



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

January 16, 2003

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 October 1, 2002 through December 31, 2002. On October 1, 2002 the Board records reflect thirty-three (33) active allegation files. During the quarter the Board received an additional six (6) allegations, dismissed two (2) allegations, and approved two (2) consent decrees in lieu of hearings. On December 31, 2002, thirty-five (35) allegation files remained open.

Attached are copies of the two consent decrees entered into 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

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

IN THE MATTER OF)

LINDA MAISEL)
LSW NO. 1296-S)

Respondent)

CASE NO. G02-10

CONSENT DECREE

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

MAISEL is aware of, understands, and has been advised of the effect of this Consent Decree, which she has carefully read and fully acknowledges. MAISEL has had the opportunity to consult with competent counsel of her choice, and is represented in this matter by Hal Taylor, Esq.

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

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

5 JURISDICTION

6 MAISEL acknowledges that the BOARD has jurisdiction over her and the conduct that has
7 precipitated this Consent Decree. MAISEL acknowledges that the BOARD has the legal power and
8 authority to take disciplinary action, including, but not limited to, the revocation of her license to
9 practice social work in Nevada.

10 MAISEL 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

12 PUBLICATION OF CONSENT DECREE

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

19 STIPULATED FACTS AND CONCLUSIONS OF LAW

20 MAISEL understands the nature of the allegations under consideration by the BOARD. She
21 acknowledges that the conduct described below constitutes violations of the Nevada Social Work
22 Practice Act (NRS and NAC 641B). She acknowledges that if this matter were to be taken to a
23 disciplinary hearing before the BOARD, the following allegations could be proven by substantial
24 evidence and that by acknowledging the same, she is subject to disciplinary action by the BOARD

25 MAISEL is a duly licensed social worker in the State of Nevada at all times relevant to this
26 complaint

27 2 MAISEL was employed as a licensed social worker for the Catholic Community Services of
28 Northern Nevada ("CCSNN") from September 3, 1996 through March 8, 2002.

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

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

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

6 b) Administer to the person a public or private reprimand.

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

9 d) Suspend the license of the person to practice social work for a
10 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 be deposited with
13 the state treasurer for credit to the state general fund.

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

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

18 STIPULATED ADJUDICATION

19 MAISEL stipulates that pursuant to the authority of NRS 641B.430(3) and (4), the BOARD will
20 impose a revocation of MAISEL's license by the voluntary surrender by MAISEL of her license to the
21 BOARD. Upon the surrender of the license, MAISEL agrees to comply with the following conditions:

22 Within forty-five (45) days of the approval and execution of this Consent Decree,
23 MAISEL shall pay to the BOARD \$750.00 in legal and investigative costs.

24 2. The revocation shall commence upon execution of this Consent Decree by the presiding
25 member of the BOARD. After the revocation has been in effect for a minimum five-year time period,
26 MAISEL may apply for re-instatement to the BOARD. If MAISEL re-applies for licensure, she agrees
27 to submit a new licensee application and meet with the President of the BOARD or his/her designee, the
28 Executive Director and BOARD counsel and prove compliance with the Consent Decree and fitness for
licensure.

3. After the revocation has been terminated and her license restored, MAISEL stipulates
that pursuant to the authority of NRS 641B.430(3)(a), the BOARD may 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:

a. MAISEL 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 MAISEL to the BOARD in writing within seventy-two (72) hours.

b. MAISEL 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.

c. MAISEL meets monthly with a BOARD approved licensed social worker who will monitor MAISEL's practice and submit quarterly reports to the BOARD.

d. MAISEL shall receive credit toward service of her probation period only while employed as a Licensed Social Worker in the State of Nevada.

VIOLATION OF TERMS OF CONSENT DECREE

MAISEL understands that the BOARD may, upon three days notice to MAISEL, convene a hearing for the limited purpose of establishing that she has, in fact, been a 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 MAISEL authorized by NRS 641B.430(3), and (4) including, but not limited to, revocation of her 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, MAISEL agrees to surrender her 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. MAISEL agrees to waive her 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.

