

COPY

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

In the Matter of

STAN MARCUS, LCSW,  
  
Licensee.

Case Nos. 2004-07 and 2004-09

**FINAL ORDER BY DEFAULT**  
*(Reprimand and Assessment of Costs)*

On October 20, 2004 the State Board of Clinical Social Workers (Board) issued a Notice of Proposed Disciplinary Action and Right to Hearing (Notice) stating that the Board intended to issue a letter of reprimand and assess the costs of this disciplinary proceeding against Stan Marcus, LCSW (Licensee) for violations of ORS 675.580, OAR 877-030-0070(14), and OAR 877-030-0070(17), pursuant to ORS 675.595(4) and 675.595(17).

The Notice was served on Licensee by regular and certified U. S. Mail addressed to Licensee at Licensee's address of record with the Board at 33 SE 52<sup>nd</sup> Ave., Portland, Oregon 97215 on October 20, 2004, and again on October 22, 2004.

The Notice informed Licensee of the opportunity for a hearing if requested in writing within sixty (60) days of mailing of the Notice. The Notice further informed Licensee that if a written request for hearing is not received within this 60-day period, then Licensee's right to a hearing shall be considered waived.

The Board did not receive a written request for hearing from Licensee within the allotted time and has to date not received any request for hearing from Licensee. Licensee is therefore in default. The Notice further informed Licensee that in the event the Board issues a final order by default, the Board designates its file on this matter for purposes of proving a *prima facie* case.

**NOW, THEREFORE**, after consideration of the records and files of the Board relating to this matter, the Board enters the following Findings of Fact, Conclusions of Law, and 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 with the Board is 33 SE 52<sup>nd</sup> Avenue, Portland OR 97215.

3.

Licensee was employed as a Therapist II in the Adolescent Chemical Dependency Outpatient Program with Legacy Health Systems/Caremark Behavioral Health Services (Caremark) for at least five years prior to leaving employment on or about March 11, 2004. Licensee has been working as a clinical social worker in private practice since leaving employment with Caremark.

4.

While employed at Caremark, Licensee received a message to contact a middle school counselor about an assessment of an adolescent client done by another Caremark counselor. Licensee contacted and spoke with the vice-principal at the middle school on one occasion about the assessment. Licensee did not realize in speaking with the vice-principal that Caremark only had a signed release of information from the client for the middle school counselor. Caremark reprimanded Licensee for this breach of client confidentiality. Licensee has acknowledged this incident occurred.

5.

Licensee, near the end of employment with Caremark and prior to entering into private practice, included himself in a list with three other practitioners personally recommended to the parents of an adolescent client that had completed a course of treatment at Caremark, but needed additional treatment to address other issues. This client lived in Northeast Portland while Licensee was located in Gresham. Licensee has acknowledged this incident occurred.

#### CONCLUSIONS OF LAW

Based on the findings of fact above, Licensee disclosed confidential client information on one occasion, in violation of ORS 675.580 and OAR 877-030-0070(14), and solicited a client from his employer for private practice in one instance, in violation of OAR 877-030-0070(17).

#### FINAL ORDER

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

- (a) A formal letter of **REPRIMAND** be issued to Licensee, pursuant to ORS 675.595(4); and
- (b) The Board's costs of this disciplinary process in the sum of \$441.00 to date are **ASSESSED** against Licensee, pursuant to ORS 675.595(17).

ISSUED this 20<sup>th</sup> day of January, 2005.

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

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

**NOTICE:** You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this Order. Judicial review is to the Oregon Court of Appeals pursuant to the provisions of ORS 183.482.