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BEFORE THE
BOARD OF CLINICAL SOCIAL WORKERS
STATE OF OREGON

In the Matter of the License to Practice as a
Clinical Social Worker of:

WOLFGANG KUETTNER, LCSW,
Licensee.

CASE NO. 99-8

STIPULATED FINAL ORDER

The Board of Clinical Social Workers (Board) is the state agency responsible for licensing and disciplining clinical social workers, and for regulating the practice of clinical social work in the State of Oregon. Wolfgang Kuettner, LCSW (Licensee) is licensed by the Board to practice as a clinical social worker in Oregon.

1.

On October 25, 1999, the Board served Licensee with a Notice of Proposed Disciplinary Action (Notice) and notified Licensee that it intended to revoke his license as a clinical social worker for unprofessional conduct with a client, based on three violations of law.

2.

On February 15, 2000, Licensee, by and through his attorney Greg O'Neill, filed a written Answer. Licensee agreed that some of the actions alleged in the Board's Notice occurred, but denied several other of the allegations contained in the Notice. A copy of Licensee's Answer is marked Exhibit A attached hereto and made a part hereof. On February 15, 2000, Licensee proposed a settlement agreement to resolve this matter.

3.

The Board and Licensee, hereby stipulate and agree that they are willing to informally dispose of and settle this matter without a contested case hearing. This stipulation sets forth the terms of the order that the Licensee agrees may be issued by the board:

1 A. The supervisor shall be chosen by Licensee from a list of five provided to him by
2 the Board. Selection of the supervisor shall be completed 30 days prior to reinstatement after
3 suspension. The supervision shall specifically address client-related ethics issues, including dual
4 relationships. Except as otherwise directed by the Board, the content and direction of the
5 supervision shall be at the sole discretion of the supervisor. The supervision shall occur at least
6 twice a month and for at least one hour each session, for a minimum of 24 hours during each year,
7 unless the supervisor and the Board agree that less supervision is appropriate.

8 B. Licensee shall participate in the supervision in good faith and following the
9 direction of supervisor.

10 C. The supervisor shall provide a formal report to the Board and Licensee every six
11 months, and at the end of probation. Each formal report shall detail Licensee's progress,
12 determine whether Licensee is participating in good faith, whether Licensee is aware of the
13 ethical rules breached which produced the complaint, whether Licensee evidences adequate
14 clinical skills, and whether Licensee's practice meets the standards for practice in the State of
15 Oregon.

16 D. The supervisor shall contact the Board if the supervisor believes that there is a
17 risk to the public by the continued practice of Licensee or a risk of another violation by Licensee.

18 7. Licensee shall take ten hours of pre-approved continuing education regarding
19 professional ethics courses in addition to that normally required for licensure. This extra
20 continuing education shall be completed on or before September 1, 2000.

21 8. At least six hours of the ten hours shall emphasize boundaries, boundary
22 recognition and confidentiality. During 2001, Licensee shall attend not less than ten hours of
23 Board-approved continuing education courses involving ethics. This requirement is a modification
24 of, not in addition to, the requirement under OAR 877-025-0000.

25 9. Any violation of the terms of this Stipulated Final Order shall constitute grounds for
26 further disciplinary action up to and including revocation of Licensee's license.

1 10. Licensee shall not serve as a clinical supervisor for any CSWA or applicant for
2 licensure with this board while suspended or while on probation.

3 THE BOARD AND THE LICENSEE AGREE that this Stipulated Final Order sets forth
4 the entire agreement between the Board and the Licensee to resolve this matter.

5 IT IS SO STIPULATED this 22 day of March, 2000.

6

7

Signature on File in Board Office
WOLFGANG KUETTNER, LCSW

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10 IT IS SO ORDERED this 28th day of March, 2000.

