



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

October 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 July 1, 2007 through September 30, 2007. On June 30, 2007, the Board records reflected thirty three (33) active allegation files. An adjustment was made to the June 30, 2007 figure reported last quarter because the report did not reflect that one of the consent decrees reported covered two allegation files. During the quarter the Board received five (5) new allegations and dismissed one (1) allegation. At the July meeting, the Board approved two consent decrees which resulted in action against Melodie Masterson, LSW and Gerald Earl, LCSW. At the September meeting, the Board approved two additional consent decrees which resulted in action against Philip James, LSW and Michael Gordon, LSW. On September 30, 2007, thirty-three (33) 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.

- 54 New social work licenses were issued
 - 40 Social Workers
 - 14 Clinical Social Workers

During this same period, 38 social work licenses expired and are no longer valid. This included 8 Clinical Social Workers, 27 Social Workers (4 which received a higher level of licensure) and 3 Associates in Social Work. Accordingly, there was a net gain of 16 social work licenses.

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

Sincerely,

NEVADA BOARD OF EXAMINERS
FOR SOCIAL WORKERS

Rosalind Tuana
Executive Director

Enclosures (4)

**BEFORE THE NEVADA STATE BOARD OF
EXAMINERS FOR SOCIAL WORKERS**

IN THE MATTER OF)

MICHAEL GORDEN)
LSW NO. 4602-S)

Respondent.)

CASE NO. G07-06

CONSENT DECREE

The State of Nevada Board of Examiners for Social Workers ("BOARD") having jurisdiction over licensee MICHAEL GORDEN ("GORDEN"), pursuant to NRS 641B.020; a self-reported based 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

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

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

24 STIPULATED FACTS AND CONCLUSIONS OF LAW

25 GORDEN 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

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

3 1. GORDEN was licensed as a Social Worker on or about June 4, 2004,
4 through the present day.

5 2. It is alleged that GORDEN was recently appointed "Guardian of the
6 Person" of an elderly female patient, Client A.

7 3. GORDEN was employed as a social worker at a Long Term Nursing
8 Facility ("LTNF") when Client A was admitted to the facility on or about June 5, 2005.

9 4. Client A had no family in Nevada, and GORDEN did not have a prior
10 relationship with Client A before she was admitted to the facility.

11 5. As part of his responsibilities as a social worker at the facility, GORDEN
12 assisted in the discharge of Client A.

13 6. n February of 2006, GORDEN left his employment at LTNF.

14 7. After Client A left the facility, GORDEN continued to provide her with
15 services, including subsequent discharges from other facilities where she had been
16 placed. It was during this time the court appointed GORDEN as her "Guardian of the
17 Person".

18 8. The court also gave GORDEN instructions to review how the bank had
19 been handling Client A's trust fund

20 9. Since Client A's death, GORDEN has sought reimbursement for his
21 services as Client A's "Guardian of the Person".

22 10. This conduct violated NAC 641B.200(5) which states that a licensee shal
23 not use a relationship with a client; person with significant personal ties to the client,
24 whether or not related by blood; or legal representative of the client to further his own
25 personal, religious, political or business interests.

26 11 This conduct also violated NAC 641B.200(6) which states that a licensee
27 is responsible for setting and maintaining professional boundaries with a client; person
28

1 with significant personal ties to the client, whether or not related by blood; legal
2 representative of the client

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

5 13. This conduct also violated NAC 641B.205(7) which states that a licensee
6 shall seek advice and counsel of colleagues and supervisors whenever it is in the best
7 interest of the client. A licensee shall collaborate with other colleagues as necessary to
8 meet the needs or interests of the client.

9 14. This conduct also violated NAC 641B.205(8) which states that a licensee
10 shall terminate service to a client and a professional relationship with a client when the
11 service and relationship are no longer required or no longer serve the needs or
12 interests of the client.

13 15. This conduct also violated NAC 641B.205(11) which states that except as
14 otherwise provided in subsection 12, a licensee shall not influence or attempt to
15 influence a client; person with significant personal ties to a client, whether or not related
16 by blood; or legal representative of the client in any manner which could reasonably be
17 anticipated to result in the license deriving benefits of an unprofessional nature during
18 the time that the client is receiving professional services and for 2 years after the
19 termination of the services.

