Jane E. Weiler, #25276
Assistant Attorney General
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120 SW 10th Avenue, Second Floor
Topeka, KS 66612-1597

BEFORE THE KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD
700 SW Harrison Street, Suite 420
Topeka, Kansas 66603-3929

In the Matter of	)	
TASIA FARLEY, LMLP	)	Case No. 18-MP-0097
License No. 2603	)	Case No. 18-MP-0098
	)	Case No. 18-MP-0111
Respondent/Licensee.	)	

CONSENT AGREEMENT AND FINAL ORDER

NOW on this 16 day of October, 2018, the above-captioned matter comes before the Kansas Behavioral Sciences Regulatory Board ("Board") by and through Assistant Attorney General Jane E. Weiler on behalf of the Board, and by agreement of Tasia Farley, ("Licensee"), for the purposes of resolving the above-captioned matter.

The parties knowingly and voluntarily agree as follows:

1. On April 28, 2015, the Board issued Licensee an original Licensed Master's Level Psychologist ("LMLP") No. 2603. This license expires on April 30, 2019. Licensee is currently, and was at all times relevant to this Consent Agreement and Final Order, an LMLP within the meaning of the laws relating to regulation of psychologists, K.S.A. 74-5361 *et seq.*

CASE NO. 18-MP-0097

2. On or about February 7, 2018, a Report of Alleged Violation was received by the Board alleging Licensee may have violated certain statues and regulations governing the practice of master's level psychologist in the State of Kansas.

3. On or about August 1, 2017, Licensee completed an evaluation on E.R. Licensee reported to the family that she would call with the results in two (2) to three (3) weeks.

4. A family member of E.R. emailed Licensee several times, and Licensee did not respond to the emails.

5. In November 2017, Licensee told E.R.'s family that she was working on the report between patients because she had no administrative staff.

6. As of February 7, 2018, Licensee had failed to provide E.R. with the report of the evaluation completed in August 2017.

7. On or about April 6, 2018, Licensee provided a response to the Board regarding this case. In her response, Licensee purported to have submitted to E.R.'s family the report of the evaluation completed in August 2017. Licensee did not provide a date when she provided this report to E.R.'s family.

CASE NO. 18-MP-0098

8. On or about March 1, 2018, a Report of Alleged Violation was received by the Board alleging Licensee may have violated certain statues and regulations governing the practice of master's level psychologist in the State of Kansas.

9. On or about June 14, 2017, Licensee had an initial appointment with T.D. At this appointment, Licensee told T.D.'s mother that she would have the report of the testing available in one (1) to two (2) weeks.

10. On or about June 20, 2017, Licensee completed a psychiatric evaluation of T.D. At this appointment, Licensee told T.D.'s mother that she would contact her in a few weeks to schedule an appointment to discuss the results.

11. Licensee did not contact T.D.'s mother to schedule this follow-up appointment.

12. Licensee relocated her office. T.D.'s mother was unable to locate Licensee, thus she contacted T.D.'s therapist to find Licensee.

13. On or about September 4, 2017, T.D.'s mother sent to Licensee an email asking for the test results.

14. On or about September 11, 2017, Licensee responded to the email and told T.D's mother that she would get the results to her soon. However, Licensee did not send to T.D.'s mother the results.

15. On or about January 18, 2018, T.D.'s mother sent to Licensee another email asking for the results. Licensee did not respond to this email.

16. As of March 1, 2018, Licensee failed to send to T.D.'s mother the results of the psychiatric evaluation regarding T.D. that Licensee completed on June 20, 2017.

17. On or about May 25, 2018, Licensee provided a response to the Board regarding this case. In her response, Licensee purported to have submitted to T.D.'s mother the report of the evaluation completed on June 20, 2017. Licensee did not provide a date when she provided this report to T.D.'s mother.

CASE NO. 18-MP-0111

18. On or about April 6, 2018, a Report of Alleged Violation was received by the Board alleging Licensee may have violated certain statues and regulations governing the practice of master's level psychologist in the State of Kansas.

19. In mid-November 2017, R.S. and her mother met with Licensee to discuss the need to have R.S. tested for autism.

20. Licensee completed an evaluation regarding R.S. The last appointment for R.S. was the week of November 27-30, 2017. Licensee told R.S.'s mother that the write-up of the evaluation would take six (6) to eight (8) weeks.

