

COPY

BEFORE THE  
BOARD OF CLINICAL SOCIAL WORKERS  
STATE OF OREGON

In the Matter of the License to )  
Practice as a Clinical Social Worker of )  
MICHAEL P. BEAVER, LCSW. )

STIPULATED  
FINAL ORDER

Pursuant to ORS 675.540, the above-entitled matter came before  
the State Board of Clinical Social Workers (Board) on the  
complaint of <sup>Client</sup> ██████████.

Pursuant to ORS 183.415(5) and OAR 877-40-045, in order to  
informally dispose of and settle this matter, Michael Beaver  
(Beaver), and the Board by and through its Chair, Carol Ormiston,  
make the following statements:

1.

Beaver admits and stipulates that he has been advised of his  
right to request a hearing in this matter pursuant to ORS  
183.415(2)(a) and to be represented at a hearing pursuant to ORS  
183.415(3).

2.

Beaver waives his right to request such a hearing in this  
matter and waives the right to be represented by an attorney at a  
hearing.

3.

The Board and Beaver stipulate to the following: That the  
following allegations, if proven, would be sufficient to support a

1 finding by the Board that Beaver has violated one or more of the  
2 statutes and rules of the Board, specifically ORS 675.540(1)(e),  
3 OAR 877-30-005(2)(a) and OAR 877-30-005(2)(e), and that Beaver may  
4 be disciplined under the provisions of ORS 675.540(2)(b). Beaver  
5 does not contest the following:

6 (a) Beaver entered into a client provider contract with <sup>client</sup> [REDACTED]  
7 [REDACTED] on behalf of her eight-year old son <sup>J.</sup> [REDACTED], in November  
8 1990. James had been in therapy with <sup>a Counselor, CS</sup> [REDACTED] for  
9 approximately four months prior to his transfer to Beaver. <sup>CS</sup> [REDACTED]

10 is a colleague of Beaver in a private social worker's practice.

11 <sup>Client</sup> [REDACTED] indicated to Beaver that <sup>Son J</sup> [REDACTED] had progressed as far as he  
12 could in individual therapy and that group therapy might be  
13 helpful. <sup>Counselor CS</sup> [REDACTED] discussed the idea of play therapy with <sup>Client (mother)</sup> [REDACTED]

14 [REDACTED], who consented to <sup>Son's</sup> [REDACTED] participation in group therapy.

15 Before <sup>Son's</sup> [REDACTED] transfer to Beaver and before Beaver engaged <sup>SON</sup> [REDACTED]  
16 in any therapy, Beaver consulted with <sup>Counselor</sup> [REDACTED] regarding the therapy

17 she conducted with <sup>the son</sup> [REDACTED] and her diagnosis and prognosis for

18 <sup>Son</sup> [REDACTED] <sup>Son</sup> [REDACTED] attended one therapy session with Beaver and <sup>Counselor</sup> [REDACTED]

19 During that session, Beaver told <sup>SON</sup> [REDACTED] about some of the rules of  
20 the group play processes or techniques used in group therapy, the  
21 composition of the group and its therapists and the issues that  
22 James would work on in group therapy.

23 Following the joint session with <sup>Counselor</sup> [REDACTED] and Beaver, <sup>Son</sup> [REDACTED]  
24 attended one group play session on November 26, 1990. <sup>Son</sup> [REDACTED] was  
25 introduced to the group at the same time as a returning member of  
26 the group was introduced. The other child introduced into group

1 therapy with <sup>son</sup> ██████ had completed a similar therapy with Beaver a  
2 year before. Beaver felt that introduction of <sup>son</sup> ██████ with the  
3 returning child would assist <sup>son</sup> ██████ in the transition to group  
4 therapy. The group consisted of three children in addition to  
5 <sup>son</sup> ██████ and the returning member.