20 16. This conduct also violated NAC 641B.205(13) which states that a licensee
21 shall not solicit or enter into a dual relationship with a client for at least 2 years after the
22 termination of the professional relationship.

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

26 18. That the foregoing facts constitute grounds for initiating disciplinary action
27 pursuant to NRS 641B.400.
28

19. 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

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

1 GORDEN shall maintain his license number LSW 4602-S during the probationary period delineated in paragraph 3 herein below.

2. Within ninety (90) days of the approval and execution of this Consent Decree, GORDEN shall pay the BOARD four hundred dollars (\$400.00) 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

1 for a minimum two-year time period, GORDEN may apply for relief from probation to the
2 BOARD. Upon application for relief from probation GORDEN agrees to meet with the
3 President of the BOARD or his/her designee, the Executive Director and BOARD
4 counsel and prove compliance with the Consent Decree.

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

7 a. GORDEN shall obey all federal, state and local laws, and orders of
8 the BOARD, which are not inconsistent with this Consent Decree, pertaining to the
9 practice of social work in this State. Any and all violations shall be reported by
10 GORDEN to the BOARD in writing within seventy-two (72) hours.

11 b. GORDEN is required to notify the BOARD in writing within seventy-
12 two (72) hours after any change in social work employment, including self-employment,
13 consulting or volunteering. Any notification of termination shall contain a full explanation
14 of the circumstances surrounding it.

15 c. GORDEN shall notify his current employer and any future employer
16 of this Consent Decree while the Consent Decree is in force.

17 d. GORDEN shall meet monthly with a BOARD approved licensed
18 clinical social worker who will consult with GORDEN. During this period of consultation,
19 GORDEN will write, and the consultant will sign, quarterly reports that must be
20 submitted to the BOARD regarding GORDEN's one hour counseling sessions. The
21 consultant shall be independent, with no prior business, professional or personal
22 relationship with the GORDEN. Issues to be discussed in the monthly meeting and
23 addressed in the report to the Board must include:

- 24 (i) Boundaries and dual relationships;
- 25 (ii) Professional responsibilities to clients;
- 26 (iii) Use and misuse of power in client relationships; and
- 27 (iv) Review of NAC 641B, "Standards of Practice" for Social
28 Workers

1 e. GORDEN must attend at least six hours of continuing education
2 pre-approved by the Board on the issue of boundaries, dual relationships, and ethics,
3 and upon completion, submit a report to the BOARD regarding how the education
4 impacted GORDEN.

5 f. Within forty-five (45) days of the effective date of the Consent
6 Decree, GORDEN must complete a psychological evaluation showing ~~fitness~~ to practice
7 social work. The forensic psychologist must be approved by the Board. A report from
8 the psychologist showing that GORDEN is fit to practice social work must be filed with
9 the Board within ninety (90) days of the effective date of the Consent Decree

10 g. GORDEN shall receive credit toward service of his probationary
11 period only while employed as a Licensed Social Worker in the State of Nevada as
12 delineated in this ~~section~~ of the Consent Decree

13 5. GORDEN will be financially responsible for all requirements of this Consent
14 Decree, including the cost of the Board approved consultant and any reasonable financial
15 assessments by the Board for the cost of monitoring his compliance or carrying out the
16 provisions of this Consent Decree.

17 VIOLATION OF TERMS OF CONSENT DECREE

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

24 In the event that a violation of the terms of the Consent Decree is alleged,
25 GORDEN agrees to surrender his license to the Executive Director, if the Executive
26 Director so requests, and refrain from practicing social work until entry of a final order of
27 the BOARD or a court of competent jurisdiction, whichever last occurs, regarding a
28 potential violation. GORDEN 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.

1 **COMPLETE CONSENT DECREE**

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

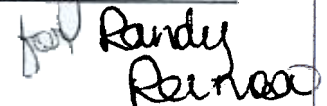
5 DATED this 15 day of August, 2007.

6
7
8 By 
MICHAEL GORDEN, LSW

9
10 DATED this 24 day of September, 2007.