21. On or about January 24, 2018, R.S.'s mother sent to Licensee an email informing her that they had been unsuccessful in trying to contact her for the previous two (2) weeks. Licensee did respond to this email, and told R.S.'s mother that she would send her the write-up a soon as she finished it.

22. As of March 8, 2018, Licensee failed to send to R.S.'s mother the report, which is fourteen (14) weeks since the last appointment.

23. Later on March 8, 2018, Licensee did send to R.S.'s mother a copy of the report. However, this report contained many errors. These errors included the use of wrong pronouns, i.e., 'he' instead of 'she'. Additionally, the report discusses "Marcus", which is not the name of the child involved in this matter.

24. Additionally, the report submitted to R.S.'s mother regarding the testing completed on R.S. did not include any information if R.S. was tested for autism, which was an important aspect for the testing of R.S.

25. On or about June 8, 2018, Licensee provided a response to the Board regarding this case. In her response, Licensee did not address the errors contained in the report.

APPLICABLE LAW

26. K.S.A. 74-5361: "Master's level psychology" means the practice of psychology pursuant to the restrictions set out in K.S.A. 74-5362, and amendments thereto, and includes the diagnosis and treatment of mental disorders under K.S.A. 74-5361 *et seq.*, and amendments thereto.

27. K.S.A. 74-5369(a): The Board may refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publically 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 licensure: K.S.A. 74-5369(a)(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the Board. Specifically:

a. K.A.R. 102-4-12(b)(10): offering to perform or performing services clearly inconsistent or incommensurate with one's training, education, or experience with accepted professional standards.
b. K.A.R. 102-4-12(b)(18): failing to proved each client or the client's legal representative with access to the client's records following the receipt of a formal written request, unless the release of this information is restricted or exempted by law, or when the disclosure of this information is precluded for a sufficiently compelling reason.
c. K.A.R. 102-4-12(b)(41): failing to seek continuation of service, or abandoning or neglecting a client under or in need of professional care, without making reasonable arrangements for that care.
d. K.A.R. 102-4-12(b)(53): practice master's level psychology... in an incompetent manner.

28. Licensee and the Board mutually desire to enter into this Consent Agreement and Final Order in lieu of further summary and adjudicative proceedings.

29. Licensee understands that by entering into this Consent Agreement and Final Order she waives all rights to further adjudication of facts and law that could be determined pursuant to summary proceedings or a hearing conducted in accordance with the Kansas Administrative Procedures Act, K.S.A. 77-501 *et seq.* in relation to Case Nos. 18-MP-0097, 18-MP-0098, and 18-MP-0111.

30. Licensee waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Act for Judicial Review, K.S.A. 77-601 *et seq.* in relation to Case Nos. 18-MP-0097, 18-MP-0098, and 18-MP-0111.

31. The Board accepts Licensee's waiver of rights and stipulations.

ORDER

WHEREFORE, the Board finds that the above facts have been established by clear and convincing evidence; and further finds that Licensee was in violation of K.S.A. 74-5369(a), as defined in K.A.R. 102-4-12(b)(10), when Licensee performed services clearly inconsistent or incommensurate with one's training, education or experience or with accepted professional standards when she failed to timely complete reports of evaluations, which occurred in Case Nos. 18-MP-0097, 18-MP-0098, and 18-MP-0111.

FURTHER WHEREFORE, the Board finds that Licensee was in violation of K.S.A. 74-5369(a), as defined in K.A.R. 102-4-12(b)(18), when Licensee failed to timely provide to the clients' legal representative reports following the formal written request for the report for each client in Case Nos. 18-MP-0097, 18-MP-0098, and 18-MP-0111.

FURTHER WHEREFORE, the Board finds that Licensee was in violation of K.S.A. 74-5369(a), as defined in K.A.R. 102-4-12(b)(41), when Licensee neglected clients possibly in need to professional care, without making reasonable arrangements for that care when she failed to timely complete reports in Case Nos. 18-MP-0097, 18-MP-0098, and 18-MP-0111.

FURTHER WHEREFORE, the Board finds that Licensee was in violation of K.S.A. 74-5369(a), as defined in K.A.R. 102-4-12(b)(53), when Licensee failed to timely complete reports regarding evaluations in Case Nos. 18-MP-0097, 18-MP-0098, and 18-MP-0111.

AND WHEREAS Licensee and the Board mutually desire to enter into a Consent Agreement and Final Order in lieu of further adjudicative proceedings to resolve the reported violations.