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Signature on File in Board Office

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~~ELIZABETH A. BUYS, ADMINISTRATOR~~
BOARD OF CLINICAL SOCIAL WORKERS
STATE OF OREGON

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16 APPROVED AS TO FORM this 23 day of March, 2000:

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Signature on File in Board Office

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~~GREG W. O'NEILL, ATTORNEY AT LAW~~
OSB #81446, ATTORNEY FOR LICENSEE

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BEFORE THE
BOARD OF CLINICAL SOCIAL WORKERS
STATE OF OREGON

IN THE MATTER OF THE LICENSE TO
PRACTICE AS A CLINICAL SOCIAL
WORKER OF:

WOLFGANG KUETTNER, LCSW,

Licensee.

Case No. 99-8

ANSWER

In answer to the factual allegations contained in the notice, Licensee states as follows:

1.

Licensee's therapeutic relationship with Client ended May 30, 1989, the last therapy session at DCMH.

2.

Licensee did not have any type of therapy relationship with Client after May 30, 1989.

3.

Licensee and Client had sexual relations for the first time on July 6, 1991.

4.

Licensee did not realize that it had been only 25 months between his last therapy session with Client, May 30, 1989, and their sexual relations, July 6, 1991. Licensee thought that it had been in excess of three years since he had last had a therapeutic relationship with Client.

5.

Licensee and client never had a dual relationship. They had a therapeutic

1 relationship until May 30, 1989 and then a romantic relationship beginning July 6,
2 1991.

3 6.

4 Approximately June 11, 1991 Client called Licensee to ask if they could have
5 lunch the next time she came to town. She professed that she had not had any
6 alcohol to drink for a long time. Licensee brought up the three-year limitation but
7 Client assured Licensee that her therapy with Licensee had ended more than three
8 years prior. On July 3, 1991, Client came to Licensee's office to invite him to lunch.
9 Licensee was not available for lunch but said he was available for dinner. Once
10 again, Client appeared to be abstaining from alcohol use. Licensee and Client had
11 dinner at Player's in Bend. Client did not have any alcohol. On July 6, 1991 Client
12 came to the house where Licensee was staying and they had sexual relations. They
13 continued dating occasionally after that date, but their relationship was limited to
14 dating and there was no therapeutic relationship. On approximately four occasions,
15 Client did come to Licensee's office and helped him reorganize his billing records.
16 Licensee gave Client the standard instructions regarding the requirement that all
17 information regarding office records be kept confidential. In approximately the fall of
18 1993 Licensee sought to end the dating relationship with Client because she had
19 resumed her alcohol abuse. Client objected to ending the relationship and told
20 Licensee that their romantic relationship had actually begun within the three-year
21 prohibition and that she would report him, if Licensee would not continue the
22 relationship. Licensee did not believe her statement that their romantic relationship
23 had begun within the three years, and he gave Client a phone number to call the
24 Board. Licensee still thought that their romantic relationship had begun outside the
25 three year prohibition, and that is why attorney Tom Howes, on Licensee's behalf,
26 sent the Board a letter dated March 25, 1999

1 which asserted:

2
3 "My client has not had a clinical social work relationship
4 with Ms. E [REDACTED] at any time since sometime prior to 1988.
5 Mr. Kuettner did not have a sexual relationship with Ms.
6 E [REDACTED] within three years of the time that he had a clinical
7 social work relationship with her."

8 Licensee was surprised to find, when he read the records from the Board, that
9 his therapeutic relationship with Client had occurred as late as May 30, 1989.
10 Licensee is adamant that his therapeutic relationship with Client ended May 30,
11 1989, that he had no relationship of any type with Client between May 30, 1989 and
12 July 3, 1991, when their social relationship began over dinner and that he had no
13 therapeutic relationship with her during the time they were dating, which was from
14 July 3, 1991 until approximately the fall of 1993. After that point, Licensee
15 occasionally helped Client, for example, with her move to Portland.

16 DATED this 15th day of February, 2000.

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19 Signature on File in Board Office

20 _____
21 GREG O'NEILL, OSB #81446

22 Attorney for Licensee

23 DIC: 2/9/00 REV: 2/15/00
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