11
12 **STATE BOARD OF EXAMINERS
FOR SOCIAL WORKERS**

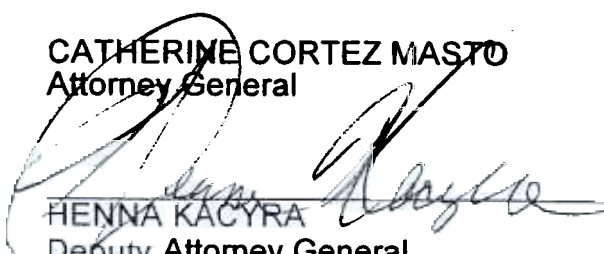
13
14 By: 
15 RANDY REINOSO
Presiding Officer



16
17 The foregoing Consent Decree between MICHAEL GORDEN and the STATE OF
18 NEVADA BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case No. G07-06 is
19 approved as to form and content.

20 DATED this 17 day of August, 2007.

21
22 CATHERINE CORTEZ MASTO
Attorney General

23
24 By: 
25 HENNA KACYRA
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*

ORDER

By a majority vote on the 14th day of September, 2007, the State of Nevada Board of Examiners for Social Workers approved and adopted the terms and conditions set for the in the attached Consent Decree with MICHAEL GORDEN, LSW.

IT IS HEREBY ORDERED AND MADE EFFECTIVE.

DATED this 24 day of September, 2007.

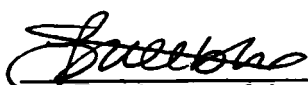

RANDY REINOSO, LSW
Presiding Officer

for Randy
Reinoso

1 **CERTIFICATE OF SERVICE**

2 certify that am an employee of the Office of the Attorney General and that on
3 this 1st day of August, 2007, served a copy of the foregoing CONSENT DECREE,
4 by placing said document in the U.S. Mail, Certified, Return Receipt Requested, first
5 class postage prepaid, addressed to:

6 Michael Gorden, LSW
7 4411 Leche Way
8 Reno, Nevada 89502

9 

10 An Employee of the Office
11 of the Attorney General

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**BEFORE THE NEVADA STATE BOARD OF
EXAMINERS FOR SOCIAL WORKERS**

IN THE MATTER OF

PHILLIP JAMES
LSW NO. 4152-S

G07-04

Respondent.

IT DECREE

The State of Nevada BOARD of Examiners for Social Workers ("BOARD") having jurisdiction over

accu

received

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

Consent Decree, which he has carefully read and fully acknowledges. JAMES has had the opportunity to consult with competent counsel of his choice.

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

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

24 STIPULATED FACTS AND CONCLUSIONS OF LAW

25 JAMES 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

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

3 1 JAMES was originally licensed as a licensed social worker on or about
4 January 22, 2002. His license lapsed on June 30, 2005. His license was then restored
5 on January 3, 2007, and has been in effect through the present day.

6 2. It is alleged that JAMES submitted a forged document to the Department
7 of Personnel when applying for a job as a social worker for the State of Nevada.

8 3. JAMES interviewed for a vacant position and in the course of that
9 interview he provided the interviewer with three (3) letters of reference.

10 4 One letter was allegedly written by TS, Elder Right Supervisor for the
Division of Aging Services.

12 5. When TS was contacted by the Personnel Office, she indicated that she
13 did not write the letter of recommendation that JAMES provided to the Department of
14 Personnel interviewer.

15 6. TS further indicated that she had received several calls from both Texas
16 and New Mexico where the same letter was submitted as part of JAMES' interview
17 packet to obtain social work positions in those states.

18 7. TS reported that the agencies were informed that she did not write or sign
19 this letter.

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

24 9. This conduct violated NAC 641B.200(1) which states that a licensee shall
25 base his practice upon recognized knowledge relevant to social work.

26 10. This conduct violated NAC 641B.205(1) which states that a licensee shall
27 practice social work with professional skill and competence.
28

11 This conduct violated NAC 641B.400(3) which states that a licensee shall not use fraud and deception in rendering services as a social worker.

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

13. 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

JAMES stipulates that pursuant to the authority of NRS 641B.430(3) and (4), the BOARD will administer a public reprimand. Specifically, JAMES agrees to comply with the following conditions:

1 JAMES shall maintain his license number LSW 4152-S during the public reprimand

2. Within forty-five (45) days of the approval and execution of the Consent Decree, JAMES shall pay the BOARD two hundred fifty dollars (\$250.00) in legal and investigative fees.

