

July 11, 1994

COPY

STATE  
BOARD OF  
CLINICAL  
SOCIAL  
WORKERS

Stephanie M. Sarnoff, LCSW and Ph.D.  
Alpine Counseling Center  
44 West Broadway, Suite 405  
Eugene, OR 97401

Dear Ms. Sarnoff:

On December 29, 1993, the State Board of Clinical Social Workers (Board) received a complaint against you from [redacted] regarding issues involved in his seeking an assessment regarding the extension of his visitation with his son pursuant to a court ordered evaluation and a written report of [redacted] S.P. that assessment. Pursuant to its rules, the Board, through its administrator, mailed a copy of [redacted] complaint to you. The Board received correspondence from you in response on February 4, 1994. The Board received further correspondence from [redacted] S.P. on February 23, 1994, and you responded on May 31, 1994. In addition, the Board, through its Consumer Protection Committee, met with you on May 3, 1994, to discuss the facts of [redacted] S.P. complaint with you.

The Board met on June 7, 1994 to review the investigation file. The Board proposes to reprimand you for violation of OAR 877-30-005(2)(a) and (e) OAR 877-30-000(1)(b).

FINDING OF FACTS

The facts supporting these violations are as follows:

1. On December 23, 1992, you agreed with [redacted] S.P. to perform an assessment of whether his visitation with his son [redacted] should be extended. The court ordered an evaluation prior to any extension being granted by the court. You agreed to provide the necessary services to make the assessment, to base the assessment on the emotional well-being, needs, and adjustment of [redacted] N., and to provide a written report with your recommendation by January 1, 1993.
2. The time within which you agreed to provide the recommendation was eight days which included a weekend and two holidays.
3. On December 23, 1992, you met with [redacted] S.P. and [redacted] N.
4. Five days later, on December 28, 1992, you made your first contact with the other relevant persons: you spoke with [redacted] S.P. ex-wife; and with Mr. Wells, her attorney; and you corresponded in writing with Ms. [redacted] A., Mr. Wells; [redacted] S.P. attorney, Ms. [redacted] W., and [redacted] S.P. therapist, Dr. [redacted] S.P., mailing each consent forms.



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5. On December 29, 1992, you met with <sup>S.P.</sup> and his son for only a few minutes because they were late for their appointment. You and <sup>S.P.</sup> were unable to find a mutually agreeable time to reschedule the appointment.
6. On December 31, you made an on-site visit to <sup>N.</sup> preschool, but did not see <sup>N.</sup> there as he was home due to illness. You also placed calls to both <sup>S.P.</sup> and Ms. <sup>A.</sup> therapists. You were unable to reach <sup>S.P.</sup> therapist, and upon reaching Ms. <sup>A.</sup> therapist, found she had not received a consent to release information and could not discuss the case with you.
7. On January 1, 1993, you prepared the written report.
8. In your written report and in your statement for services, both dated January 1, 1993, you represented that you wrote letters to Ms. <sup>A.</sup>, Ms. <sup>W.</sup>, Mr. <sup>W.</sup> and Dr. <sup>P.</sup>, and that you made phone contact with Ms. <sup>A.</sup> on December 24, 1992.
9. The letters and phone conversation actually took place on December 28, 1992. Copies of letters to Ms. <sup>A.</sup>, Ms. <sup>W.</sup>, Mr. <sup>W.</sup> and Dr. <sup>P.</sup> are dated December 28, 1992; the contents of the letters to Mr. <sup>W.</sup> and Ms. <sup>A.</sup> indicate that December 28, 1992 was the date they were sent and indicate that you did not contact Ms. <sup>A.</sup> on December 24, 1992, but on December 28, 1992; and your chart notes indicate that your conversation with Ms. <sup>A.</sup> was on December 28, 1992.
10. On January 23, 1993, you stated in a letter to <sup>S.P.</sup> that he was relieved of all financial liability for your services in providing the assessment and report.
11. On August 10, 1993, through your attorney, Michael Lewis, you demanded payment from <sup>S.P.</sup> which you had previously forgiven and which was, therefore, not due.

## VIOLATIONS

The violations are as follows:

### 1. Violation of OAR 877-005(2)(a) and (e).

OAR 877-005(2)(a) requires a clinical social worker to serve clients with a maximum application of professional skill and competence. OAR 877-30-005(2)(e) requires a clinical social worker to provide clients with accurate and complete information regarding the extent and nature of services available.

You represented to <sup>S.P.</sup> that you would provide services which you were unable to provide. While you only had eight days to gather the information necessary to make the assessment and recommendation and to write the report, you did not attempt to contact Ms. <sup>A.</sup>, her attorney, <sup>S.P.</sup> attorney or the parties' therapists until five days had passed.

When you spoke to Ms. <sup>A.</sup> on December 28, 1992, she expressed concerns about the quality of <sup>S.P.</sup> supervision. When <sup>S.P.</sup> was late for his second appointment on December 29, 1992, you were unable to schedule another time to meet with him.

You did not inform him that Ms. <sup>A,</sup> had expressed concerns which you were unable to evaluate due to inadequate information and that you might not be able to acquire that information in the limited time remaining.

On January 1, 1993, you had not been able to acquire sufficient information to address the concerns that Ms. <sup>A,</sup> had expressed nor to make a recommendation as to whether <sup>B, P,</sup> visitation with <sup>N,</sup> should be extended. Nonetheless, you provided a written report recommending that extended visitation be denied based not on the emotional well-being, needs and adjustment of <sup>N,</sup> but on the fact that you were unable to obtain adequate information, a fact you admitted in the report itself, and in subsequent letters to Ms. <sup>W,</sup>; Mr. <sup>W,</sup>, and the Board.

By providing a written report making a recommendation based on inadequate information, you violated both OAR 877-30-005(2)(a) and (e).

## 2. Violations of OAR 877-30-000(1)(b).

OAR 877-30-000(1)(b) requires that a clinical social worker shall not participate in, condone or be associated with dishonesty, fraud, deceit or misrepresentation.

You misrepresented the actual dates that services were performed in both the written report and in your statement for fees. While this discrepancy in dates might not be significant in some cases, in this case it is very significant. The entire period of time given for the assessment was only eight days, four of which were non-working days, and the recommendation was made based on lack of time to gather adequate information. The misrepresentation was a violation of OAR 877-30-000(1)(b).

You attempted to collect fees which were not due. After informing Mr. P <sup>in writing</sup> that you had discharged his bill, you attempted to collect the bill through an attorney. This is a second violation of OAR 877-30-000(1)(b).

### REPRIMAND

The Board is charged with the twin duties, among others, (1) to formulate a code of professional conduct for the practice of social work, and (2) to enforce the statutes and the rules. ORS 675.595(10) and (12). ORS 675.595(4) authorizes the Board to issue letters of reprimand to social workers licensed in the state of Oregon.

The Board hereby reprimands you for these practices and a copy of this Reprimand shall become a part of your permanent file.

IT IS SO ORDERED this 11<sup>th</sup> day of July, 1994.

STATE BOARD OF CLINICAL SOCIAL WORKERS

By \_\_\_\_\_  
Signature on File in Board Office

Elizabeth A. Buys, Administrator