NOW THEREFORE, Licensee consents to the following terms and conditions, and the Board orders that:

32. Licensee shall practice only under individual supervision by a Board-approved supervisor in regards to the evaluations completed by Licensee. The Board-approved supervisor shall co-sign all evaluation reports completed by Licensee for a minimum of two (2) years from the effective date of this Consent Agreement and Final Order.

33. Licensee shall provide a copy of this Consent Agreement to the supervisor and authorize the supervisor to provide written quarterly reports to the Board's Investigator for the two (2) year term of supervision. These reports shall include the total number of evaluations completed by Licensee in the previous quarter, and when the reports were provided to her supervisor for the supervisor's signature. These

quarterly reports shall be due by December 1, 2018, March 1, 2019, June 1, 2019, and September 1, 2019, December 1, 2019, March 1, 2020, June 1, 2020, and September 1, 2020.

34. Licensee may not accept evaluation clients when she is without a Board-approved supervisor. Licensee must timely notify the Board's Investigator of a need in a change of a clinical supervisor.

35. Licensee must notify the Board's Investigator within ten (10) days of a change in her employment and/or address change.

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

37. After completion of the actions set out in the Consent Agreement and Final Order, Licensee will have no remaining obligations to the Board in relation to this case. However, Licensee may be subject to further enforcement action if Licensee fails to comply with the terms, conditions, and requirements imposed by this Consent Agreement and Final Order.

38. The matters referred to in this Consent Agreement and Final Order shall not be grounds for future action against Licensee, except the extent that that such matters may be relevant for future disciplinary or licensure proceedings in the Board's consideration of the factors identified in K.S.A. 74-5366 [Expiration and renewal of license...], and K.S.A. 74-5379 [Grounds for denial, suspension, limitation, condition revocation or nonrenewal of license; procedure; judicial review; licensure of applicant with felony conviction, requirements], for establishing rehabilitation or a pattern of conduct.

39. Except as provided in paragraph 38, this Consent Agreement and Final Order shall operate as a complete release of all claims the parties may have against each other pending before the Board and arising out of the Board's investigation of these matters. Licensee agrees not to file, or cause to be filed, any litigation or claims in any federal or state court of law or federal or state administrative agency against the Board, its agents, Board members, or employees, individually or in their official capacity. Such litigation or claims include, but are not limited to, any K.S.A. Chapter 60 or Chapter 61 civil action regarding negligence and/or a 42 United States Code action and/or any administrative petition for redress. Licensee agrees that all actions in this matter were a bona fide use of administrative discretion on the part of the Board, its members, and employees, which is a statutory exception to liability within the Kansas Tort Claims Act, K.S.A. 75-6104(b), (c) or (e).

40. Licensee agrees that this Consent Agreement and Final Order conforms to Kansas and federal law and that the Board has jurisdiction to enter into it and enter the Final Order provided for herein.

41. Licensee understands that a notification of this Consent Agreement and Final Order shall be provided to any other state licensing board or entity if Licensee is also licensed, registered or certified in another state.

42. This Consent Agreement and Final Order shall be a public record in the custody of the Board.

43. This Consent Agreement and Final Order constitutes the entire agreement of the parties and may only be modified by order of the Board or by a subsequent writing signed by the parties. The agreement shall be interpreted in accordance with the laws of the State of Kansas.

44. This Consent Agreement and Final Order shall become effective on the date indicated in the Certificate of Service.

WHEREFORE, the parties consent to these provisions, which are hereby made the Final Order of the Kansas Behavioral Sciences Regulatory Board in the above-captioned case.

IT IS SO ORDERED.

Dated this 10th day of October 2018.

Chairperson, Complaint Review Committee
On behalf of Kansas Behavioral Sciences
Regulatory Board

AGREED AND CONSENTED TO BY:

Tasia Farley, LMLP
Respondent/Licensee

9-17-18
Date

Received
SEP 24 2018
Kansas Attorney General

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Consent Agreement and Final Order was served on this 16 day of October 2018, by depositing the same in the United States mail, postage prepaid, addressed to:

Tasia Farley, LMLP
925 SE River Rd Apt. 1006
El Dorado, KS 67204

And a copy delivered via interoffice mail to:

Jane E. Weiler, Assistant Attorney General
Office of the Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612
Disciplinary Counsel for the Board

Cindy D'Ercole
For the Kansas Behavioral Sciences
Regulatory Board