3. JAMES must attend at least six (6) hours of continuing education approved by the Board on the topics of ethics, fraud and professional responsibility. These continuing education credits cannot be used towards his renewal.

4. JAMES will be financially responsible for all requirements of the Consent Decree, including the cost of the BOARD approved consultant and any reasonable financial assessments by the BOARD for the costs of monitoring his compliance or carrying out the provisions of the Consent Decree

VIOLATION OF TERMS OF CONSENT DECREE

JAMES understands that the BOARD may, upon thirty (30) days notice to JAMES, 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 JAMES 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, JAMES 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. JAMES 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

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

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

Phillip James
PHILLIP JAMES LSW

STATE OF NEVADA BOARD OF
EXAMINERS FOR SOCIAL WORKERS
Randy Reinoso
RANDY REINOSO, Presiding Officer

DATED this 30 day of July 2008

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

ORDER

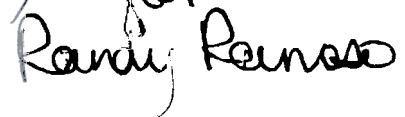
By a majority vote on the 14 day of September, 2007, the State of Nevada Board of Examiners for Social Workers approved and adopted the terms and conditions set forth in the attached Consent Decree with PHILLIP JAMES, LSW.

IT IS HEREBY ORDERED AND MADE EFFECTIVE.

DATED this 24 day of September, 2007

By:



RANDY REINOSO, LSW
Presiding Officer

for


CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 12th day of July, 2007, I 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:

Mr. Philip James, LSW
420 1/2 N. Turner Street
Hobbs, NM 88240


An Employee of the Office
of the Attorney General

**BEFORE THE NEVADA STATE BOARD OF
EXAMINERS FOR SOCIAL WORKERS**

IN THE MATTER OF)

MELODIE MASTERSON)
LSW NO. 2898-S)

Respondent)

CASE NO. G07-05

CONSENT DECREE

The State of Nevada Board of Examiners for Social Workers ("BOARD") having jurisdiction over licensee MELODIE MASTERSON ("MASTERSON"), 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

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

MASTERSON 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 of the complaint, and the right to obtain judicicia
2 review of the decision. All of these rights are being voluntarily waived by MASTERSON
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
5 will be disqualified from further hearing of this matter, by reason of his or her
6 consideration of the Consent Decree and MASTERSON hereby waives any claim of
7 bias or prejudice based upon said ration by any member of the BOARD in any
8 subsequent disciplinary hearing conducted by the BOARD

9 INDICTION

10 MASTERSON hereby acknowledges that he has
11 conduct that has precipitated this Consent Decree. MASTERSON acknowledges
12 the BOARD has the legal power and authority to take disciplinary action, including, but
13 of her license to practice social work in Nevada
14 now.

15 matter until all terms and conditions set forth in this Consent Decree have been met to
16 the satisfaction

17 DECLARATION OF CONSENT DECREE

18
19 ineffective, it also be reported to the Disciplinary
20 Action Reporting System (DARS) of the of Social Work Boards (ASWB) or
21 such other national databases as required by law.
22 in which the BOARD considers and accepts or rejects this Consent is open to
23 the public and that the minutes of the Board are open to
24 for inspection by any person so requesting.

25 STIPULATIONS AND CONCLUSIONS OF LAW

26 MASTERSON understands the nature of the allegations under consideration by
the BOARD. She acknowledges that the conduct described below constitutes
violations of the Nevada She

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

4 1 MASTERSON was licensed as a licensed social worker on or about May
5 31, 2000, through April 30, 2007

6 2 On November 21, 2006, MASTERSON notified the Board, via letter, that
7 she had been placed on administrative leave from her job with the Division of Child and
8 Family Services ("DCFS") for testing positive for marijuana and that she was willing to
9 do whatever was necessary to ensure that she would be drug free

10 3 In the November 21, 2006 letter to the BOARD and in her statements to
11 her employer at the time of the drug test, MASTERSON acknowledged that she had
12 been a habitual marijuana smoker most of her adult life.

