

BEFORE THE
BOARD OF CLINICAL SOCIAL WORKERS
FOR THE STATE OF OREGON

COPY

In the Matter of

KATHLEEN L. PRIETO, LCSW,

Licensee.

Case No. 2004-14 and 2004-16

**STIPULATED AMENDED
FINAL ORDER**

(Probation and Assessment of Costs)

On April 15, 2005, the State Board of Clinical Social Workers (Board) issued and served on Licensee Kathleen L. Prieto, LCSW (Licensee) a Final Order by Default (Default Final Order) in the above captioned matter. The Default Final Order placed Licensee on probation for a period of one year with certain conditions or limits on the scope of Licensee's clinical social work practice and assessed the Board's costs of the disciplinary process. Licensee did not request judicial review of the Default Final Order and the time therefore expired.

On July 18, 2005, the Board issued and served on Licensee a Notice of Proposed Disciplinary Action and Right to Hearing (Notice), Case No. 2005-13. The Notice alleged that Licensee had not complied with the terms and conditions of probation or paid the costs assessed in the Default Final Order and proposed to revoke Licensee's Clinical Social Worker license and assess the costs of that proceeding against Licensee for said noncompliance. Licensee received a copy of the Notice sent by regular and certified U. S. Mail addressed to Licensee at her address of record with the Board: 683 NE Alexis Court, Hillsboro OR 97124.

Licensee has since issuance of the Notice in Case No. 2005-13 come into compliance with the terms and conditions of probation and paid the costs assessed in the Default Final Order. The parties have agreed to resolve Case No. 2005-13 by entry of this Stipulated Amended Final Order (Amended Final Order) that extends the period of probation to two years and requires

Licensee to pay the Board's legal costs associated with Case No. 2005-13, and withdrawal of the Notice in Case No. 2005-13.

In stipulating and agreeing to issuance and entry of this Amended Final Order, Licensee acknowledges and understands the following:

a. This Amended Final Order will be submitted to the Board for approval and is subject to and conditioned upon approval by the full Board. This Amended Final Order, once issued by the Board, is a final order;

b. This Amended Final Order is a public document and a matter of public discipline. This document must be disclosed, published, and reported in accordance with ORS 676.175(3)(a)(D), OAR 877-040-0050(6), and Oregon Public Records Law;

c. Licensee has been fully advised of her rights to notice and a contested case hearing under the Oregon Administrative Procedures Act (ORS Chapter 183), and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Amended Final Order; and

d. Licensee has fully read this Amended Final Order and understands it completely. Licensee voluntarily, without any force or duress, consents to issuance and entry of this Amended Final Order. Licensee states that no promises or representation other than those stated herein has been made to induce Licensee to stipulate and agree to issuance and entry of this Amended Final Order. Licensee has ^{Not} consulted with an attorney regarding this Amended Final Order and has been fully advised in regards thereto or waives any and all rights to consult with an attorney prior to issuance and entry of this Amended Final Order.

NOW, THEREFORE, after further consideration of this matter and based on the agreement and stipulation by Licensee herein, the Board enters the following Findings of Fact, Conclusions of Law, and Amended Final Order:

FINDINGS OF FACT

The Board finds that:

1.

The Board is the state agency responsible for licensing, regulating and disciplining Licensed Clinical Social Workers in the State of Oregon.

2.

At all times material herein, Licensee has been licensed with the Board as a Licensed Clinical Social Worker (LCSW). Licensee's current address of record is: 913 SE Elina Street, Hillsboro, Oregon 97123.

3.

Licensee was employed as a Clinical Supervisor for Community Based Services Section of the Mental Health and Addiction Services Division, Multnomah County Department of County Human Services (CBS), from March 3, 2004, to June 9, 2004. Licensee's duties in that position included providing clinical supervision of comprehensive alcohol and drug assessment and intensive case management services with clients referred from a variety of community agencies, facilitating the most appropriate match with behavioral health and social services in the community, case management and monitoring, providing clinical supervision of services that enhance addiction treatment readiness for chronic addicts and alcoholics with co-occurring mental health disorders, and providing clinical supervision of outreach, referral and monitoring services to hard to treat clients with co-occurring substance and mental disorders.

