



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

October 19, 2001

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

Dear Mr. Malkiewich:

Pursuant to SB 420, the Board of Examiners for Social Workers is submitting the required quarterly disciplinary report for the period of July 1, 2001 through September 30, 2001. On July 1, 2001 the Board records reflect that 40 allegations had been received in the office. During the quarter the Board received an additional 10 allegations, dismissed 9 allegations and entered into four consent decrees in lieu of hearings. The Board held no hearings in the last quarter. Two formal complaints were filed in September for hearings to be held on October 12, 2001. On September 30, 2001, 37 allegation files remained open.

Attached is a summary of the consent decrees entered into by the Board for the last quarter. Please feel free to call me if you have any questions or would prefer to receive this material in a different format.

Sincerely,

NEVADA BOARD OF EXAMINERS
FOR SOCIAL WORKERS

Rosalind Tuana
Executive Director

Enclosure

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Consent Decree Summary for the period of 7/1/01 to 9/30/01

1. Consent Decree Case #G00-07 In the Matter of Kendall Coe, LASW 1020-A
Approved by the Board July 13, 2001

The decree stipulated to the following violations:

1. The respondent is guilty of NRS 641B.400(1) unprofessional conduct as defined at NAC 641B.220 which states that a licensee who violates any of the provisions of NAC 641B.200 to 641B.215, inclusive, is guilty of unprofessional conduct.
2. Specifically, respondent's conduct violated NAC 641B.200(2)(a) which provides that a licensee shall not practice social work while the licensee is impaired by alcohol, drugs or any other chemical.
3. Respondent's conduct also violated NAC 641B. 205(1) which provides that "[a] licensee shall serve clients with professional skill and competence.

The stipulated form of discipline was as follows:

1. Coe will voluntarily surrender her license effective July 27, 2001 and will discontinue the practice of social work in the state of Nevada.
2. Coe further agrees that she will not attempt to restore or renew her license for at least five (5) years from July 27, 2001.
3. Coe further agrees that before the Board would consider a future application for licensure, Coe must provide the Board with both a substance abuse evaluation and a psychological evaluation from Board approved practitioners, each of which must have been completed within ninety (90) days prior to the date of her application for licensure.
4. Coe agrees to pay \$750.00 in legal and investigative costs payable in the amount of \$50.00 per month by the first of the month, commencing on October 1, 2001.

2. Consent Decree in the matter of Karmen Smith, LSW 01141-S G01-04
Approved by the Board on September 7, 2001

The decree stipulated to the following violations.

1. A violation of NAC 641B.400(3)(a) for her deceptive practice of signing the quarterly reports and submitting them in support of her application for license as a clinical social worker
2. A violation of NAC 641B.200(15) which provides that a licensee shall comply with all provisions of the statutes and regulations governing the practice of social work set forth in Chapter 641B of the Nevada Administrative Code and the Nevada Revised Statutes and all similar laws and regulations.
3. The respondent was guilty of unprofessional conduct as defined at NAC 641B.220 which states that a licensee who violates any of the provisions of NAC 641B.200 to 641B.215, inclusive, is guilty of unprofessional conduct.

The final stipulated form of discipline was as follows:

1. Pursuant to NRS 641B.430(3)(a), the Board shall impose a minimum one (1) year period of probation upon Smith's license to practice social worker subject to the following terms:
 - a. Smith shall obey all federal, state and local laws and orders of the Board, which are not inconsistent with this consent decree, pertaining to the practice of social work.
 - b. Smith is required to notify the Board in writing within seventy-two (72) hours after any change of social work employment, including self-employment, consulting or volunteering. Any notification of termination shall contain a full explanation of the circumstances surrounding it.
 - c. Smith shall notify the Board in writing of, and prior to, any change of address..
 - d. In the event new allegations are reported to the Board after September 7, 2001, this consent decree may be used as evidence against Smith for the purpose of proving additional violations of the Nevada Social Work Practice Act.

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- e. That Smith's clinical internship with CCFYS was not completed in a timely manner and Smith will not be granted an extension of time to complete her clinical internship.
- f. If Smith chooses to pursue licensure as an LCSW, she will need to submit a new application for a clinical internship and provide her proposed internship supervisor with a copy of this Consent Decree before signing a supervisor agreement.
- g. Before the Board will approve her request for a clinical internship, Smith shall meet face-to-face with a Board approved social work consultant, at least once per week, for a minimum of three months. The Board approved consultant will review and discuss Smith's caseload, evaluate her social work skills and discuss her professional responsibilities as a social worker and as an intern in a clinical program.
- h. If Smith chooses not to pursue licensure as an LCSW, she shall meet face-to-face with a Board approved social work consultant on a bi-monthly basis for the duration of her probationary period. The Board approved consultant will review and discuss Smith's caseload, evaluate her social work skills and discuss her professional responsibilities as a social worker.
- i. Before the Board will release Smith from probation, the Board must receive a satisfactory written report from the Board approved consultant recommending that Smith be released from probation.
- j. Smith will be financially responsible for all requirements of this Consent Decree, including the cost of the Board approved consultant and any reasonable financial assessments by the Board for the cost of monitoring her compliance or carrying out the provisions of this Consent Decree.
- k. Smith shall receive credit toward service of her probation period only while employed as a Licensed Social Worker in the State of Nevada.
- l. After a minimum of one(1) year probation, Smith shall Apply for termination of probation to the Board. She shall meet with the President of the Board the Executive Director and Board counsel for evaluation of her compliance with the Consent Decree and for their recommendation of termination of probation, or additional disciplinary action at a separate hearing before the Board.
- m. Smith shall pay \$500.00 in legal and investigative costs payable in monthly installments in the amount of \$100.00 per month with the first payment due on or before October 1, 2001.