13 4 At the time of said letter, MASTERSON was also seeing the EAP
14 counselor for the state and had entered into a drug program at Behavioral Health
15 Services (BHS)

16 5. On or about December 7, 2006, MASTERSON met with Board member
17 Sandra Lowery, LCSW and the Executive Director to the BOARD of Examiners for
18 Social Workers to discuss the issues set forth in the November 21, 2006 letter. During
19 this meeting MASTERSON agreed to continue to participate in the rehabilitation efforts
20 that she had already begun.

21 6 As a result of the December 7, 2006 meeting, a letter of agreement was
22 sent to MASTERSON on December 22, 2006, outlining the minimum requirements that
23 she was required to complete in order to continue her rehabilitation efforts
24 MASTERSON was also advised that failure to meet the requirements could result in
25 disciplinary action

26 7. No response to the letter of agreement was received in the Board office
27 until January 31, 2007.
28

1 8 On or about December 15, 2006, MASTERSON stopped attending the
2 outpatient program at BHS.

3 9. Since on or about December 23, 2006, MASTERSON had little or no
4 contact with the state EAP counselor.

5 10 This conduct violated NAC 641B.200(4)(a) which states in pertinent part
6 that a licensee shall not engage in the practice of social work while the licensee is
7 impaired by alcohol, drugs, or any other chemical

8 11. This conduct violated NAC 641B.200(1) which states that a licensee shall
9 base his practice upon recognized knowledge relevant to social work

10 12 This conduct violated NAC 641B.200(18) which states that a licensee shall
11 comply with all the provisions of the statutes and regulations governing the practice of
12 social work that are set forth in this chapter and chapter 641B of NRS. A licensee shall
13 comply with any state or federal law or regulation that is relevant to the practice of social
14 work.

15 13 This conduct violated NAC 641B.205(1) which states that a licensee shall
16 practice social work with professional skill and competence

17 14 This conduct violated NAC 641B.205(14) which states that a licensee shall
18 not cause a client physical, mental or emotional harm by taking direct or indirect actions
19 or failing to take appropriate actions

20 15. This conduct violated NRS 641B.400(1) which states that grounds for
21 initiating disciplinary action exists where unprofessional conduct, as defined by NAC
22 641B.220, is found.

23 16. This conduct violated NRS 641B.400(7) which states that grounds for
24 initiating disciplinary action exists where habitual use of alcohol or any controlled
25 substance which impairs the ability to practice social work is found

26 17 That the foregoing facts constitute grounds for initiating disciplinary action
27 pursuant to NRS 641B.400.
28

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

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

- 6 b) Administer to the person a public reprimand**

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

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

- 11** e) Revoke the license of the person to practice social work.

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

- 14 g) Require the person to pay all costs incurred by the
15 BOARD relating to the discipline of the person.

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

18 **STIPULATED ADJUDICATION**

19 MASTERSON stipulates that pursuant to the authority of NRS 641B.430, NRS
20 | 622.330 and NRS 622A.300, the BOARD will revoke MASTERSON's license to practice
21 | social work and she agrees to voluntary surrender her license to the BOARD. The
22 | revocation shall commence upon execution of this Consent Decree by the presiding
23 | member of the BOARD. Upon the surrender of the license, MASTERSON agrees to
24 | comply with the following conditions

25 1 Within forty-five (45) days of the approval and execution of this Consent
26 Decree, MASTERSON shall pay \$500.00 in legal and investigative fees. If needed,
27 MASTERSON may contact the Board within 14 days to set up a payment plan for this
28 amount.

1 2 The revocation shall commence upon execution of this Consent Decree by
2 the presiding member of the BOARD. After the revocation has been in effect for a one-
3 year time period, MASTERSON may apply for re-instatement to the BOARD.
4 MASTERSON understands that all of the charges contained in this consent degree shall
5 be deemed admitted for the purpose of making a determination of approval or denial of
6 MASTERSON's application for reinstatement. If MASTERSON re-applies for
7 licensure, she agrees to:

8 a Meet all current requirements for licensure including, but not
9 limited, to filing an application for reinstatement on a form prescribed by the BOARD,
10 taking and successfully passing any and all examinations required of new applicants,
11 and pay any and all application and licensure fees

12 b Provide a written evaluation to the BOARD from a BOARD
13 approved forensic psychiatrist or forensic psychologist regarding MASTERSON's
14 judgment and ability to function safely and competently as a social worker.
15 MASTERSON shall execute a Release of Information authorizing the evaluator to
16 release all information to the Board. MASTERSON shall comply with the
17 recommendations of the evaluator.