4.

As a clinical supervisor for CBS, Licensee engaged in the practice of clinical social work within the meaning of ORS 675.510(2) by supervising or administering clinical social practice provided to clients of CBS and by directly providing clinical social work services to clients.

5.

AA was a client of CBS while Licensee was employed as clinical supervisor of CBS. Licensee provided direct clinical social work services to Client AA and supervised other agency personnel who also provided clinical social work services to Client AA. Licensee entered into a relationship with Client AA by allowing Client AA to reside with Licensee while she was employed at CBS as a clinical supervisor. This relationship entered into with Client AA impaired Licensee's professional judgment, conflicted with the ability of Client AA to benefit from the clinical social work services provided by CBS, or was otherwise detrimental to Client AA.

CONCLUSION OF LAW

Based on the findings of fact above, Licensee engaged in a dual relationship with Client AA, in violation of OAR 877-030-0070(1).

AMENDED FINAL ORDER

Based on the foregoing, it is hereby **ORDERED** that:

(a) Licensee is placed on **PROBATION** for a period of two years, from April 15, 2005, to April 14, 2007, with the following conditions or limits on the scope of Licensee's clinical social worker practice, pursuant to ORS 675.540(1)(d) or (e), ORS 675.595(5), (6), and (17), OAR 877-030-0090(1), and other applicable provisions of ORS Chapter 675.510 to 675.600 and OAR Chapter 877:

(i) Licensee must practice clinical social work under the supervision of a Licensed Clinical Social Worker (LCSW) (hereafter referred to as the "Supervisor") selected from a list of Board approved LCSW supervisors in Oregon;

(ii) Licensee authorizes the Board to communicate directly with the Supervisor and must promptly provide the Board with any necessary releases for the Board to communicate directly with the Supervisor;

(iii) Licensee must meet with the Supervisor at least once every two weeks for a minimum of an hour each session during the period of Probation. Those supervision meetings must be used by Licensee to discuss Licensee's clinical social work practice and review issues related to dual relationships;

(iv) Licensee shall instruct and have the Supervisor provide monthly status reports to the Board during the period of Probation, and a final detailed report to the Board within thirty (30) days of the end of the Probation period, regarding the supervision provided to Licensee and Licensee's compliance with the terms of Probation;

(v) Licensee must complete during the first year of Probation fifteen (15) additional hours of Continuing Education Units focused on ethics with an emphasis on dual relationships and client boundary issues. These specific Continuing Education hours are in addition to the normal Continuing Education requirements for Licensee to maintain her clinical social worker license. These Continuing Education hours must be approved in advance by the Board. Licensee must provide a detailed report to the Board on the completion of this Continuing Education requirement, including what Licensee learned from this additional continuing education and how Licensee intends to integrate that

information into her clinical social work practice, within thirty (30) days of the end of the first year of Probation period;

(vi) The supervision and additional continuing education required by this Probation, and all costs, fees, and expenses required for Licensee to comply with this Probation, shall be paid for entirely by Licensee; and

(vii) Failure to fully comply with all the terms and conditions of probation imposed herein shall by itself be grounds for revocation of Licensee's LCSW license.

(b) The Board's costs of the disciplinary process in the sum of \$1,377 to date are **ASSESSED** against Licensee, pursuant to ORS 675.595(17). Licensee has to date paid \$803.60 of this sum. The balance due of \$573.40 must be paid by Licensee as follows: \$286.70 shall be paid when Licensee signs and returns this Stipulated Amended Final Order; the remaining \$286.70 shall be paid on or before January 5, 2006.

ISSUED this 16th day of December, 2005.

**STATE BOARD OF CLINICAL SOCIAL WORKERS
State of Oregon**

By: Signature on File in Board Office
Jon F. Langenwalter, Administrator

IT IS SO STIPULATED AND AGREED TO this 1st day of December 2005.

Signature on File in Board Office

Kathleen L. Prieto, LCSW,

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