



STATE OF NEVADA
BOARD OF EXAMINERS FOR SOCIAL WORKERS
4600 Kietzke Lane — C - 121
Reno, Nevada 89502
(775) 688-2555

July 19, 2007

Lorne J. Malkiewich, Director
Legislative Counsel Bureau
401 South Carson Street
Carson City, NV 89701-4747

Dear Mr. Malkiewich:

Pursuant NRS 622.100, the Board of Examiners for Social Workers is submitting the required quarterly disciplinary report for the period of April 1, 2007 through June 30, 2007. On January 1, 2007 the Board records reflected thirty four (34) active allegation files. During the quarter the Board received five (5) new allegations and dismissed three (3) allegations. In June, the Board approved two consent decrees which resulted in action against Marilyn Anderson, LSW and Jamie Cesar Sanchez, LSW. On March 31, 2007, thirty-four (34) allegation files remained open. Copies of the Consent Decrees are included.

Pursuant to SB 310 which passed in the 2007 legislative session, the following information has been added to this quarterly report.

55 New social work licenses were issued

42 Social Workers

13 Clinical Social Workers

During this same period, 38 social work licenses expired and are no longer valid. This included 11 Clinical Social Workers, 26 Social Workers (5 which received a higher level of licensure) and 1 Associate in Social Work. Accordingly, there was a net gain of 17 new social work licenses.

Please feel free to call me if you have any questions.

Sincerely,

NEVADA BOARD OF EXAMINERS
FOR SOCIAL WORKERS

A handwritten signature in black ink, appearing to read "Rosalind Tuana", written over the printed name and title.

Rosalind Tuana
Executive Director

Enclosures (2)

BEFORE THE NEVADA STATE BOARD OF
EXAMINERS FOR SOCIAL WORKERS

IN THE MATTER OF

JAIME CESAR SANCHEZ
LSW NO. 4253-S (Expired)

Respondent.

CASE NO. G06-08
and G06-15

RECEIVED

JUN 22 2007

CONSENT DECREE

**NV BOARD OF EXAMINERS
FOR SOCIAL WORKERS**

The State of Nevada BOARD of Examiners for Social Workers ("BOARD") having jurisdiction over licensee JAIME CESAR SANCHEZ ("SANCHEZ"), pursuant to NRS 641B.020; an accusation against said licensee having been received alleging violations of the Nevada statutes and regulations controlling the practice of social work; and the parties being mutually desirous of settling the controversy between them relative to the pending accusation;

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

VOLUNTARY WAIVER OF RIGHTS

SANCHEZ is aware of, understands, and has been advised of the effect of this Consent Decree, which he has carefully read and fully acknowledges. SANCHEZ has had the opportunity to consult with competent counsel of his choice.

SANCHEZ has freely and voluntarily entered into this Consent Decree, and he is aware of his rights to contest the charges pending against him. These rights include representation by an attorney at his own expense, the right to file an answer in response to a formal complaint, the right to a public hearing on any charges or allegations formally filed, the right to confront and cross-examine witnesses called to testify against him, the right to present evidence on his 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 complaint, and the right to obtain judicial

1 review of the decision All of these rights are being voluntarily waived by SANCHEZ in
2 exchange for the BOARD'S acceptance of this Consent Decree.

3 If the Consent Decree is not accepted by the BOARD, no member of the BOARD
4 will be disqualified from further hearing of this matter, by reason of his or her
5 consideration of the Consent Decree and SANCHEZ hereby waives any claim of bias or
6 prejudice based upon said consideration by any member of the BOARD in any
7 subsequent disciplinary hearing conducted by the BOARD.

8 JURISDICTION

9 SANCHEZ acknowledges that the BOARD has jurisdiction over him and the
10 conduct that has precipitated this Consent Decree. SANCHEZ acknowledges that the
11 BOARD has the legal power and authority to take disciplinary action, including, but not
12 limited to, the revocation of his license to practice social work in Nevada.

13 SANCHEZ acknowledges that the BOARD will retain jurisdiction over this matter
14 until all terms and conditions set forth in this Consent Decree have been met to the
15 satisfaction of the BOARD.

16 PUBLICATION OF CONSENT DECREE

17 SANCHEZ acknowledges that at the time this Consent Decree becomes
18 effective, it also becomes a public document and will be reported to the Disciplinary
19 Action Reporting System (DARS) of the Association of Social Work Boards (ASWB) or
20 such other national databases as required by law. It is also understood that any
21 meeting during which the BOARD considers and accepts or rejects this Consent Decree
22 is open to the public and that the minutes of the BOARD meeting are a public
23 document, available for inspection by any person so requesting.