18 c Provide proof satisfactory to the BOARD of her rehabilitation or
19 treatment relevant to the listed violations as well as MASTERSON's current status in
20 recovery and her ability to practice safely. MASTERSON understands and agrees that
21 the BOARD may request an independent evaluation of her current status in recovery
22 from a Board approved drug and alcohol evaluator. This evaluator may be the same
23 Board approved forensic psychiatrist or forensic psychologist referenced above
24 MASTERSON shall execute a Release of Information authorizing the evaluator to
25 release all information to the Board. MASTERSON shall comply with the
26 recommendations of the evaluator.

27 d After review of the evaluator's reports, the Board may issue a
28 restricted license. The restrictions may include, but are not limited to, limits on practice

1 and work setting use of worksite monitors, participation in chemical dependency
2 rehabilitation programs or groups, psychotherapy, counseling, or other appropriate
3 rehabilitation or monitoring programs. Any cost related to the restricted license shall be
4 borne by MASTERSON

5 3 If her license is reinstated, MASTERSON stipulates that pursuant to the
6 authority of NRS 641B.430, the BOARD may impose a two (2) year period of probation
7 upon her license to practice social work in the State of Nevada subject to the following
8 terms and conditions

9 a MASTERSON shall submit to mandatory random alcohol and/or
10 drug screenings for up to two (2) years at the discretion of the BOARD. If any of these
11 alcohol and/or drug screens show a positive result for either alcohol and/or drugs,
12 MASTERSON agrees to immediately surrender her social work license to the BOARD
13 until such time as the BOARD conducts a hearing into the alleged violation

14 b MASTERSON shall continue to comply with limitations on her
15 license and any recommendations of the forensic psychiatrist, forensic psychologist, or
16 drug and alcohol evaluators.

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

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

26 e. MASTERSON shall notify all current and potential employers of
27 any restriction on her license or term or condition of probation which will affect her
28 employment. MASTERSON shall provide a copy of the consent decree to each

1 employer during the length of probation. Such notification shall be signed by each
2 employer. MASTERSON shall submit, upon request by the BOARD or its designee,
3 satisfactory evidence of compliance with this term of probation.

4 f. MASTERSON will be financially responsible for all requirements of
5 the Consent Decree, including the costs of any evaluations required by the Board or any
6 other requirement imposed by the Board due to any restriction of her license, and any
7 reasonable financial assessments imposed by the BOARD for the costs of monitoring
8 her compliances or carrying out the provisions of the Consent Decree.

9 g. After the probation has been in effect for a two-year time period,
10 MASTERSON may apply for relief from probation to the BOARD. Upon application for
11 relief from probation, MASTERSON agrees to meet with the President of the BOARD or
12 his/her designee, the Executive Director and BOARD counsel and prove compliance
13 with the Consent Decree.

14 ACCEPTANCE BY THE BOARD

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

17

18

19

20

21

22

23

24

25

26

.....

28

COMPLETE CONSENT DECREE

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

DATED this 6 day of June, 2007.

By: 
MELODIE MASTERSON, LSW

DATED this 25 day of July, 2007.

STATE BOARD OF EXAMINERS
FOR SOCIAL WORKERS

By: 
RANDY REINOSO
Presiding Officer

The foregoing Consent Decree between MELODIE MASTERSON and the STATE OF NEVADA BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case No. G07-05 is approved as to form and content.

DATED this 7 day of JUNE, 2007.

CATHERINE CORTEZ MASTO
Attorney General

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


ORDER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By a majority vote on the 13th day of July, 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 MELODIE MASTERSON, LSW

IT IS HEREBY ORDERED AND MADE EFFECTIVE.

DATED this 26 day of July, 2007


RANDY REINOSO, LSW
Presiding Officer

CERTIFICATE OF SERVICE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I certify that I am an employee of the Office of the Attorney General and that on this 1st day of May, 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:

Melodie Masterson
P.O. Box 278
Carson City, Nevada 89702

Article No. 7007 0220 0002 9447 1009


An Employee of the Office
of the Attorney General

BEFORE THE NEVADA STATE BOARD OF
EXAMINERS FOR SOCIAL WORKERS

IN THE MATTER OF)

GERALD EARL)
LCSW NO. 01219-C)

Respondent.)