3. Consent Decree in the matter of Catherine Bergan-Hope, LSW 01141-S G01-07 Approved by the Board on September 7, 2001

The decree stipulated to the following violation:

1. A violation of NRS 641B.400(6) for practicing social work without a license.

The stipulated form of discipline was as follows:

1. The Board shall impose a public reprimand relating to her professional misconduct as outlined
2. Within twelve months from the date the Consent Decree is approved by the Board, respondent shall complete fifteen (15) hours of continuing education courses relating to the issue of professional responsibility. These courses are in addition to the continuing education hours required for license renewal. The courses must be approved by the Board or its designee and the cost of these courses will be paid by respondent.
3. Respondent shall appear before the Board within ninety (90) days from the date the Consent Decree is approved by the Board to receive her public reprimand and to demonstrate her understanding concerning the nature of the violation.
4. In the event new allegations are reported to the Board after September 7, 2001, this Consent Decree may be used as evidence against respondent for the purpose of proving additional violations of the Nevada Social Work Practice Act.
5. Respondent shall pay \$300 in legal and investigative costs within 30 days from the date of the Consent Decree.

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4. Consent Decree in the matter of Sammie Smith, LCSW 2285-C G01-05
Approved by the Board on September 7, 2001

The decree stipulated to the following violations:

1. A violation of NRS 641B.400(2)(c) which provides that grounds for disciplinary action include a conviction of "[a] violation of any federal or state law regulating the possession, distribution or use of any controlled substance or dangerous drug as defined in chapter 454 of NRS[.]"

The stipulated form of discipline is as follows:

The Board shall impose a minimum two (2) year period of probation upon her license to practice social work in the State of Nevada subject to the following terms and conditions:

1. Smith shall obey all federal, state and local laws and orders of the Board, which are not inconsistent with this consent decree, pertaining to the practice of social work.
2. Smith is required to notify the Board in writing within seventy-two (72) hours after any change of social work employment, including self-employment, consulting or volunteering. Any notification of termination shall contain a full explanation of the circumstances surrounding it.
3. Smith shall notify the Board in writing of, and prior to, any change of address.
4. In the event new allegations are reported to the Board after September 7, 2001, this consent decree may be used as evidence against Smith for the purpose of proving additional violations of the Nevada Social Work Practice Act.
5. Within forty-five (45) days of the approval and execution of this Consent Decree, Smith shall submit to both a substance abuse evaluation and a psychological evaluation by Board approved practitioners.
6. Within ninety (90) days of the approval and execution of this Consent Decree, Smith shall ensure that each practitioner submits a written report to the Board relating the results of the evaluation and any recommendations concerning treatment or counseling. If any treatment or counseling is recommended, Smith shall comply with these recommendations and shall ensure that the applicable practitioner submits a monthly status report to the Board until the period of probation is terminated.
7. Smith shall abstain from the use of alcohol and all mood-altering drugs and controlled substances except when absolutely required for documented medical treatment. All other methods of alternative treatment must be tried and failure must be documented prior to use of any mood-altering drugs. This treatment must be prescribed by a person authorized by law to prescribe such substances and who is knowledgeable about the disease of addiction and Smith's history. This treatment must be reported to the Board, in writing, within seven (7) days accompanied by the above-described documentation.
8. During the period of probation, Smith shall participate in monthly "face-to-face" consultations with a Board approved Licensed Clinical Social Worker who shall review Smith's caseload and monitor her ability to perform the duties of her job.
9. Smith shall ensure that the Board approved consultant submits a monthly written report to the Board certifying that Smith is performing the duties of her job in a professional and competent manner that does not jeopardize the health and safety of her clients.
10. Smith will be financially responsible for all requirements of this Consent Decree, including the cost of the consultant, the substance abuse and psychological evaluations and subsequent treatment, and, any reasonable financial assessments by the Board for the cost of monitoring her compliance or carrying out the provisions of this Consent Decree.
11. Smith shall receive credit toward service of her probation period only while employed as a social worker in the State of Nevada.
12. After a minimum of two (2) year probation, Smith shall Apply for termination of probation to the Board. She shall meet with the President of the Board, the Executive Director and Board counsel for evaluation of her compliance with the Consent Decree and for their recommendation of termination of probation, or additional disciplinary action at a separate hearing before the Board.
13. Smith shall pay \$500.00 in legal and investigative costs payable in monthly installments in the amount of \$100.00 per month with the first payment due on or before October 1, 2001.