24 STIPULATED FACTS AND CONCLUSIONS OF LAW

25 SANCHEZ understands the nature of the allegations under consideration by the
26 BOARD. He acknowledges that the conduct described below constitutes violations of
27 the Nevada Social Work Practice Act (NRS and NAC 641B). He acknowledges that if
28 this matter were to be taken to a disciplinary hearing before the BOARD, the

following allegations could be proven by substantial evidence and that by acknowledging the same, he is subject to disciplinary action by the BOARD:

1 JAIME CESAR SANCHEZ ("SANCHEZ") was a duly licensed social worker in the State of Nevada at all times relevant to this complaint

2 SANCHEZ was employed as a licensed social worker on or about July 9, 2002, through August 16, 2006 .

3 The first incident occurred on or about January 2006, when SANCHEZ began employment at Harmony Healthcare ("Harmony").

4 On or about March 2006, SANCHEZ submitted an incomplete application for a clinical internship for Harmony. The remaining materials were received by the Board on May 15, 2006.

5 During the period of time that SANCHEZ was awaiting approval for his internship, his primary responsibility at Harmony was to see clients in an EAP setting. The clients were given six free EAP sessions under a contract between Harmony and their insurance companies. The sessions were only meant to be educational in content as SANCHEZ had not been approved for a new clinical internship program. SANCHEZ began referring some of these clients to himself and charging them \$50.00 per session for his services.

6 On or about May 22, 2006, SANCHEZ was terminated from Harmony due to the fact that it had been discovered that he referred a Harmony client to his own agency, known as Life Spring Counseling Center ("Life Spring"). SANCHEZ referred three (3) additional Harmony clients to himself at Life Spring without Harmony's consent or knowledge.

7 At Life Spring, SANCHEZ is licensed to practice as a Drug and Alcohol Counselor; however, it appears he does not hold any other license that would allow him to provide services other than Drug and Alcohol.

8 The clients SANCHEZ referred to himself did not have drug or alcohol problems. Since SANCHEZ was not licensed to provide services other than drug or

1 alcohol counseling, these clients had to begin counseling again with an appropriately
2 licensed person

3 9. The second incident occurred on or about March of 2006, a No Bail Bench
4 Warrant was issued because SANCHEZ failed to appear in family court after being
5 subpoenaed to testify

6 10. According to the court hearing transcript, SANCHEZ was found in
7 contempt of court and fined \$2,000.00 for failure to appear

8 11. This fine was to be waived, provided SANCHEZ appeared at the
9 rescheduled hearing date.

10 12. SANCHEZ' testimony was critical to the court and the presiding judge
11 indicated that three separate court proceedings were held in an attempt to have him to
12 appear and testify in the matter at a substantial cost to the court.

13 13. The testimony SANCHEZ was to provide pertained to counseling done
14 with a defendant.

15 14. The client was referred to SANCHEZ because the agency believed that he
16 was a licensed clinical social worker. He also provided the agency a business card
17 stating, *Cesar Sanchez, LCSW-I, LADC; Licensed Clinical Social Worker Intern;*
18 *Licensed Alcohol & Drug Abuse Counselor.*

19 15. During March of 2006 SANCHEZ was not in an approved internship
20 program. On the business card, his agency was listed as Life Spring Counseling
21 Center, but this agency was not listed as an approved site for an internship program.
22 On numerous occasions he was warned by his previous intern supervisor, his proposed
23 internship supervisor at Harmony, and the Board that Life Spring was not an approved
24 site nor could he engage in clinical social work practice at that site.

25 16. Board records indicate that on April 11, 2005, he sent a letter
26 acknowledging to the Board that the Life Spring site was not appropriate; nevertheless,
27 he willfully continued to represent himself as a Clinical Social Work Intern at Life Spring
28 since April of 2005.

17 This conduct violated NAC 641B.200(1) which states that a licensee shall
2 not use his status to support any claim, promise or guarantee of successful service, nor
3 may the license be used to imply that the licensee has competence in another
4 profession

5 18. This conduct violated NAC 641B.200(2) which states that a licensee shall
6 not misrepresent, directly or by implication, his own professional qualifications,
7 competency, affiliations and licenses, or those of the institutions and organizations with
8 which he is associated

9 19. This conduct also violated NAC 641B.200(3) which states that if a licensee
10 holds more than one occupational license, he shall disclose to his client orally and in
11 writing the type of practice of social work in which the licensee is engaged and which of
12 the licenses apply to the practice of social work the licensee is providing to that client. .