CASE NO. G05-02

CONSENT DECREE

The State of Nevada Board of Examiners for Social Workers ("BOARD") having jurisdiction over licensee GERALD EARL ("EARL"), 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

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

EARL 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

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 EARL in
3 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 EARL hereby waives any claim of bias or
7 prejudice based upon said consideration by any member of the BOARD in any
8 subsequent disciplinary hearing conducted by the BOARD

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
JURISDICTION

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

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

PUBLICATION OF CONSENT DECREE

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

STIPULATED FACTS AND CONCLUSIONS OF LAW

EARL understands the nature of the allegations under consideration by the
BOARD. He acknowledges that the conduct described below constitutes violations of
the Nevada Social Work Practice Act (NRS and NAC 641B). He ~~acknowledges~~ that if

1 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, he is subject to disciplinary action by the BOARD.

4 1 EARL was licensed as a Clinical Social Worker on or about July 12, 1990,
5 through the present day.

6 2 On or about January 27, 2005, the BOARD received an accusation that he
7 may have been in violation of the standards of practice as defined in Chapter 641B of
8 the Nevada Revised Statutes while employed as a Clinical Social Worker at the VA Vet
9 Center.

10 3. The accusation received by the BOARD was also filed with the
11 Department of Veteran's Affairs, in Reno, as well as copied to a number of federal
12 congressmen and officials.

13 4. On November 16, 2006, the BOARD received information outlining
14 incidents involving Client A. They are as follows:

15 a During the course of counseling with EARL from February 5, 2001
16 through October 8, 2004, Client A and EARL exchanged gifts of knives

17 b EARL kept knives in his office at the Vet Center

18 c. EARL received delivery of ammunition at the Vet Center.

19 d EARL and a co worker showed Vet Center staff and clients
20 weapons that they kept in the trunk of their cars.

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

25 6. This conduct also violates NAC 641B.200(5) which provides that a
26 licensee is responsible for setting and maintaining professional boundaries with each
27 client; each person with significant personal ties to a client . . .
28

1 7 This conduct also violates NAC 641B.200(11) which provides that a
2 licensee shall base his practice upon recognized knowledge relevant to social work.

3 8. This conduct also violates NAC 641B.200(17) which provides that a
4 licensee shall comply with all the provisions of the statutes and regulations governing
5 the practice of social work that are set forth in this chapter and chapter 641B of NRS A
6 licensee shall comply with any state or federal law or regulation that is relevant to the
7 practice of social work.

8 9 This conduct also violates NAC 641B.205(1) which provides that a
9 licensee shall serve clients with professional skill and competence.

10 10 That pursuant to Nevada Revised Statute (NRS) 641B.430(3) and (4):

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

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

15 b) Administer to the person a public reprimand.

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

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

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

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

EARL stipulates that pursuant to the authority of NRS 641B.430(3) and (4), that his license number 01219-C shall be placed on probation for one (1) year. During the term of probation, EARL agrees to comply with the following conditions

1 Within forty-five (45) days of the approval and execution of this Consent Decree, EARL shall pay seven hundred and fifty dollars (\$750.00) in legal and investigative fees

2. EARL meets monthly with a BOARD approved licensed clinical social worker who will consult with EARL for six (6) months. During this period of consultation, EARL will write, and the supervisor will sign quarterly reports that must be submitted to the BOARD regarding EARL's counseling sessions. Issues to be discussed in the monthly meeting and addressed in the report to the Board must include.

(a) Boundaries and dual relationships;

(b) Review of judgment skills and decision-making abilities;

(c) Professional responsibilities to clients and colleagues; and

(d) The obligations and risks associated with the provisions of social work services

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

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

5. EARL shall receive credit toward service of his probation period only while employed as a Licensed Clinical Social Worker in the State of Nevada.

