

COPY

BEFORE THE
BOARD OF LICENSED CLINICAL SOCIAL WORKERS
STATE OF OREGON

In the Matter of the License to)
Practice License Social Work of)
DAVID OLSON,)
Licensed Social Worker.)

STIPULATION

THE UNDERSIGNED parties hereby stipulate to the following:

1. The civil penalty assessed in the June 9, 1992 Notice of Proposed Disciplinary Action is hereby reduced from \$1,000 to \$750;

2. The June 9, 1992 Notice of Proposed Disciplinary Action becomes a Final Order of the State Board of Clinical Social Workers;

3. Mr. Olson agrees to waive his right to request a contested case hearing on the terms of the June 9, 1992 Notice as incorporated herein;

4. Neither this Stipulation nor the acceptance of the June 9, 1992 Notice is an admission of liability on the part of David Olson, LCSW and he expressly denies any wrongdoing;

5. David Olson, LCSW waives any right to judicial review of the June 9, 1992 Notice of Proposed Disciplinary Action and this Stipulation.

WE, THE UNDERSIGNED, DO HEREBY AGREE to the above terms.

David Olson, Licensed
Clinical Social Worker

Carol Ormiston, Chairman
Oregon Board of Licensed
Clinical Social Workers

Date

Date

David A. Olson, LCSW

Page 2

June 9, 1992

If you wish to contest this reprimand or civil penalty, you have the right to have a formal contested case hearing before the Board or its hearings officer to contest the reprimand or imposition of the penalty set out above. At the hearing, you may be represented by an attorney, subpoena witnesses, and cross-examine witnesses. That request for hearing must be made in writing to the Board, must be received by the Board within 21 days from the mailing of this notice (or if not mailed, the date of personal service), and must be accompanied by a written answer to the charges contained in this notice.

The answer shall be made in writing to the Board and shall include an admission or denial of each factual matter alleged in this notice, and a short plain statement of each relevant affirmative defense you may have. Except for good cause, factual matters alleged in this notice and not denied in the answer shall be presumed admitted; failure to raise a particular defense in the answer will be considered a waiver of such defense; new matters alleged in the answer (affirmative defenses) shall be presumed to be denied by the agency and evidence shall not be taken on any issue not raised in the notice and answer.

If you request a hearing, before commencement of that hearing, you will be given information on the procedures, rights of representation, and other rights of the parties relating to the conduct of the hearing as required under ORS 183.413-415.

If you fail to request a hearing within 21 days, or fail to appear as scheduled at the hearing, the Board may issue a final order by default and impose the above sanctions against you. Your submissions to the Board to-date regarding the subject of this disciplinary case and all information in the Board's files relevant to the subject of this case automatically become part of the evidentiary record of this disciplinary action upon default for the purpose of proving a prima facie case.

Should you have any questions, please feel free to contact the Board's office.

Sincerely,

Signature on File in Board Office

Carol Ormiston, Chair

BOARD OF CLINICAL SOCIAL WORKERS

JKS:jks/JGG0299F

June 9, 1992

STATE BOARD OF CLINICAL SOCIAL WORKERS

David Olson
PO Box 1082
Salem, OR 97308

Re: Complaint filed by **N.F.** **T.B.**
NOTICE OF PROPOSED DISCIPLINARY ACTION: Reprimand and Civil Penalties

Dear Mr Olson:

On December 10, 1991, the State Board of Clinical Social Workers (Board) received a complaint from **N.F.**, LCSW and **T.B.**, LCSW, regarding your billing practices with two different clients. Pursuant to its own rules, the Board, through its administrator, mailed a copy of Ms. **F.**'s complaint and letter to you. The Board received your letter in response dated January 15, 1992.

When the Board met on February 11, 1992, it reviewed the investigation file and determined upon the correspondence that the facts as presented in the complaint were essentially not disputed in your response. This being the case, the Board proposes to reprimand you for your consultation practices with Mr. **C.K.**, as those practices were arranged in order to qualify for insurance reimbursement for the treatment of clients you did not treat. OAR 877-30-000(1)(b).

The Board is charged with the twin duties, among others, of (1) to formulate a code of professional conduct for the practice of social work; and (2) enforcing the statutes and the rules. ORS 675.595(10) and (12). ORS 675.595(2) authorizes the Board to revoke, suspend or limit the practice of social workers licensed in the state of Oregon. The Board may also exact civil penalties for unprofessional or unethical conduct in the profession. OAR 877-30-000(1)(b), promulgated under the Board's authority to regulate the profession, prohibits clinical social workers from participating in, condoning or being associated with dishonesty, fraud, deceit or misrepresentation. Your arrangement with Mr. **K.** constitutes billing for services not rendered. As such, it is a misrepresentation and forbidden under the rules which regulate the Social Work profession.

Based on your consulting arrangement with Mr. **K.**, the Board hereby proposes to fine you \$1,000 for allowing the use of your license for purposes of billing for services essentially provided by Mr. **K.**. Payment may be made to the State Board of Clinical Social Workers and submitted to the Board's office at the address on this letter.