13 20 This conduct also violated NAC 641B.200(5) which states that a licensee
14 shall not use his relationship with a client to further his own personal, religious,
15 political or business interests

16 21 This conduct violated NAC 641B.200(8) which states that a licensee shall
17 not knowingly offer service to a client who is receiving treatment from another licensee
18 without prior consultation between the client and the other licensee

19 22 This conduct also violated NAC 641B.200(10) which states that a licensee
20 shall not attempt to diagnose, prescribe for, treat or advise on any problem outside his
21 field of competence

22 23. This conduct also violated NAC 641B.200(11) which states that a licensee
23 shall base his practice upon recognized knowledge relevant to social work.

24 24 This conduct also violated NAC 641B.200(16) which states that a licensee
25 shall adequately complete and submit to the Board any reports required pursuant to
26 Chapter 641B of NRS, any regulations adopted pursuant to that chapter and any order,
27 rule or instruction of a court of competent jurisdiction in a timely manner

28

25. This conduct also violated NAC 641B.200(17) which states that a licensee shall comply with all the provisions of the statutes and regulations governing the practice of social work that are set forth in this chapter

26. This conduct also violated NAC 641B.205(1) which states that a licensee shall practice social work with professional skill and competence.

27. This conduct also violated NAC 641B.205(5) which states that a licensee shall not misrepresent to a client the efficacy of his service or the results to be achieved.

28. This conduct also violated NAC 641B.205(6) which states that a licensee shall apprise his clients of the risks, rights, opportunities and obligations, financial or otherwise, associated with the provision of social work services to them.

29. This conduct also violated NAC 641B.205(7) which states that a licensee shall seek advice and counsel of colleagues and supervisors whenever it is in the best interest of the client. . .

30. This conduct also violated NAC 641B.205(11) which states that a licensee shall not influence or attempt to influence a client in any manner which could be reasonably be anticipated to result in the licensee deriving benefits or an unprofessional nature during the time

31. This conduct also violated NAC 641B.205(14) which states that a licensee shall not cause a client physical, mental or emotional harm by taking direct or indirect actions or failing to take appropriate actions.

32. This conduct violates NRS 641B.400(3)(c) which states that a licensee shall not use fraud or deception in rendering services as a social worker.

33. That the foregoing facts constitute grounds for initiating disciplinary action pursuant to NRS 641B.400.

34. That pursuant to Nevada Revised Statute (NRS) 641B.430(3) and (4):

If the Board finds the person guilty as charged in the complaint it may by order:

a) Place the person on probation for a specified period or until further order of the board.

- b) Administer to the person a public reprimand.
- c) Limit the practice of the person to, or by exclusion of, one or more specified branches of social work.
- d) Suspend the license of the person to practice social work for a specified period or until further order of the board.
- e) Revoke the license of the person to practice social work.
- f) Impose a fine of not more than \$5000, which must be deposited with the state treasurer for credit to the state general fund.
- g) Require the person to pay all costs incurred by the board relating to the discipline of the person.

The order of the board may contain other terms, provisions or conditions, as the board deems proper and which are not inconsistent with law.

STIPULATED ADJUDICATION

SANCHEZ stipulates that pursuant to the authority of NRS 641B.430(3), the BOARD will impose a nine (9) month suspension of SANCHEZ's license. Specifically, SANCHEZ agrees to comply with the following conditions:

1. SANCHEZ agrees not to apply to reinstate or restore his license or to apply for a new license to practice social work in the State of Nevada for nine (9) months from the effective date of this Consent Decree. This nine (9) month time period shall begin upon execution of this Consent Decree by the presiding member of the BOARD.

2. Within forty-five (45) days of the approval and execution of this Consent Decree, SANCHEZ shall pay the BOARD five hundred dollars (\$500.00) in legal and investigative fees.

3. If SANCHEZ decides to apply to reinstate or restore his license or to apply for a new license to practice social work after this nine (9) month period, SANCHEZ agrees that he will

1 a. Meet all licensing requirements in effect at the time he applies to
2 reinstate or restore his license or applies for a new license to practice social work. This
3 will include, but is not limited to, successfully passing any test or tests that are required
4 of all applicants.

5 b. Provide proof to the BOARD from a BOARD approved forensic
6 psychiatrist or forensic psychologist that he is fit to act as a social worker.

7 4. After his license is reinstated, SANCHEZ stipulates that pursuant to the
8 authority of NRS 641B.430(3)(a), the BOARD may impose a one (1) year period of
9 probation upon his license to practice social work in the State of Nevada subject to the
10 following terms and conditions:

11 a. SANCHEZ meets monthly with a BOARD approved licensed clinical
12 social worker who will consult with SANCHEZ. During this period of consultation,
13 SANCHEZ will write, and the supervisor will sign quarterly reports that must be
14 submitted to the BOARD regarding SANCHEZ's counseling sessions. Issues to be
15 discussed in the monthly meeting and addressed in the report to the Board must
16 include:

- 17 (i) Boundaries and dual relationships;
18 (ii) Review of judgment skills and decision-making abilities;
19 (iii) Professional responsibilities to clients and colleagues; and
20 (iv) The obligations and risks associated with the provisions of
21 social work services.

