

**COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF LICENSURE
OF MARRIAGE AND FAMILY THERAPISTS
ADMINISTRATIVE ACTION NO. 2014-003**

**KENTUCKY BOARD OF LICENSURE OF MARRIAGE
AND FAMILY THERAPISTS**

COMPLAINANT

V.

ERIN GOSS

RESPONDENT

AGREED ORDER

Whereas, the Kentucky Board of Licensure of Marriage and Family Therapists (hereinafter the "Board") received a Complaint against Erin Goss (hereinafter the "Respondent") claiming she fraudulently billed for clinical services not performed, and;

Whereas, the Board subsequently investigated the claims, and;

Whereas, on or about January 2013, the Respondent obtained a permit as a Marriage and Family Therapy Associate (hereinafter referenced as "MFTA"), and;

Whereas, on or about February 28, 2014, the Respondent's MFTA permit lapsed, and;

Whereas, pursuant to KRS 335.348(4) and 201 KAR 32:070 Section 5(2), the Board may enter into an agreed order, and;

Whereas, the Board under KRS 335.348(6) maintains jurisdiction of this matter whether Respondent's license is revoked, surrendered or lapsed, and;

Whereas, pursuant to KRS 335.325 and 335.348, the Board may revoke, suspend, or refuse to issue or renew; impose probationary or supervisory conditions upon; impose an administrative fine; issue a written reprimand or admonishment; or any combination of actions regarding any applicant, license, or licensee upon proof that the applicant or licensee has violated the code of ethical conduct, and;

Whereas, the Respondent admits for the purposes of this Agreed Order that she has violated KRS 335.348(1)(a) and 201 KAR 32:050 Section 5(2)(d), and;

Whereas, the parties mutually desire to settle the issues in an expeditious manner, without the need for a formal hearing;

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties this matter shall be settled and resolved upon the following terms:

Findings

For the purposes of this Agreed Order, the Respondent admits the Board would be able to prove by a preponderance of the evidence, the following:

- 1) Two (2) violations, one (1) of KRS 335.348(1)(a), an act of dishonesty and one (1) violation of 201 KAR 32:050 Section 5(2)(d), failing to represent facts truthfully to clients and third party payors, regarding services rendered.

Board Action

The Board agrees the Respondent shall provide:

- 1) Payment of the investigation costs in this matter, which total \$922.50, again to be paid within one (1) year from the date in which this agreement is approved

by the Board, or prior to filing an application for an Associate permit, whichever occurs sooner.

- 2) Payment of an administrative fine in the amount of \$250.00 for each of two (2) violations for a total of \$500.00, to be paid within one (1) year from the date in which this agreement is approved by the Board or prior to filing an application for an Associate permit, whichever occurs sooner.
- 3) Documentation of counseling provided by a Board approved counselor regarding the stressors that led to your actions that underlie the violations in this case. The counseling received should conform to the recommendations of the Board approved counselor.

Voluntary Waiver of Rights

The Respondent has had the opportunity at all times to seek the advice from competent counsel of choice. No coercion has been exerted upon the Respondent, nor have any promises been made other than those reflected in this Agreed Order. The Respondent has freely and voluntarily entered into this Agreed Order, motivated only by a desire to resolve the issues addressed herein. The Respondent has executed this Agreed Order only after a careful reading of it and a full understanding of all of its terms. The Respondent waives the right to challenge any agreed upon term or condition of this Agreed Order notwithstanding any other statutory provision of KRS 335.300-399, and the administrative regulations promulgated thereto. The Respondent expressly agrees those agreed upon terms and conditions contained therein are exclusively a matter of private right.

The Respondent is fully aware of the rights to contest charges in a formal hearing. These rights include: representation by an attorney at the Respondent's own expense, the right to a public hearing on any charges contained in the Formal Complaint, the right to confront and cross-examine witnesses called to testify against the Respondent, the right to present evidence on the Respondent's behalf, the right to compulsory process to secure the attendance of such witnesses, the right to testify on the Respondent's own behalf, the right to receive written findings of fact and conclusions of law supporting the decision on the merits of the Formal Complaint, the right to obtain judicial review of the Board's decision, and the right to appeal any final order of the Board to the Franklin Circuit Court as otherwise allowed by KRS 335.325(4) and 335.350. All of these rights are being voluntarily waived by the Respondent in exchange for the Board's acceptance of this Agreed Order.

Jurisdiction

The Respondent acknowledges the Board has jurisdiction over the Respondent and the conduct which has precipitated this Agreed Order. The Respondent also acknowledges the Board has the legal power to take disciplinary action in Kentucky.

The Respondent acknowledges the Board will retain jurisdiction over this matter until all terms and conditions set forth in this Agreed Order have been met to the satisfaction of the Board.