6. **6** **ence** **potential employers of any term or**
condition of probation which will affect his employment...
the consent decree to each employer during the e.g. **Such notification**
shall be signed by each employer. EARL shall submit, upon request
its designee, satisfactory **pliance**

board **ndaries, dual relationships, and ethics, and upon**
to the BOARD regarding how the education

8. EARL must provide evidence of satisfaction
practice prior to **on his license to** **work.**

EARL **that he will be financially responsible**
this Consent Decree, including the cost of any reasonable financial assessments by the
Board for the Cost of monitoring his compliance **provisions of this**
Consent Decree

10 **For a minimum of one (1) year, EARL may apply to the BOARD**
termination of his probation and full reinstatement of his license number 01219-C. He
shall meet with the P **, the E** **Di**

and BOARD counsel for evaluation of his compliance with the Consent Decree
their recommendation **termination of probation, full reinstatement, or additional**

VIOLATION OF TERMS OF CONSENT DECREE

EARL understands that the BOARD may, upon three days notice to EARL,
convene a hearing **initiated by** **establishing that it**
If such a hearing results in a finding of a
violation of this Consent Decree, the BOARD may impose any penalty

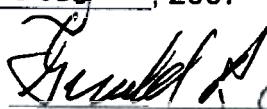

license to practice social work in the State of Nevada

1 In the event that a violation of the terms of the Consent Decree is alleged, EARL
2 agrees to surrender his license to the Executive Director, if the E
3 requests, and refrain from practicing social work until entry of a final order of the
4 BOARD or a court of competent jurisdiction, whichever last occurs, and to refrain from
5 violation of the terms of the Consent Decree, and to waive his right to appeal the said
6 original disciplinary action, which is the basis for this Consent Decree. In the event an
7
8 constitute the violation of the terms of the Consent Decree, no disciplinary action shall be
9 taken by the BOARD and the suspension previously ordered by the BOARD shall again
10 be open for reconsideration.
11
12 This Consent Decree is presented to the BOARD with a recommendation that the BOARD
13 for approval from the At-Large Office at the next regularly scheduled meeting
14 of the BOARD. EARL understands and acknowledges that the BOARD may or reject this
15 Consent Decree, and if rejected, the disciplinary process shall proceed.
16
17 If the Consent Decree is not accepted, EARL shall remain disqualified from further hearing this
18 and void, and no member of the BOARD will be disqualified from further hearing this
19 matter by the BOARD.
20
21 against him at a hearing held by the BOARD.
22
23 Consent Decree
24 This Consent Decree will not be submitted for BOARD
25 has been agreed to and approved by EARL.
26 effective until it has been approved by a majority of the BOARD and executed by,
27 representative member of the BOARD.

COMPLETE CONSENT DECREE

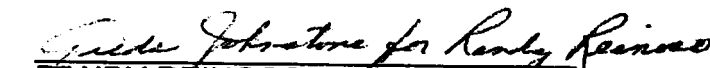
This Consent Decree embodies the entire agreement between the BOARD and EARL. It may not be altered, amended, or modified without the express written consent of the parties.

DATED this 16 day of July, 2007


GERALD 
LCSW

DATED this 30th day of July, 2007

STATE OF NEVADA BOARD OF
EXAMINERS FOR SOCIAL WORKERS


RANDY REINOSO, Presiding Officer

The foregoing Consent Decree between GERALD EARL and the STATE OF NEVADA BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case No. G05-02 is approved as to form and content.

DATED this 26 day of July, 2007

CATHERINE CORTEZ MASTO
Attorney General

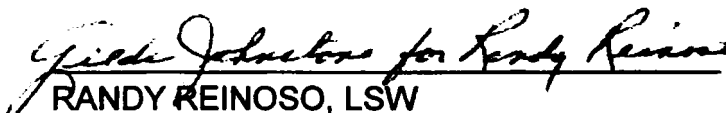
By: 

ORDER

By a majority vote on the 13 day of July, 2007, the State of Nevada Board of Examiners for Social Workers approved and adopted the terms and conditions set for the in the attached Consent Decree with GERALD EARL, LCSW

IT IS HEREBY ORDERED AND MADE EFFECTIVE.

DATED this 30th day of July, 2007


RANDY REINOSO, LSW
Presiding Officer

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 9th day of July, 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:

Cheryl H. Wilson, Esq.
Perry & Spann
1701 West Charleston Blvd., Ste 200
Las Vegas, NV 89102

Attorney for Gerald Earl, LCSW


An Employee of the Office
of the Attorney General