22 b. SANCHEZ shall obey all federal, state and local laws, insurance
23 company policies or contracts and orders of the BOARD, which are not inconsistent with
24 this Consent Decree, pertaining to the practice of social work in this State. Any and all
25 violations shall be reported by SANCHEZ to the BOARD in writing within seventy-two
26 (72) hours.

27 c. SANCHEZ is required to notify the BOARD in writing within
28 seventy-two (72) hours after any change in social work employment, consulting or

1 volunteering. Any notification of termination shall contain a full explanation of the
2 circumstances surrounding it.

3 d. SANCHEZ shall receive credit toward service of his probation
4 period only while employed as a Licensed Social Worker in the State of Nevada.

5 e. SANCHEZ shall notify all current and potential employers of any
6 term or condition of probation which will affect his employment. SANCHEZ shall
7 provide a copy of the consent decree to each employer during the length of probation.
8 Such notification shall be signed by each employer. SANCHEZ shall submit, upon
9 request by the BOARD or its designee, satisfactory evidence of compliance with this
10 term of probation.

11 f. SANCHEZ must attend at least twelve (12) hours of continuing
12 education pre-approved by the Board on the issue of boundaries, dual relationships,
13 and ethics, and upon completion, submit a report to the BOARD regarding how the
14 education impacted SANCHEZ.

15 5. SANCHEZ must provide evidence to the satisfaction of the BOARD of
16 safe and ethical practice prior to removal of the probation on his license to practice
17 social work.

18 6. SANCHEZ agrees that he will be financially responsible for all
19 requirements of this Consent Decree, including the cost of any reasonable financial
20 assessments by the Board for the Cost of monitoring his compliance or carrying out the
21 provisions of this Consent Decree

22 7. After a minimum of one (1) year, SANCHEZ may apply to the BOARD for
23 termination of his probation and full reinstatement of his expired license number 4253-S.
24 He shall meet with the President of the BOARD or his/her designee, the Executive
25 Director and BOARD counsel for evaluation of his compliance with the Consent Decree
26 and for their recommendation or termination of probation, full reinstatement, or
27 additional disciplinary action at a separate hearing before the BOARD.

28

VIOLATION OF TERMS OF CONSENT DECREE

SANCHEZ understands that the BOARD may, upon thirty (30) days notice to SANCHEZ, convene a hearing for the limited purpose of establishing that he has, in fact, been in violation of the terms of this Consent Decree. If such a hearing results in a finding of a violation of this Consent Decree, the BOARD may impose any penalty upon SANCHEZ authorized by NRS 641B.430(3), and (4) including, but not limited to, revocation of his license to practice social work in the State of Nevada.

In the event that a violation of the terms of the Consent Decree is alleged, SANCHEZ agrees to surrender his license to the Executive Director, if the Executive Director so requests, and refrain from practicing social work until entry of a final order of the BOARD or a court of competent jurisdiction, whichever last occurs, regarding a potential violation. SANCHEZ agrees to waive his right to appeal the substantive legal basis of the original disciplinary action, which is the basis for this Consent Decree. In the event an alleged violation of the Consent Decree is taken to hearing and the facts which constitute the violation are determined to be not proven, no disciplinary action shall be taken by the BOARD and the suspension previously ordered by the BOARD shall again be operative and in full force and effect.

ACCEPTANCE BY THE BOARD

This Consent Decree was presented and accepted by the BOARD with a recommendation for approval from the Attorney General's Office at its next meeting.

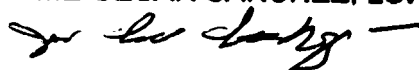
COMPLETE CONSENT DECREE

This Consent Decree embodies the entire agreement between the BOARD and JAIME CESAR SANCHEZ. It may not be altered, amended, or modified without the express written consent of the parties.

DATED this 20th day of JUNE, 2007



JAIME CESAR SANCHEZ, LSW



DATED this _____ day of _____, 2007

STATE OF NEVADA BOARD OF
EXAMINERS FOR SOCIAL WORKERS

See attached

RANDY REINOSO, LSW
Presiding Officer

The foregoing Consent Decree between JAIME CESAR SANCHEZ and the STATE OF NEVADA BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case Nos. G06-08 and G06-15 is approved as to form and content.

