March 11, 1996

COPY

Oregon
STATE
BOARD OF
CLINICAL
SOCIAL
WORKERS

LETTER OF REPRIMAND

Ms. Margaret Carlson, LCSW
P. O. Box 627
West Linn, OR 97068

Re: Complaint of R[redacted] H[redacted]
Complaint No. 164-95

Dear Ms. Carlson:

On September 8, 1995, the Board of Clinical Social Workers (Board) received a complaint against you from R[redacted] H[redacted], Administrator of Pulse Health Services. Pursuant to its rules, the Board, through its Administrator, mailed a copy of Ms. H[redacted]'s complaint to you. The Board received correspondence from you on October 23, 1995 and December 4, 1995. In addition, the Board, through its Consumer Protection Committee, met with you on January 2, 1996, to discuss the facts of Ms. H[redacted]'s complaint with you.

The Board met on January 2, 1996 and reviewed its investigation file with regard to this matter. Based on its review, the Board proposed to reprimand you for violation of OAR 877-30-070(1), OAR 877-30-070(15), and OAR 877-30-070(17).

On February 8, 1996, the Board issued a Notice of Intent to Reprimand. You received it on February 12, 1996. Twenty one (21) days were allowed for a response and request for a hearing. No request for a hearing was received by the Board. The Board now defaults you and issues the following Reprimand.

OAR 877-30-070(1) imposes on clinical social workers the obligation to avoid dual relationships. OAR 877-30-070(1) provides the following, in part:

> *"...The Clinical Social Worker shall not enter into a relationship with the client that conflicts with the interests of the client to benefit from social work practice or one that may impair professional judgment and increase the risk of exploitation of the client for the Clinical Social Worker's professional advantage."*

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OAR 877-30-070(15) requires a clinical social worker to inform his or her clients about any fees for requested services:

> *"A Clinical Social Worker shall charge reasonable fees and shall inform a client of the fees for the requested services."*

OAR 877-30-070(17) prohibits a clinical social worker from soliciting the clients of his or her employer. The rule provides the following:

> *"The Clinical Social Worker shall not solicit the clients from one's employer for private practice."*

FINDINGS OF FACT

1. You were employed as an independent contractor by Pulse Health Services at all times material.

2. While in a therapeutic relationship with Client A, a client of Pulse Health Services, you made arrangements for a placement for Client A in an adult foster-care home. You accepted a commission of $800 from the foster-care home for the placement. You did not inform either Client A nor Pulse Health Services that you would be paid a commission for the placement.

3. While in a therapeutic relationship with Client B, a client of Pulse Health Services, you made arrangements for a placement for Client B in an adult foster care home. You accepted a commission of $1,000 from the Adult Care Center for the placement. You did not inform Client B that you would be paid a commission for the placement. You did inform Pulse Health Services after accepting the commission that you had done so.

CONCLUSIONS OF LAW

The Board concludes that by accepting commissions for making placements for clients of Pulse Health Services for whom you had been employed to provide those services, you solicited the clients of an employer for your private practice. Further, by making adult foster care home placements for clients with whom you had a therapeutic relationship and accepting commissions for such placements without fully informing the clients of such commissions, you engaged in

conduct that was reasonably likely to impair your professional judgment and that you failed to inform them of the fees for your services. Your duties to your client require you to remain neutral and objective and to fully inform them of all fees for your services.

REPRIMAND

The Board is charged with the twin duties among others, (1) to formulate a code of professional conduct for the practice of clinical social work and, (2) to enforce the statutes and 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 part of your permanent file.

IT IS SO ORDERED this 11th day of March 1996.

STATE OF OREGON
STATE BOARD OF CLINICAL SOCIAL WORKERS

Signature on File in Board Office

By: _____
Elizabeth A. Buys, Administrator

AS:eb
#164-95