

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF LICENSURE
OF MARRIAGE AND FAMILY THERAPISTS
AGENCY CASE NO. 2011-008
ADMINISTRATIVE ACTION ON. 12-KBMFT-0231

KENTUCKY BOARD OF LICENSURE OF
MARRIAGE & FAMILY THERAPISTS

COMPLAINANT

vs.

FINAL ORDER

ROSE PENNINGTON
(License No. KY-0507)

RESPONDENT

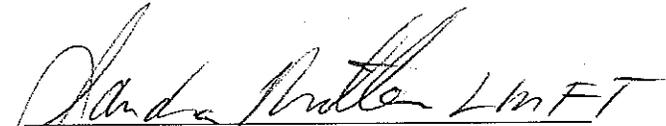
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This matter having come before the Kentucky Board for Marriage and Family Therapists (hereinafter referred to as "the Board") on December 6, 2012, and the Board having been sufficiently advised, hereby **ADOPTS** the Settlement Agreement signed by Respondent on October 31, 2012.

IT IS SO ORDERED

Dated this 6 day of December, 2012.

Kentucky Board of Licensing for
Marriage & Family Therapists


Sandra Miller, Board Chairman

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Final Order was mailed, first class postage prepaid, this 12th day of December, 2012 to:

KATHERINE J. HORNBACK
REINHARDT & ASSOCIATES, PLC
449 LEWIS HARGETT CIRCLE, SUITE 210
LEXINGTON, KY 40503
Counsel for Respondent

By messenger mail:

Susan Durant
Division of Administrative Hearings
Office of the Attorney General
1024 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601-8204
Hearing Officer

Angela Evans
Office of the Attorney General
Capitol Building, Suite 118
Frankfort, KY 40601
Board Counsel



Marcia Egbert, Board Administrator

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SETTLEMENT AGREEMENT

ROSE PENNINGTON
(License No. KY-0507)

RESPONDENT

* * * * *

Parties

Come the Petitioner, the Kentucky Board of Licensure of Marriage and Family Therapists (hereinafter the "Board"), by counsel and the Respondent, Rose Pennington, LMFT, (hereinafter "Pennington") in person and with counsel, and both parties being duly informed states as follows:

Jurisdiction

The Board has jurisdiction over this matter pursuant to KRS Chapter 335 and the related administrative regulations.

History

On or about May 19, 2011 to October 27, 2011 Pennington was providing supervision for the purpose of licensure as a marriage and family therapist to L.V., who no longer possessed a valid associate permit. Pennington admits that she violated 201 KAR 32:035 Section 9(2) by failing to know or advise supervisee, L.V., that her Marriage and Family Therapist associate permit had expired.

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

IT IS HEREBY AGREED that Pennington shall:

Forego permanently being a clinical supervisor for marriage and family therapist associates in the Commonwealth of Kentucky;

Pay costs in the amount of \$1,000, to be paid in monthly installments of at least \$42.00 over the next two years. Payments shall be made payable to the Kentucky State Treasurer and mailed to the Board at: P.O. Box 1360, Frankfort, KY 40602. Payments shall be received by the board no later than the 30th of each month and;

Retain her license to practice as a marriage and family therapist, Kentucky License number 0507.

Voluntary Waiver of Rights

Respondent has carefully reviewed the Agreed Order herein and enters into this Agreed Order knowingly, willingly and voluntarily and after having reviewed the due process rights afforded to her under KRS Chapter 335 and the accompanying regulations and no coercion has been exerted upon the Respondent, nor have any promises been made other than those reflected in this Agreed Order.

The Respondent is fully aware of her rights in an administrative proceeding. These rights include: representation by an attorney at the Respondent's own expense, the right to confront and cross-examine witnesses called to testify against the Respondent, the right to present evidence on the Respondent's own behalf, the right to testify on his own behalf, the right to receive written findings of fact and conclusions of law supporting the decision on the merits of the accusation and the right to obtain judicial review of the Board's decision. All of these rights are being

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voluntarily waived by the Respondent in exchange for the Board's acceptance of this Settlement Agreement.

Publication of Settlement Agreement

The Respondent acknowledges that, once adopted by the Board, this document is considered a public document, available for inspection at any time by any member of the public under the Kentucky Open Records Act, and may be reportable under federal law. This Settlement Agreement and a Final Order shall be listed as one document on the Board's website and Respondent may request they be removed upon Respondent's completion of all the terms of this Settlement Agreement.

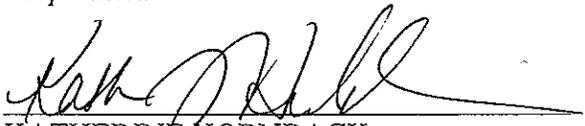
Complete Agreement

This Settlement Agreement consists of three (3) pages and embodies the entire agreement between the Kentucky Board of Licensure of Marriage and Family Therapists and Rose Pennington, LMFT. It may not be altered, amended or modified without the express written consent of both parties.

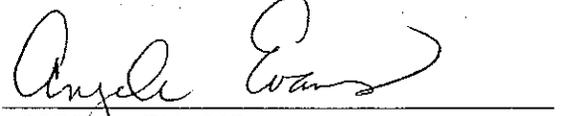
Have Seen, Understood and Approved:


ROSE PENNINGTON
Respondent

10-31-12
Date


KATHERINE HORNBACK
Counsel for Respondent

10-31-12
Date


ANGELA EVANS
KLMFT Board Counsel

12-6-12
Date


SANDRA MILLER, LMFT
KLMFT Chair

12-6-12
Date

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