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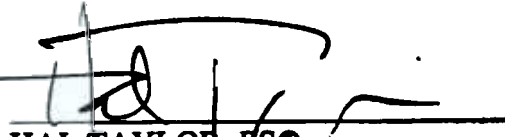
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1 COMPLETE CONSENT DECREE

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

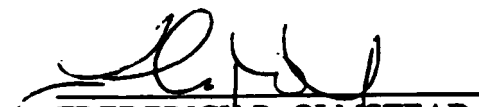
4 DATED this 16th day of October, 2002

5 
6 LINDA MAISEL, LSW

7 
8 HAL TAYLOR, ESQ.

9 The foregoing Consent Decree between LINDA MAISEL and the STATE OF NEVADA
10 BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case No. G02-10 is approved as to form and
11 content.

12 FRANKIE SUE DEL PAPA
13 Attorney General

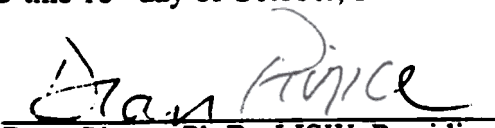
14 By 
15 FREDERICK R. OLMSTEAD
16 Deputy Attorney General
17 Counsel to the State of Nevada Board
18 of Examiners for Social Workers

19 ORDER

20 By a majority vote on the 18TH day of October, 2002 the State of Nevada Board of
21 Examiners for Social Workers approved and adopted the terms and conditions set forth in the
22 attached Consent Decree with Linda Maisel, LSW.

23 IT IS HEREBY ORDERED THE CONSENT DECREE SHALL BECOME EFFECTIVE
24 ON OCTOBER 31, 2002

25 DATED this 18th day of October, 2002.

26 By: 
27 Dean Pierce, Ph.D., LISW, Presiding Officer
28

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

IN THE MATTER OF)

VIRGINIA BOWMAN)
LSW 2143-S)

CASE NO. G01-32

Respondent)
_____)

CONSENT DECREE

The State of Nevada BOARD of Examiners for Social Workers ("BOARD") having jurisdiction over licensee VIRGINIA BOWMAN ("BOWMAN"), 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

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

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

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

5 JURISDICTION

6 BOWMAN acknowledges that the BOARD has jurisdiction over her and the conduct that has
7 precipitated this Consent Decree. BOWMAN acknowledges that the BOARD has the legal power and
8 authority to take disciplinary action, including, but not limited to, the revocation of her license to
9 practice social work in Nevada.

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

12 PUBLICATION OF CONSENT DECREE

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

19 STIPULATED FACTS AND CONCLUSIONS OF LAW

20 BOWMAN understands the nature of the allegations under consideration by the BOARD. She
21 acknowledges that the conduct described below constitutes violations of the Nevada Social Work
22 Practice Act (NRS and NAC 641B). She acknowledges that if this matter were to be taken to a
23 disciplinary hearing before the BOARD, the following allegations could be proven by substantial
24 evidence and that by acknowledging the same, she is subject to disciplinary action by the BOARD:

- 25 1. BOWMAN was employed as a Social Worker at a Long-Term Nursing Home until late
26 October, 2001 and provided social work services to Client A, a female resident.
- 27 2. On or about October 2, 2001 BOWMAN discharged Client A from the Long-Term Nursing
28 Home and moved Client A into BOWMAN'S personal home. The Social Services notes

completed by BOWMAN indicated that Client A was planning to move in with a friend of hers that she had known for twelve years.

On or about October 7, 2001, BOWMAN and Client A had a disagreement. Client A left the BOWMAN's home angry. On or about October 7, 2001, Client A was found drunk downtown and was hospitalized. On or about October 10, 2001 Client A was readmitted to the Long-Term Nursing Home.

4. This conduct violated NRS 641B.400(1) which states that a licensee who violates any provisions of NAC 641B.200 to 641B.215, inclusive, is guilty of unprofessional conduct.

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

6. This conduct also violated NAC 641B.200(6) which states that a licensee is responsible for setting and maintaining professional boundaries with clients, interns, and persons supervised by the licensee.

