

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

**BEFORE THE BEHAVIORAL SCIENCES REGULATORY BOARD**

In the Matter of )  
 )  
MICHAEL W. BAKER, LCMFT, )  
Respondent )  
\_\_\_\_\_ )

**Case No. 12-CT-047**

**CONSENT AGREEMENT AND ORDER**

NOW, on this 5<sup>th</sup> day of December, 2012, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board (Board), by and through Assistant Attorney General Marty M. Snyder, by agreement of Michael W. Baker (Respondent) and the Board for the purpose of resolving the above-captioned case.

Respondent hereby acknowledges the following:

1. At all relevant times, Respondent has been a Licensed Clinical Marriage and Family Therapist within the meaning of the Marriage and Family Therapists Licensure Act, K.S.A. 65-6401, *et seq.*, and amendments thereto.
2. On November 16, 2011, the Board received a self-report of information concerning Respondent's conduct, alleging he may have violated certain statutes and regulations governing the practice of Marriage and Family Therapy.
3. The Board conducted an investigation concerning Respondent's alleged violation of statutes and regulations. During the investigation, Respondent was given the opportunity to provide additional information regarding the self-report of alleged violations and did provide additional information in response to inquiries.

4. As a result of the investigation, the Board finds that Respondent has engaged in a dual relationship based on a personal friendship with a former client.

5. The Complaint Review Committee of the Board finds that a preponderance of clear and convincing evidence supports its conclusion that Respondent has violated the following statute and regulation:

**A. K.S.A. 65-6408 (7) – discipline for unprofessional conduct as defined by the Kansas Administrative Regulations.**

**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:

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

However, Respondent and the Board mutually desire to enter a Consent Agreement and Order in lieu of adjudicative proceedings to resolve the report of alleged violations.

WHEREFORE, Respondent waives all rights to an adjudication of facts and law which could be determined pursuant to a hearing conducted in accordance with the Kansas Administrative Procedure Act and waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Judicial Review Act in relation to Case No. 12-CT-047.

WHEREFORE, the Board and Respondent agree that Respondent's license shall be suspended for a period of twelve (12) months, but the suspension shall be stayed on the following terms and conditions:

(a) Respondent's practice shall be supervised for a period of one year by a Board-approved supervisor. Respondent shall meet with his supervisor weekly with the focus on dual relationships and therapist-client boundaries. Respondent shall provide a copy of the Consent Agreement and Order to the supervisor and authorize the supervisor to provide quarterly written reports to Carol Baldwin, Special Investigator for the Board.

(b) Respondent shall continue personal therapy with his therapist as needed.

(c) Respondent shall comply with the Kansas statutes and administrative regulations for Licensed Clinical Marriage and Family Therapists.

(d) Respondent shall be responsible for any costs and expenses incurred in satisfying the terms of this Consent Agreement and Order.

(e) Evidence of Respondent's breach, violation or failure to comply with any of the conditions will result in a hearing, with notice and opportunity to be heard, to determine whether Respondent has in fact breached, violated or failed to comply with any conditions. Upon determination at such hearing that Respondent has breached, violated or failed to comply with any condition, Respondent understands and agrees that his Licensed Clinical Marriage and Family Therapist license could be suspended until such time as Respondent can demonstrate compliance with all terms and conditions of this Consent Agreement and Order to the satisfaction of the Board.

(f) Respondent acknowledges an affirmative duty to notify the Board within five (5) days of any changes in personal or professional status which would inhibit compliance with any condition of this Consent Agreement and Order. In such event, a designee of the Board is authorized to modify or amend this Consent Agreement and Order in writing.

(g) Respondent understands that a notification of this Consent Agreement and Order shall be provided to any other state licensing board if Respondent is also licensed, registered or certified in another state.

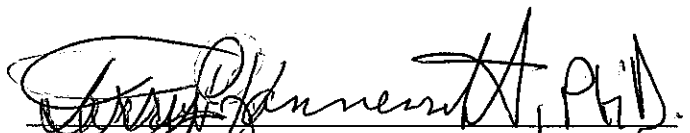
(h) This Consent Agreement and Order constitutes the entire agreement between Respondent and the Behavioral Sciences Regulatory Board and may be modified or amended only by written agreement signed by Respondent and the Board or a designee of the Board.

WHEREFORE, Respondent consents to the submission of this Consent Agreement and Order to the Board's Complaint Review Committee and understands that, upon approval by the Complaint Review Committee, this Consent Agreement and Order will become a Final Order of the Board. The Board has authorized the Complaint Review Committee to determine approval of this Consent Agreement and Order.

WHEREFORE, the Board agrees that, so long as Respondent complies with the above conditions, the Board will not initiate further disciplinary action against Respondent in relation to violations of K.S.A. 65-6408 and K.A.R. 102-5-12 as a result of this proceeding.

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

  
Dr. Terry Pfannenstiel  
Chair, Complaint Review Committee

APPROVED AND CONSENTED TO:

Michael W. Baker

Michael W. Baker  
Respondent Licensee

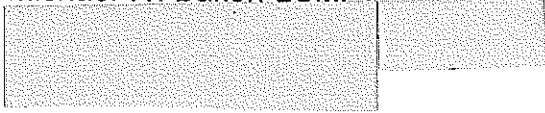
12-5-12

Date

CERTIFICATE OF SERVICE

This is to certify that on this 11<sup>th</sup> day of December, 2012, a true and correct copy of the above Consent Agreement and Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Michael W. Baker, LCMFT



and a copy placed in State building mail to:

Marty M. Snyder, Esq.  
Kansas Attorney General's Office

Carol Baldwin

For the Behavioral Sciences Regulatory Board