6 During the course of the November 26, 1990, session, Mike  
7 Beaver was present while his co-therapist, <sup>M.S.</sup> ██████, placed  
8 two Nerf balls down the front of his shirt and placed a wig in his  
9 crotch. <sup>MS's</sup> ██████ conduct was the product of a group member's  
10 conduct during a previous session where that member took the wig  
11 off of <sup>MS's</sup> ██████ head, placed it in <sup>MS's</sup> ██████ crotch and said, "I am  
12 going to f--- you, Mike." <sup>MS</sup> ██████ clarified the older boy's  
13 feelings and put limits on his behavior within 90 seconds. During  
14 the regressive therapy with the older boy, <sup>son</sup> ██████ appeared to both  
15 <sup>MS</sup> ██████ and to Beaver to be interested in participating in the  
16 regressive therapy. Still while wearing these items, he asked  
17 <sup>son</sup> ██████ whether he wanted a "drink of 'Mama's milk'." <sup>son</sup> ██████  
18 responded by "attacking" or "nursing" the Nerf ball breasts for  
19 approximately 5 minutes. Following the regressive therapy, <sup>son</sup> ██████  
20 participated in cooperative play with the other group members in a  
21 game called "King of the Mountain." At the end of the session,  
22 <sup>son</sup> ██████ expressed his desire to return to the group therapy session.  
23 This ~~is~~ action is pursuant to a Board-initiated complaint based on  
24 a complaint made by the <sup>Client</sup> ██████ against <sup>MS</sup> ██████, Beaver's co-  
25 therapist.

26 ///

1 After the group therapy session, Beaver intended to contact  
2 ~~Client~~ to discuss with her ~~SON'S~~ developmental history and  
3 the group therapy session. After the session, Beaver saw that  
4 ~~Client~~ was visiting with the parents of the other child who  
5 was introduced into the group with ~~SON~~. Because he felt the  
6 support between those parents was important, Beaver elected not to  
7 interrupt the conversation, but decided to contact ~~Client~~ at  
8 a later time. Beaver's next contact with ~~Client~~ was a result  
9 of her decision to withdraw ~~SON~~ from group therapy. She was  
10 unwilling to talk with Beaver in any detail at that time.

11 (b) The Board contends that Beaver's actions, as detailed  
12 above, constitute improper techniques or exercises in the  
13 therapeutic relationship and violate one or more of the rules of  
14 the Board pertaining to the certification or licensing in that:

- 15 (i) Beaver introduced ~~SON~~ into a group with other children  
16 who were in the midst of crisis or who evidenced severe  
17 acting out behaviors.
- 18 (ii) James could not know that ~~MS's~~ actions were in  
19 response to an event that had occurred the previous week.
- 20 (iii) ~~MS~~, in Beaver's presence, initiated a regressive  
21 experience with ~~SON~~.
- 22 (iv) ~~SON~~ expression of interest in ~~MS's~~ "breasts" at  
23 the first group session was an insufficient indication to  
24 do regressive work.
- 25 (v) ~~MS~~, the co-therapist was used as an object of  
26 regression.

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4.

Beaver's actions detailed below violate OAR 877-30-005(2)(e):

- (a) Beaver failed to explain or discuss the use of regressive therapy with ~~\_\_\_\_\_~~ <sup>Client</sup> prior to its use in the group.
- (b) Beaver failed to include ~~\_\_\_\_\_~~ <sup>Client</sup> when defining the extent of ~~\_\_\_\_\_~~ <sup>SON's</sup> problems.
- (c) Beaver failed to define mutually acceptable goals for ~~\_\_\_\_\_~~ <sup>SON</sup> with ~~\_\_\_\_\_~~ <sup>Client</sup>.
- (d) After ~~\_\_\_\_\_~~ <sup>SON's</sup> intense experience in group, Beaver should have told ~~\_\_\_\_\_~~ <sup>Client</sup> of this experience and discussed with her what possible repercussions to expect.

5.

The Board and Beaver stipulate and agree that this disciplinary action may be concluded by the entry of this Stipulation on the following terms:

- (a) Beaver shall undergo supervision by a licensed clinical social worker approved by the Board. The supervisor will be chosen (once only) by Beaver from a list of six created by the Board. Selection of the supervisor shall be completed 30 days from entry of this order. The supervision shall specifically address, but is not limited to, client-related ethics issues. For the first year, the supervision shall occur at least twice a month and for at least one hour each session, for a total of 40 hours in the first year.
- (b) At the supervisor's request, Beaver will audiotape sessions with particular clients, contingent upon consent of the clients. The clients and sessions to be taped is at the discretion of the supervisor. Any dispute between Beaver and the supervisor concerning the taping of clients and sessions will be resolved by the Board at their regular scheduled monthly meeting, in an informal binding hearing, with testimony limited

1 to the supervisor and Beaver. All costs of supervision,  
2 including audio-recording, will be borne entirely by  
3 Beaver;

3 (c) The necessity, frequency and amount of supervision for  
4 the second year will be at the discretion of the  
5 supervisor, not to exceed 40 hours in 12 months.

