

75-7d06. Same; suspension, limitation of, denial of, revocation or refusal to renew certification or permit; grounds; hearing; review. (a) The attorney general may suspend, limit, condition, deny, revoke or refuse renewal or reinstatement of any certification or permit issued under the batterer intervention program certification act if the attorney general determines that an applicant, a person operating or providing services as a certified batterer intervention program or holder of a temporary permit has:

- (1) Made any false statement or given any false information in connection with an application for an initial, renewal or reinstatement of a certification or temporary permit issued under the batterer intervention program certification act;
- (2) failed to meet or maintain compliance with program requirements;
- (3) been found guilty or convicted of fraud or deceit in connection with services rendered;
- (4) been found guilty of negligence or wrongful actions in the performance of services rendered;
- (5) allowed the use of the attorney general's domestic violence offender assessment by any person who is not an employee or agent of either a current certified batterer intervention program or a holder of a temporary permit issued under the batterer intervention program certification act;
- (6) committed an act of unprofessional conduct as defined by rules and regulations adopted by the attorney general;
- (7) been convicted of any offense as defined in K.S.A. 2014 Supp. 75-7d03, and amendments thereto; or
- (8) failed or refused to allow inspection of records pursuant to K.S.A. 2014 Supp. 75-7d08, and amendments thereto.

(b) (1) For purposes of this section, "conviction" means:

- (A) The entry of a plea or verdict of guilty or a conviction following a plea of nolo contendere and without regard to whether the sentence was suspended or probation granted after such conviction;
- (B) a forfeiture of bail, bond or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated; or
- (C) entering into a diversion agreement in lieu of further criminal proceedings alleging a violation of any offense specified in subsection (b) of K.S.A. 2014 Supp. 75-7d03, and amendments thereto.

(2) The record of conviction, or a certified copy thereof, shall be conclusive evidence of such conviction.

(c) Proceedings under this section shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the batterer intervention program certification act shall be in accordance with the Kansas judicial review act.

History: L. 2012, ch. 162, § 6; May 31.