



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

January 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 September 1, 2006 through December 31, 2006. On September 1, the Board records reflected twenty three (23) active allegation files. During the quarter the Board received three (3) new allegations and dismissed one (1) allegation. In December, the Board approved a consent decree which resulted in action against Charles Hare, LSW. On December 31, 2006, twenty-four (24) allegation files remained open. A copy of the Consent Decree in the matter of Hare is included.

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

Sincerely,

NEVADA BOARD OF EXAMINERS
FOR SOCIAL WORKERS

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

Rosalind Tuana
Executive Director

Enclosures (1)

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

IN THE MATTER OF)

CHARLES RAY HARE)
LSW NO. 4412-S)

CASE NO. G06-06

Respondent)

EXAMINERS

DEC 14 2006

FOR SOCIAL WORKERS

CONSENT DECREE

The State of Nevada Board of Examiners for Social Workers ("BOARD") having jurisdiction over licensee CHARLES RAY HARE ("HARE"), 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 accusations;

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

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

HARE 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 review of the decision. All of these rights are being voluntarily waived by HARE 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
2 be disqualified from further hearing of this matter, by reason of his or her consideration of the
3 Consent Decree and HARE hereby waives any claim of bias or prejudice based upon said
4 consideration by any member of the BOARD in any subsequent disciplinary hearing
5 conducted by the BOARD.

6 JURISDICTION

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

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

14 PUBLICATION OF CONSENT DECREE

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

21 STIPULATED FACTS AND CONCLUSIONS OF LAW

22 HARE understands the nature of the allegations under consideration by the BOARD.
23 He acknowledges that the conduct described below constitutes violations of the Nevada
24 Social Work Practice Act (NRS and NAC 641B). He acknowledges that if this matter were to
25 be taken to a disciplinary hearing before the BOARD, the following allegations could be
26 proven by substantial evidence and that by acknowledging the same, he is subject to
27 disciplinary action by the BOARD:
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that are set forth in this chapter and chapter 641B of NRS A licensee shall comply with any state or federal law or regulation that is relevant to the practice of social work

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

10 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

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

1 Within ninety (90) days of the approval and execution of this Consent Decree, HARE shall pay \$500.00 in legal and investigative fees

2. The revocation shall commence upon execution of this Consent Decree by the presiding member of the BOARD. HARE may not apply for any social work license in this

1 State during the period this consent decree is in effect. After the revocation has been in
2 effect for a one-year time period, HARE may apply for re-instatement of his LSW or apply for
3 a new license level to the BOARD. If HARE re-applies for any social work license in this State,
4 he agrees to

5 a Meet with the President of the BOARD or his/her designee, the Executive
6 Director and BOARD counsel and prove compliance with the Consent Decree
7 and fitness for licensure

8 b. Provide proof to the BOARD from a BOARD approved forensic
9 psychiatrist or forensic psychologist that he is competent to act as a social
10 worker.

11 3 After his license is reinstated, HARE stipulates that pursuant to the authority of
12 NRS 641B.430(3)(a), the BOARD may impose a one (1) year period of probation upon his
13 license to practice social work in the State of Nevada subject to the following terms and
14 conditions

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

20 (i) Boundaries and dual relationships;

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

22 (iii) Professional responsibilities to clients and colleagues; and

23 (iv) The obligations and risks associated with the provisions of social
24 work services.

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

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

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

9 e HARE shall receive credit toward service of his probation period only
10 while employed as a Licensed Social Worker in the State of Nevada

11 f HARE shall notify all current and potential employers of any term or
12 condition of probation which will affect his employment HARE shall provide a copy of the
13 consent decree to each employer during the length of probation Such notification shall be
14 signed by each employer. HARE shall submit, upon request by the BOARD or its designee,
15 satisfactory evidence of compliance with this term of probation

16 4 HARE agrees that he will be financially responsible for all requirements of this
17 Consent Decree, including the cost of the Board approved forensic psychiatric evaluation and
18 any reasonable financial assessments by the Board for the Cost of monitoring his compliance
19 or carrying out the provisions of this Consent Decree

20 **VIOLATION OF TERMS OF CONSENT DECREE**

21 HARE understands that the BOARD may, upon three days notice to HARE, convene a
22 hearing for the limited purpose of establishing that he has, in fact, been in violation of the
23 terms of this Consent Decree If such a hearing results in a finding of a violation of this
24 Consent Decree, the BOARD may impose any penalty upon HARE authorized by NRS
25 641B.430(3), and (4) including, but not limited to, revocation of her license to practice social
26 work in the State of Nevada

27 In the event that a violation of the terms of the Consent Decree is alleged, HARE
28 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 HARE 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 HARE.
3 It may not be altered, amended, or modified without the express written consent of the
4 parties.

5 DATED this 20 day of October, 2006.

6
7 By: Charles Ray Hare
8 **CHARLES RAY HARE, LSW**
9

10 DATED this 14 day of DECEMBER, 2006.

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

13
14 By: Randy Reinoso
15 **RANDY REINOSO**
16 **Presiding Officer**

17 The foregoing Consent Decree between CHARLES RAY HARE and the STATE OF
18 NEVADA BOARD OF EXAMINERS FOR SOCIAL WORKERS in Case No. G06-06 is
19 approved as to form and content.

20 DATED this 14 day of November, 2006.

21
22 **GEORGE J. CHANOS**
23 **Attorney General**

24 By: Henna Rasul

25 **HENNA RASUL**
26 **Deputy Attorney General**
27 **5420 Kietzke Lane, Suite 202**
28 **Reno, Nevada 89511**
(775) 688-1818

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