5 (d) The supervisor shall provide a formal report to the Board  
6 at the following intervals:

- 6 i) 3 months after supervision commences;
- 7 ii) 10 months after supervision commences;
- 8 iii) 16 months after supervision commences; and
- 9 iv) at the conclusion of supervision.

9 Each formal report shall detail Mr Beaver's progress,  
10 determine whether Beaver is participating in good faith,  
11 whether Beaver is aware of the ethical rules breached  
12 which produced the complaint; whether Beaver evidences  
13 adequate clinical skills; and Beaver's practice meets the  
14 standards for practice in the state of Oregon. The 10  
15 month report shall indicate whether or not the supervisor  
16 intends to require a second year of supervision.

13 (e) If the supervisor determines that therapy is necessary,  
14 Beaver agrees to attend therapy sessions with a  
15 therapist, or a mental health professional, licensed by  
16 the State of Oregon. The supervisor shall recommend five  
17 therapists who may approve (only once) any of those  
18 therapists to provide therapy. The number of hours of  
19 therapy shall be determined by the therapist in  
20 consultation with Beaver. Any dispute concerning the  
21 necessity or amount of therapy will be resolved by the  
22 Board at their regular scheduled monthly meeting, in an  
23 informal binding hearing, with testimony limited to the  
24 supervisor, the therapist and Beaver. Any therapy shall  
25 be at the sole cost of Beaver.

20 (f) Beaver consents to the supervisor or therapist contacting  
21 the Board, if the supervisor or therapist believes there  
22 is a risk to the public by the continued practice of  
23 Beaver as an LCSW. Unless the therapist, supervisor, or  
24 Board perceives Beaver's continued practice as an LCSW is  
25 a risk to the public, the contents of, and communications  
26 made as a part of Beaver's therapy shall remain  
27 confidential.

25 (g) Beaver consents to the above supervisor and/or therapist  
26 consulting with each other, or the Board, regarding  
27 Beaver's performance.

1 (h) At the end of the second year of supervision the  
2 supervisor shall, as part of the fourth formal report  
3 required by Section (c) above, provide a letter to the  
4 Board in which the supervisor states: (i) whether  
5 Beaver is aware of the ethical issues breached that  
6 resulted in this complaint, (ii) whether Beaver  
7 evidences adequate clinical skills, and (iii) whether  
8 Beaver's practice meets the standards for practice of  
9 an LCSW in Oregon. Beaver waives no right to challenge  
10 the report or the contents thereof.

11 (i) Beaver shall attend 20 hours of training in the first  
12 year of supervision. The training shall consist of  
13 prior Board approved formal continuing education in the  
14 areas of child therapy, ethical issues for social  
15 workers, play therapy or other areas identified by the  
16 supervisor.

17 (j) The Board will publicize this Stipulated Final Order by  
18 the announcement worded as follows:

19 **Michael P. Beaver, MSW (LCSW# 0717)**

20 Stipulated agreement resolved a Board-initiated  
21 complaint against Beaver for violations of  
22 ORS 675.540(1)(e), OAR 877-30-005(2)(a) and  
23 OAR 877-30-005(e). In lieu of a hearing, Beaver  
24 entered into a program of supervision and training.

25 (k) Sixty days after supervision begins, Beaver will  
26 create, and submit to the Board for approval, a therapy  
disclosure statement including his: name, business  
address and telephone number; formal education,  
training, and continuing education; philosophy,  
technique and approach to social work; and fee  
schedule. A disclosure statement will be signed by  
each client and placed in their file, preferable before  
beginning therapy.

(l) Until Beaver fulfills all of the requirements of this  
stipulation and the supervisor formally concludes  
Beaver's supervision, Beaver may not supervise  
Certified Social Work Associates or Masters of Social  
Work recipients seeking licensure with the Board.

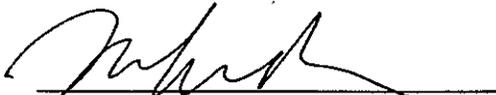
6.

If the Board finds, after a contested case hearing, that  
Beaver has materially violated any of the terms of this

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26

1 Stipulation, that violation shall constitute grounds for  
2 revocation and Beaver's license may be immediately revoked.

4 IT IS SO STIPULATED.

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6 \_\_\_\_\_  
MICHAEL BEAVER, LCSW

12-4-92  
\_\_\_\_\_  
DATE

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CAROL ORMISTON, CHAIR  
BOARD OF LICENSED CLINICAL SOCIAL WORKERS

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