CATHERINE CORTEZ MASTO
Attorney General

By



HENNA KACYRA

Deputy Attorney General

5420 Kietzke Lane, Suite 202

Reno, Nevada 89511

(775) 850-4107

Counsel to the State of Nevada Board
of Examiners for Social Workers

Office of the Attorney General
5420 Kietzke Lane, Suite 202
Reno, NV 89511

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COMPLETE CONSENT DECREE

This Consent Decree embodies the entire agreement between the BOARD and JAIME CESAR SANCHEZ. It may not be altered, amended, or modified without the express written consent of the parties.

DATED this _____ day of _____, 2007

JAIME CESAR SANCHEZ, LSW

DATED this June day of 22, 2007

STATE OF NEVADA BOARD OF
EXAMINERS FOR SOCIAL WORKERS


RANDY REINOSO, LSW
Presiding Officer

The foregoing Consent Decree between JAIME CESAR SANCHEZ and the STATE OF NEVADA BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case Nos. G06-08 and G06-15 is approved as to form and content.


CATHERINE CORTEZ MASTO
Attorney General

By: _____
HENNA KACYRA
Deputy Attorney General
5420 Kietzke Lane, Suite 202
Reno, Nevada 89511
(775) 850-4107
Counsel to the State of Nevada Board
of Examiners for Social Workers

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 10th day of June, 2007, served a copy of the foregoing CONSENT DECREE, by placing said document in the U.S. Mail, Certified, Return Receipt Requested, first class postage prepaid, addressed to:

Jaime Cesar Sanchez
9550 W. Sahara Avenue
Las Vegas, NV 89117


An Employee of the Office
of the Attorney General

BEFORE THE NEVADA STATE BOARD OF
EXAMINERS FOR SOCIAL WORKERS

IN THE MATTER OF)

MARILYN ANDERSON)
LSW NO. 4363-S)

CASE NO. G06-02

Respondent.)

CONSENT DECREE

The State of Nevada Board of Examiners for Social Workers ("BOARD") having jurisdiction over licensee MARILYN ANDERSON ("ANDERSON"), pursuant to NRS 641B.020; accusations against said licensee having been received alleging violations of the Nevada statutes and regulations controlling the practice of social work; and the parties being mutually desirous of settling the controversy between them relative to the pending accusation;

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

VOLUNTARY WAIVER OF RIGHTS

ANDERSON is aware of, understands, and has been advised of the effect of this Consent Decree, which she has carefully read and fully acknowledges ANDERSON has had the opportunity to consult with competent counsel of her choice

ANDERSON has freely and voluntarily entered into this Consent Decree, and she is aware of her rights to contest the charges pending against her. These rights include representation by an attorney at her own expense, the right to file an answer in response to a formal complaint, the right to a public hearing on any charges or allegations formally filed, the right to confront and cross-examine witnesses called to testify against her, the right to present evidence on her own behalf, the right to testify on her own behalf, the right to receive written findings of fact and conclusions of law

1 supporting the decision on the merits of the complaint, and the right to obtain judicial
2 review of the decision. All of these rights are being voluntarily waived by ANDERSON
3 in exchange for the BOARD'S acceptance of this Consent Decree.

4 If the Consent Decree is not accepted by the BOARD, no member of the BOARD
5 will be disqualified from further hearing of this matter, by reason of his or her
6 consideration of the Consent Decree and ANDERSON hereby waives any claim of bias
7 or prejudice based upon said consideration by any member of the BOARD in any
8 subsequent disciplinary hearing conducted by the BOARD.

9 JURISDICTION

10 ANDERSON acknowledges that the BOARD has jurisdiction over her and the
11 conduct that has precipitated this Consent Decree. ANDERSON acknowledges that the
12 BOARD has the legal power and authority to take disciplinary action, including, but not
13 limited to, the revocation of her license to practice social work in Nevada.

14 ANDERSON acknowledges that the BOARD will retain jurisdiction over this
15 matter until all terms and conditions set forth in this Consent Decree have been met to
16 the satisfaction of the BOARD.

17 PUBLICATION OF CONSENT DECREE

18 ANDERSON acknowledges that at the time this Consent Decree becomes
19 effective, it also becomes a public document and will be reported to the Disciplinary
20 Action Reporting System (DARS) of the Association of Social Work Boards (ASWB) or
21 such other national databases as required by law. It is also understood that the meeting
22 in which the BOARD considers and accepts or rejects this Consent Decree is open to
23 the public and that the minutes of the BOARD meeting are a public document, available
24 for inspection by any person so requesting.

