Service

This is to certify that on the 11th day of May, 2010, a true and correct copy of the above Summary Proceeding Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Timothy White



Phyllis Gilmore
Executive Director

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