

COPY

BEFORE THE BOARD OF CLINICAL SOCIAL WORKERS

OF THE STATE OF OREGON

In the Matter of the) FINDINGS OF FACT, CONCLUSIONS
License as a Clinical Social) OF LAW AND ORDER OF
Worker of Dennis Spitze) REVOCATION

This matter came on hearing before the Board of Clinical
Social Workers ("Board") on August 13, 1991, pursuant to a Notice
of Proposed Revocation for alleged violations of ORS
675.540(1)(e), OAR 877-20-012(1), 877-30-005(2)(d) and 877-30-
015.

Dennis Spitze ("Spitze") was represented by Cynthia L.
Barrett, Attorney at Law. The Board was represented by Wendy A.
Robinson, Assistant Attorney General. The Hearings Officer was
Agnes Sowle. A majority of the Board attended the entire
hearing.

FINDINGS OF FACT

1. Spitze has been a licensed clinical social worker since
1978. He has been in private practice since 1983.

2. On December 15, 1989 Spitze entered into a Stipulated
Agreement with the Board to resolve a complaint filed by J
W. The Stipulated Agreement included a Public Letter of
Reprimand which stated that Spitze demonstrated a lack of
competence regarding therapeutic intervention, transference,
countertransference and termination issues. See attached Exhibit
A, incorporated herein by this reference. Under the terms of the
Stipulated Agreement, Spitze's supervisor Paula Belsey was to

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1 provide a formal report to the Board on Spitze's progress every
2 six months.

3 3. On March 13, 1991 Paula Belsey provided the Board with
4 the attached letter which constitutes the final report required
5 by the Stipulated Agreement. See Exhibit B, incorporated herein
6 by this reference.

7 4. Spitze entered into a client provided contract with L
8 J K ("") in approximately 1986.

9 5. K admired Spitze and partly as a result of this
10 decided to return to school to earn a degree in social work.
11 K got an undergraduate degree from Marylhurst College.
12 During her undergraduate studies she had therapy sessions with
13 Spitze approximately once a week.

14 6. In approximately 1987 K began seeing a few private
15 clients of her own. Her supervisor at the time told her that she
16 could not supervise K, that K did not need to be
17 supervised, but that she could talk to Spitze about any issues
18 she had. K's initial discussions with Spitze revolved
19 around issues such as how to set up a practice.

20 7. During the period that K was going back to school
21 Spitze's treatment goal was to help K become a competent
22 therapist. As part of these therapy sessions K would
23 occasionally bring up issues she had with clients. Spitze would
24 act as a sounding board for K and offer suggestions of other
25 ways to approach her clients.

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1 8. Spitze never initiated the conversations about K█████'s
2 clients.

3 9. Spitze was not paid any additional amounts for
4 discussing K█████'s clients. K█████ continued to pay Spitze for
5 therapy.

6 10. Spitze never told K█████ it was inappropriate to discuss
7 K█████'s clients with him in the course of her therapy.

8 11. Both Spitze and K█████ viewed their relationship as
9 changing from that of therapist/client to that of a collegial
10 relationship between therapists. Neither Spitze nor K█████
11 discussed the fact that their relationship was changing.

12 12. Spitze never suggested that the relationship between
13 K█████ and himself should be formalized into a supervisory
14 relationship.

15 13. K█████ attended Portland State University ("PSU") for
16 her graduate studies in social work. During the time she was
17 attending PSU her therapy sessions with Spitze decreased in
18 frequency to approximately one per month.

19 14. As part of her studies at PSU K█████ had various work
20 placements. One of those placements was with Tualatin Valley
21 Mental Health Center. K█████'s supervisor at Tualatin Valley,
22 J█████ W█████ ("W█████"), asked K█████ whether she was in therapy
23 and whether she was being supervised. K█████ said she was in
24 therapy and stated: "[s]ometimes I bounce it [treatment of
25 clients] off of my therapist."

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1 15. W█████ told K█████ that she should stop seeing Spitze and
2 that he was supervising her and abusing her.

3 16. W█████ called Spitze and told him of her concerns and
4 that she would be filing a complaint with the Board.

5 17. Spitze responded to W█████'s complaint in the attached
6 letter. See Exhibit C, incorporated herein by this reference.
7 In that letter Spitze acknowledged that K█████ consulted with him
8 about her clients and he was unaware of the difficulties this
9 type of dual relationship could cause.

10 18. After the phone call from W█████ and the filing of the
11 complaint, Spitze and K█████ stopped discussing K█████'s clients
12 during K█████'s therapy sessions.

13 19. K█████ does not feel that Spitze exploited her or
14 harmed her by discussing her clients.

15 20. K█████ feels that she was harmed by W█████ and her
16 actions in filing a complaint against Spitze. K█████ is angry
17 with W█████ and K█████'s work placement with Tualatin Valley
18 Mental Health Center was terminated early.

19 21. Spitze stated that if he had refused to discuss K█████'s
20 clients with her as part of their therapy sessions, the
21 relationship between client and therapist would perhaps have been
22 affected. Spitze also stated that he felt that he could have
23 dealt with the issue and could have continued the therapeutic
24 relationship with K█████ without harm.

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1 certain of her clients. K█████ would discuss particularly
2 difficult clients with Spitze. In the Board's judgment as
3 professionals, discussing the treatment of clients and how to set
4 up a practice constitutes supervision.

5 A clinical social worker should not discuss his client's
6 clients during the therapeutic relationship. There is a
7 significant difference between discussing clients with professors
8 and fellow students, where the relationship is part of the
9 educational process, and discussing clients during a therapeutic
10 relationship. OAR 877-30-005(2)(d) requires the licensed social
11 worker to "make every effort" to avoid a dual relationship. This
12 Spitze did not do. He did not recognize that the relationship
13 with K█████ was changing. He did not tell K█████ that discussion
14 of her clients was inappropriate, even though he acknowledged
15 that he could have done so and still maintained the clinical
16 relationship.

17 The fact that K█████ does not feel that she was exploited by
18 Spitze is irrelevant. It is also the Board's professional
19 judgment that the fact that K█████ became so angry at W█████, who
20 had filed the complaint against Spitze, instead of at Spitze,
21 indicates that K█████ was adversely affected by this dual
22 relationship.

23 Spitze has problems differentiating his role as a therapist
24 from his role as a supervisor, colleague or friend. He does not
25 understand the boundaries of his role as a therapist. This
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1 problem is evidenced by the professional opinion of Paula Belsey
2 and by this complaint.

3 ORDER

4 IT IS ORDERED that Spitze's license as a clinical social
5 worker is REVOKED effective immediately.

6 Spitze shall be entitled to reapply for a license as a
7 clinical social worker in accordance with the statutes and rules
8 of the Board.

9 DATED this 10th day of October, 1991.

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Signature on File in Board Office

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Carol Ormiston, Chairperson

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NOTICE: You are entitled to judicial review of this Order.
Judicial review may be obtained by filing a petition for review
14 within 60 days from the service of this Order. Judicial review
15 is pursuant to the provisions of ORS 183.482 to the Oregon Court
of Appeals.

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ISSUANCE AND MAILING DATE 10-10-91

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WAR:war/tmt:JGG0119B.W51

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