25 STIPULATED FACTS AND CONCLUSIONS OF LAW

26 ANDERSON understands the nature of the allegations under consideration by
27 the BOARD. She acknowledges that the conduct described below constitutes violations
28 of the Nevada Social Work Practice Act (NRS and NAC 641B). She acknowledges that

1 if this matter were to be taken to a disciplinary hearing before the BOARD, the following
2 allegations could be proven by substantial evidence and that by acknowledging the
3 same, she is subject to disciplinary action by the BOARD:

4 1. ANDERSON was licensed as a Social Worker on or about March 26,
5 2003, through the present day.

6 2. On or about February 27, 2006, the BOARD received results from the
7 Federal Bureau of Investigation and the Nevada Criminal History of Records Repository
8 of a fingerprint search from cards ANDERSON submitted with her application indicating
9 that she was arrested on March 17, 2005 and charged with felony child neglect with
10 substantial bodily harm (Clark County District Court, Nevada, Case Number C220141).

11 3. ANDERSON failed to notify the BOARD within 10 days of the arrest that
12 she had been charged with a felony (Clark County District Court, Nevada, Case Number
13 C220141).

14 4 On or about April 14, 2005, the BOARD office received a renewal
15 application for her Social Worker license 4363-S, wherein ANDERSON answered "no"
16 to Question #6 which states "Since your 2004 renewal or your initial licensure [after May
17 31, 2003] have you been convicted or charged with a criminal or civil offense.

18 5. On or about December 29, 2005, the BOARD office received an
19 application from ANDERSON for an internship programs, wherein she answered "no" to
20 Question #2 which states "Have you ever been arrested or convicted of any offense
21 involving moral turpitude, ...

22 6. On March 21, 2006, ANDERSON, through her attorney, Valerie Fujii, Esq
23 entered into a guilty plea agreement with the Clark County District Attorney, wherein
24 she plead guilty to Child Abuse and Neglect (Felony - NRS 200.508, 0.060) and Child
25 Neglect (Gross Misdemeanor NRS 200.508) (Clark County District Court, Nevada,
26 Case Number C220141).

1 7. On July 12, 2006, Honorable Michael A. Cherry entered a Judgment of
2 | Conviction (Plea of Guilty) against ANDERSON for Child Neglect (Gross Misdemeanor),
3 | in violation of NRS 200.508, 193.140.

4 8. This conduct violated NRS 641B.400(1) which provides that a licensee
5 | who violates any provisions of NAC 641B.200 to 641B.125, inclusive, or commits any
6 | act that constitutes a basis for refusal by the BOARD to issue a license pursuant to
7 | subsection 2 of NRS 641B.260 is guilty of unprofessional conduct.

8 9. This conduct also violates NRS 641B.400(3) which provides that grounds
9 | for initiating disciplinary action exist where there is use of fraud or deception in applying
10 | for a license.

11 10. This conduct also violates NAC 641B.200(20) which provides that a
12 | licensee shall notify the BOARD in writing within 10 days after ... a criminal charge is
13 | filed against the licensee

14 11 That pursuant to Nevada Revised Statute (NRS) 641B.430(3) and (4):

15 If the Board finds the person guilty as charged in the
16 complaint it may by order:

17 a) Place the person on probation for a specified
 period or until further order of the board.

18 b) Administer to the person a public reprimand.

19 c) Limit the practice of the person to, or by exclusion
20 of, one or more specified branches of social work.

21 d) Suspend the license of the person to practice
22 social work for a specified period or until further order
 of the board.

23 e) Revoke the license of the person to practice social
 work.

24 f) Impose a fine of not more than \$5000, which must
25 be deposited with the state treasurer for credit to the
 state general fund.

26 g) Require the person to pay all costs incurred by the
27 board relating to the discipline of the person.

28

The order of the board may contain other terms, provisions or conditions, as the board deems proper and which are not inconsistent with law.

STIPULATED ADJUDICATION

ANDERSON stipulates that pursuant to the authority of NRS 641B.430(3), the BOARD will suspend her license to practice social work for one (1) year. suspension will be stayed and ANDERSON will be placed on probation for a two-year period. During this probationary period, ANDERSON agrees to comply with the following conditions:

1. ANDERSON shall maintain her license number LSW 4363-S during the probationary period delineated in paragraph 3 herein below.

2. Within forty-five (45) days of the approval and execution of this Consent Decree, ANDERSON shall pay the BOARD one thousand five hundred dollars (\$1,500.00) in legal and investigative fees.

3. The period of probation shall commence upon execution of this Consent Decree by the presiding member of the BOARD. After the probation has been in effect for a minimum two-year time period, ANDERSON may apply for relief from probation to the BOARD. Upon application for relief from probation ANDERSON agrees to meet with the President of the BOARD or his/her designee, the Executive Director BOARD counsel and prove compliance with the Consent Decree.

4. Provide proof to the BOARD from a BOARD approved forensic psychiatrist or forensic psychologist that she is competent to act as a social worker within forty-five (45) days from the execution of this Consent Decree.