7. This conduct also violated NAC 641B.205(11) which states that a licensee shall not influence or attempt to influence a client, person with significant personal ties to a client, whether or not related by blood, or legal representative of the client, in any manner which could reasonably be anticipated to result in the licensee deriving benefits of an unprofessional nature during the time that the client is receiving professional services and for 2 years after the termination of the services.

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

9. 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 or private 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

BOWMAN stipulates that pursuant to the authority of NRS 641B.430(3) and (4), the BOARD will impose a revocation of BOWMAN'S license by the voluntary surrender by BOWMAN of her license to the BOARD. Upon the surrender of the license, BOWMAN agrees to comply with the following conditions:

1. It is agreed that upon the execution of this Consent Decree, BOWMAN shall pay to the BOARD \$250.00 in legal and investigative costs. This amount must be paid within one year of the date of the Board's acceptance of this Consent Decree.

2. The revocation shall commence upon execution of this Consent Decree by the presiding member of the BOARD. After the revocation has been in effect for a minimum three-year time period, BOWMAN may apply for re-instatement to the BOARD. If BOWMAN re-applies for licensure, she agrees to submit a new licensee application and meet with the President of the BOARD or his/her designee, the Executive Director and BOARD counsel and prove compliance with the Consent Decree and fitness for licensure.

3. After the revocation has been terminated and her license restored, BOWMAN stipulates that pursuant to the authority of NRS 641B.430(3)(a), the BOARD may impose a minimum one (1) year period of probation upon her license to practice social work in the State of Nevada subject to the following terms and conditions:

a. BOWMAN 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 BOWMAN to the BOARD in writing within seventy-two (72) hours.

b. BOWMAN 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.

c. BOWMAN meets monthly with a BOARD approved licensed social worker who will monitor BOWMAN's practice and submit quarterly reports to the BOARD. Consultant / work monitor will discuss BOWMAN's case load, evaluate her social work skills and discuss her professional responsibilities as a social worker and documentation procedures. BOWMAN will write quarterly reports to the BOARD regarding the meetings and topics discussed, the supervisor's evaluation of her practice, and any homework, workshops or readings completed which must be agreed to and will be signed by the consultant / work monitor, and upon completion of the reports, the same will be sent to the BOARD within 15 days from the end of each quarter. Any change in the work in the monitor / consultant must receive BOARD prior approval.

d. BOWMAN shall receive credit toward service of her probation period only while employed as a Licensed Social Worker in the State of Nevada.

VIOLATION OF TERMS OF CONSENT DECREE

BOWMAN understands that the BOARD may, upon three days notice to BOWMAN, convene a hearing for the limited purpose of establishing that there has, in fact, been a 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 BOWMAN authorized by NRS 641B.430(3), and (4) including, but not limited to, revocation of her 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, BOWMAN agrees to surrender her 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. BOWMAN agrees to waive her right to appeal the substantive legal basis of the original disciplinary action, which is the basis for this Consent Decree.

23 In the event an alleged violation of the Consent Decree is taken to hearing and the facts which constitute
24 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 on the date provided below

1 COMPLETE CONSENT DECREE

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


4 DATED this day of November, 2002

5
6 
7 VIRGINIA BOWMAN, LSW

8 The foregoing Consent Decree between VIRGINIA BOWMAN and the STATE OF NEVADA
9 BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case No. G01-32 is approved as to form and
10 content.

12 FRANKIE SUE DEL PAPA
13 Attorney General

14 By

15 
16 FREDERICK R. OLMSTEAD
17 Deputy Attorney General
18 Counsel to the State of Nevada Board
19 of Examiners for Social Workers

20 ORDER

21 By a majority vote on the 15TH day of November, 2002 the State of Nevada Board of
22 Examiners for Social Workers approved and adopted the terms and conditions set forth in the
23 attached Consent Decree with Virginia Bowman, LSW.

24 DATED this 15TH day of November, 2002

25 By

26 
27 Dean Pierce, Ph.D., LISW, Presiding Officer