

COPY

1
2
3
4
5
6
7

BEFORE THE
BOARD OF CLINICAL SOCIAL WORKERS
STATE OF OREGON

In the Matter of the License as a Clinical
Social Worker in the State of Oregon of:

ELWYN D. WENGER,

Licensee.

CASE NO. 200-18

FINAL ORDER BY DEFAULT

8 THIS MATTER came before the Board of Clinical Social Workers (Board) to consider
9 the Revocation of License for Elwyn D. Wenger (Licensee) who is licensed by the Board to
10 practice as a clinical social worker in the State of Oregon, and is currently on Inactive Status.
11 The Board is responsible for licensing clinical social workers in the State of Oregon and for
12 regulating the practice of clinical social work. The Board is also responsible for disciplining
13 clinical social workers for violations of the Code of Ethics for Certified and Licensed Clinical
14 Social Workers pursuant to ORS 675.540.

15 1.

16 On December 10, 1998 Licensee was licensed by the Board to practice as a clinical social
17 worker in the State of Oregon, on Inactive Status. Licensed clinical social workers who have
18 attained Inactive Status may retain their license by submitting a renewal fee and a signed
19 statement that he will not use the title of licensed clinical social worker for that calendar year.

20 2.

21 Licensee submitted his renewal form to the Board on or about December 10, 1998. At
22 that time he was living in Idaho. Licensee failed to disclose to the Board that his license to
23 practice social work in Idaho had been revoked for unprofessional conduct between July 1991
24 and June 1996, by : 1) engaging in a sexual relationship with client; 2) exploiting his
25 professional relationship with client; 3) violating his position of trust with client by knowingly
26 committing acts detrimental to client; 4) failing to terminate his professional relationship with

1 client; and 5) failing to make an appropriate referral as was indicated by client's needs for
2 services.

3 2.1 On August 31, 2000, the Board served Licensee with a Notice of Proposed
4 Disciplinary Action (Notice) that it proposed to revoke Licensee's license to practice as a clinical
5 social worker in the State of Oregon for violations of ORS 675.510(6) (unprofessional conduct),
6 OAR 877-30-0070(1) (dual relationship) and OAR 877-30-0070(4) (sexual relationship).

7 2.2 The Notice granted Licensee an opportunity to file an answer to the Notice, and to
8 request a formal contested case hearing before the Board and to be represented by an attorney.

9 2.3 The Notice further stated that if Licensee did not request a hearing, the Board
10 might issue a final order by default and impose sanctions against Licensee.

11 2.4 Licensee had 60 days, or until October 31, 2000, to request a hearing on the
12 Notice.

13 2.5 Licensee notified the Board in his September 19, 2000 letter that he would not
14 request a hearing.

15 After consideration of the records and files of the Board relating to this matter, the Board
16 finds that Licensee did have adequate prior notice to file an answer and request a hearing and be
17 represented by an attorney, and that

18 NOW THEREFORE, the Board enters the following Findings of Fact, Conclusions of
19 Law and Final Order:

20 FINDINGS OF FACT

21 1.1 On or about December 10, 1998 Licensee was licensed by the Board to practice as
22 a clinical social worker in the State of Oregon on Inactive Status.

23 1.2 Licensee sought to retain his Inactive Status, on or about December 10, 1998,
24 when he submitted his annual renewal notice.

25 1.3 When Licensee submitted his renewal form to the Board in 1998, he was living in
26 Idaho, and he failed to disclose to the Board that his license to practice social work in Idaho had

1 been revoked for unprofessional conduct between July 1991 and June 1996, by : 1) engaging in
2 a sexual relationship with client; 2) exploiting his professional relationship with client; 3)
3 violating his position of trust with client by knowingly committing acts detrimental to client; 4)
4 failing to terminate his professional relationship with client; and 5) failing to make an
5 appropriate referral as was indicated by client's needs for services.

6 **CONCLUSIONS OF LAW**

7 The Board concludes that Licensee's acts and conduct described above constitute
8 violations of ORS 675.510(6) (unprofessional conduct), OAR 877-30-0070(1) (dual relationship)
9 and OAR 877-30-0070(4) (sexual relationship).

10
11 **FINAL ORDER**

12 Based upon the Findings of Fact and Conclusions of Law described above,
13 IT IS HEREBY ORDERED that Elwyn D. Wenger's license to practice as a clinical social
14 worker in the State of Oregon is revoked.

15 DATED this 16th day of October, 2000.

16
17 BOARD OF CLINICAL SOCIAL WORKERS
18 State of Oregon

19
20 By: Signature on File in Board Office
21 Elizabeth A. Buys, Administrator

22 **NOTICE:** You are entitled to judicial review of this order pursuant to the provisions of ORS
23 183.480. Judicial review may be obtained by filing a petition in the Oregon Court of Appeals.
24 The petition must be filed within 60 days from the date of service of this order.