5. During the term of probation, ANDERSON agrees to comply with the following terms and conditions:

a. ANDERSON's license shall be limited to exclude children under the age of fourteen (14) years old from her practice of social work during the probation period

1 b. ANDERSON meets monthly with a BOARD approved licensed
2 clinical social worker who wil consult with ANDERSON During this period of
3 consultation, ANDERSON will write, and the supervisor will sign quarterly reports that
4 must be submitted to the BOARD regarding ANDERSON's counseling sessions. Issues
5 to be discussed in the monthly meeting and addressed in the report to the Board must
6 include:

- 7 (i) Ethical issues relating to fraud and deception;
8 (ii) Professional responsibilities to clients, particularly children
9 under the age of fourteen (14) years old; and
10 (iii) The obligations and risks associated with the provisions of
11 social work services.

12 c. ANDERSON shall obey all federal, state and local laws, insurance
13 company policies or contracts and orders of the BOARD, which are not inconsistent with
14 this Consent Decree, pertaining to the practice of social work in this State. Any and all
15 violations shall be reported by ANDERSON to the BOARD in writing within seventy-two
16 (72) hours.

17 d. ANDERSON is required to notify the BOARD in writing within
18 seventy-two (72) hours after any change in social work employment, including self-
19 employment, consulting or volunteering. Any notification of termination shall contain a
20 full explanation of the circumstances surrounding it.

21 e. ANDERSON shal receive credit toward service of her probation
22 period only while employed as a Licensed Social Worker in the State of Nevada.

23 f. ANDERSON shall notify all current and potential employers of any
24 term or condition of probation which wil affect her employment. ANDERSON shal
25 provide a copy of the consent decree to each employer during the length of probation.
26 Such notification shall be signed by each employer. ANDERSON shall submit, upon
27 request by the BOARD or its designee, satisfactory evidence of compliance with this
28 term of probation

1 g. ANDERSON shall attend at least one (1) college course pre-
2 approved by the Board on Child Development, and upon completion, submit a report to
3 the BOARD regarding how the education impacted ANDERSON.

4 h. ANDERSON shall attend at least two (2) courses of three (3)
5 credits or more of continuing education pre-approved by the Board on the issue of
6 professional responsibility (including topics of fraud and deception on renewal
7 applications), ethics (including fraud and deception), and the practice of social work
8 (topics including child development, professional responsibility and ethics) and upon
9 completion, submit a report to the BOARD regarding how the education impacted
10 ANDERSON.

11 6. ANDERSON must provide evidence to the satisfaction of the BOARD of
12 safe practice prior to removal of the limitation on her license to practice social work with
13 children under the age of fourteen (14) The evidence the BOARD would like
14 ANDERSON to provide is a written statement from a BOARD approved forensic
15 psychiatrist/psychologist or supervisor stating that she is safe to be around children.

16 7. ANDERSON agrees that she will be financially responsible for all
17 requirements of this Consent Decree, including the cost of the Board approved forensic
18 psychiatric evaluation and any reasonable financial assessments by the Board for the
19 Cost of monitoring her compliance or carrying out the provisions of this Consent
20 Decree.

21 8. ANDERSON must obtain approval in advance from the BOARD for each
22 setting in which she proposes to practice social work. Approval is obtained from the
23 Executive Director in consultation with the President of the BOARD. The BOARD's
24 decision shall be provided within five (5) business days.

25 9. After a minimum of one year, ANDERSON may apply to the BOARD for
26 termination of her probation and full reinstatement of her license number 4363-S. She
27 shall meet with the President of the BOARD or his/her designee, the Executive Director
28 and BOARD counsel for evaluation of her compliance with the Consent Decree and for

1 their recommendation or termination of probation, full reinstatement, or additional
2 disciplinary action at a separate hearing before the BOARD.

3 10. The BOARD reserves the right to reinstate legal action against
4 ANDERSON, and the consent decree shall automatically terminate, should
5 ANDERSON violate her court ordered probation in Clark County District Court, Nevada,
6 Case Number C220141.

7 VIOLATION OF TERMS OF CONSENT DECREE

8 ANDERSON understands that the BOARD may, upon three days notice to
9 ANDERSON, convene a hearing for the limited purpose of establishing that there has,
10 in fact, been a violation of the terms of this Consent Decree. If such a hearing results in
11 a finding of a violation of this Consent Decree, the BOARD may impose any penalty
12 upon ANDERSON authorized by NRS 641B.430(3), and (4) including, but not limited to,
13 revocation of her license to practice social work in the State of Nevada.