Publication of Agreed Order

The Respondent acknowledges, once adopted by the Board, this Agreed Order is considered a public document, available for inspection at any time by any member of the public under the Kentucky Open Records Act. Further, the Respondent understands the Board is free to make any use it deems appropriate of the contents of this Agreed Order,

which shall include the Board's ability to share the content of this Agreed Order with any governmental or professional Board or organization, publication of a summary in the Board's newsletter, reporting under federal law, and availability via the Board's web site.

Disciplinary Action

The parties agree to the following as the agreed upon disciplinary action:

Payment of the investigation costs in this matter, which total \$922.50, again to be paid within one (1) year from the date in which this agreement is approved by the Board, or prior to filing an application for an Associate permit, whichever occurs sooner, and;

Payment of an administrative fine in the amount of \$250.00 for each of two (2) violations for a total of \$500.00, to be paid within one (1) year from the date in which this agreement is approved by the Board or prior to filing an application for an Associate permit, whichever occurs sooner.

The Respondent understands and acknowledges that any failure of her to comply with the terms and conditions of this Agreed Order may subject her to additional discipline by the Board pursuant to KRS 335.348(5).

Release of Liability

In consideration of execution of this Agreed Order, the Respondent, the Respondent's executors, administrators, successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, the Kentucky Board of Licensure of Marriage and Family Therapists, and the Kentucky Attorney General and each of their members, agents, and employees in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions,

claims and demands whatsoever, known and unknown, in law or equity, the Respondent ever had, now has, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this investigation, this disciplinary action, this Agreed Order, or its administration.

Acceptance by the Board

It is hereby agreed between the parties this Agreed Order shall be presented to the Kentucky Board of Licensure of Marriage and Family Therapists at the next regularly-scheduled meeting of the Board.

The Respondent understands the Board is free to accept or reject this Agreed Order, and if rejected by the Board, a formal disciplinary hearing against the Respondent may be scheduled thereafter with the Hearing Officer and counsel. The Respondent hereby agrees to waive any right the Respondent might have to challenge the impartiality of the Board, based solely upon the presentation of this Agreed Order, to hear the disciplinary charges if, after review by the Board, this Agreed Order is rejected.

If the Agreed Order is not accepted by the Board, it shall be regarded as null and void. Admissions by the Respondent in the Agreed Order will not be regarded as evidence against the Respondent at the subsequent disciplinary hearing. The Respondent will be free to defend herself and no inferences against the Respondent will be made from the Respondent's willingness to have entered into this Agreed Order.

The Agreed Order will not be submitted for Board consideration until after it has been agreed to and executed by the Respondent. The Agreed Order shall not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.

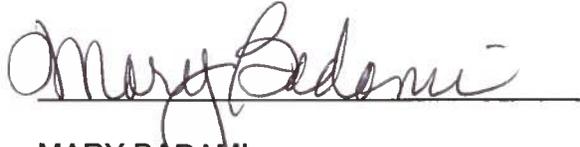
Effective Date

The effective date of this Agreed Order means the date of Acceptance by the Board as reflected in its Meeting Minutes and date this agreement was Ordered, which is found on page 7 of this Agreed Order.

Complete Agreement

This Agreed Order consists of eight (8) pages and embodies the entire agreement between the Board and the Respondent. This Agreed Order shall constitute a binding contract between the Respondent and the Board, subject only to approval by the Board as set forth above. The Respondent shall not rescind, revoke, withdraw, or seek to modify this Agreed Order prior to or during its presentation to the Board at a regularly scheduled meeting of the Board. It may not be altered, amended or modified without the express written consent of both parties.

So Ordered on this 24th day of September, 2015.

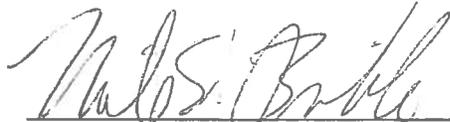


MARY BADAMI
CHAIRPERSON
KENTUCKY BOARD OF LICENSURE OF
MARRIAGE AND FAMILY THERAPISTS

Have Seen, Understood and Agreed:

 Date 8/24/15

Erin Goss
3515 Nanz Avenue
Louisville, KY 40207

 Date _____

Nicole S. Biddle
Board Counsel
Kentucky Board of Licensure of
Marriage and Family Therapists

CERTIFICATE OF SERVICE

I hereby certify that copies of the Agreed Order were mailed by regular first class mail on this 29th day of September, 2015, to:

Erin Goss
3515 Nanz Avenue
Louisville, KY 40207

Nicole S. Biddle
Assistant Attorney General
700 Capitol Ave, Suite 118
Frankfort, Kentucky 40601



Board Administrator