14 In the event that a violation of the terms of the Consent Decree is alleged,
15 ANDERSON agrees to surrender her license to the Executive Director, if the Executive
16 Director so requests, and refrain from practicing social work until entry of a final order of
17 the BOARD or a court of competent jurisdiction, whichever last occurs, regarding a
18 potential violation. ANDERSON agrees to waive her right to appeal the substantive
19 legal basis of the original disciplinary action, which is the basis for this Consent Decree.
20 In the event an alleged violation of the Consent Decree is taken to hearing and the facts
21 which constitute the violation are determined to be not proven, no disciplinary action
22 shall be taken by the BOARD and the suspension previously ordered by the BOARD
23 shall again be operative and in full force and effect.

24 ACCEPTANCE BY THE BOARD

25 This Consent Decree shall be presented to the BOARD with a recommendation
26 for approval from the Attorney General's Office at the next regularly scheduled meeting
27 of the BOARD. ANDERSON understands that the BOARD is free to accept or reject
28

1 this Consent Decree, and if rejected by the BOARD, a disciplinary proceeding will be
2 commenced.

3 If the Consent Decree is not accepted by the BOARD, it shall be regarded as null
4 and void, and no member of the BOARD will be disqualified from further hearing this
5 matter by reason of his or her consideration of the Consent Decree.

6 Admissions by ANDERSON in the Consent Decree will not be regarded as
7 evidence against her at a subsequent disciplinary hearing. ANDERSON will be free to
8 defend herself and no inferences against ANDERSON will be drawn from her
9 willingness to enter into this Consent Decree.

10 This Consent Decree will not be submitted for BOARD consideration until after it
11 has been agreed to and executed by ANDERSON. The Consent Decree shall not
12 become effective until it has been approved by a majority of the BOARD and executed
13 by a representative member of the BOARD.

1 **COMPLETE CONSENT DECREE**

2 This Consent Decree embodies the entire agreement between the BOARD and
3 ANDERSON It may not be altered, amended, or modified without the express written
4 consent of the parties.

5 DATED this 20 day of June, 2007

6
7 
8 MARILYN ANDERSON, LSW

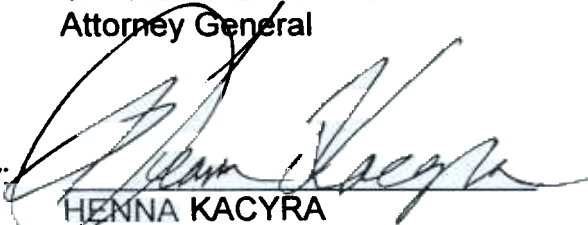
9
10 DATED this _____ day of _____, 2007

11
12 STATE OF NEVADA BOARD OF
13 EXAMINERS FOR SOCIAL WORKERS

14 By: RANDY REINOSO, Presiding Officer

15
16 The foregoing Consent Decree between MARILYN ANDERSON and the STATE
17 OF NEVADA BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case No. G06-02
18 is approved as to form and content.

19
20 CATHERINE CORTEZ MASTO
21 Attorney General

22
23 By: 
24 HENNA KACYRA
25 Deputy Attorney General
26 5420 Kietzke Lane, Suite 202
27 Reno, Nevada 89511
28 (775) 688-1818
Counsel to the State of Nevada Board
of Examiners for Social Workers

1 **COMPLETE CONSENT DECREE**

2 This Consent Decree embodies the entire agreement between the BOARD and
3 ANDERSON. It may not be altered, amended, or modified without the express written
4 consent of the parties.


5 DATED this _____ day of _____, 2007

6
7
8 MARILYN ANDERSON, LSW

9
10 DATED this 22nd day of June, 2007.

11
12 STATE OF NEVADA BOARD OF
EXAMINERS FOR SOCIAL WORKERS

13
14 By:


RANDY REINOSO, Presiding Officer

15
16 The foregoing Consent Decree between MARILYN ANDERSON and the STATE
17 OF NEVADA BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case No. G06-02
18 is approved as to form and content.

19
20 CATHERINE CORTEZ MASTO
Attorney General

21
22 By:

HENNA KACYRA
Deputy Attorney General
5420 Kietzke Lane, Suite 202
Reno, Nevada 89511
(775) 688-1818
Counsel to the State of Nevada Board
of Examiners for Social Workers

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ORDER

By a majority vote on the 22nd day of June, 2007, the State of Nevada Board of Examiners for Social Workers approved and adopted the terms and conditions set forth in the attached Consent Decree with MARILYN ANDERSON, LSW.

IT IS HEREBY ORDERED AND MADE EFFECTIVE.

DATED this 22nd day of June, 2007



RANDY REINOSO, LSW
Presiding Officer

Office of the Attorney General
54201
Reno, NV 89511