

COPY

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

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In the Matter of

ROBERT M. CLARK, LCSW,
Licensee.

STIPULATED ORDER
OF PROBATION
Case No. 2003-27

1.

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

2.

Robert M. Clark, MSW, LCSW, (Licensee) is a Licensed Clinical Social Worker in Oregon and subject to the jurisdiction of the Board.

3.

The Board conducted an investigation in response to information that it received indicating that Licensee had inappropriately disclosed confidential client information. The Board finds, based on said investigation, that Licensee over a period of several years disclosed to a friend confidential information about two clients. The Board concludes that Licensee's disclosure of confidential client information violated OAR 877-030-0070(14). Licensee admits to having committed said violations by signing below.

4.

Licensee and the Board desire to settle this matter by entry of this Stipulated Order of Probation (Stipulated Order), pursuant to ORS 183.415(5).

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Licensee acknowledges and understands the following:

a. The conduct resulting in the violations described in this Stipulated Order are considered by the Board to be of a serious nature;

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

c. This Stipulated 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;

d. Licensee has been fully advised of his 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 Stipulated Order;

e. Any violation of the terms and conditions of Probation in this Stipulated Order are grounds for disciplinary action against Licensee. The Board has the right to take action against Licensee to enforce this Stipulated Order or for other violations of ORS 675.510 to 675.600 or OAR Chapter 877;

f. Licensee has fully read this Stipulated Order and understands it completely. Licensee voluntarily, without any force or duress, consents to issuance and entry of this Stipulated Order. Licensee states that no promises or representation has been made to induce Licensee to sign this Stipulated Order. Licensee has consulted with an attorney regarding this Stipulated 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 Stipulated Order.

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6.

Licensee is placed on PROBATION for a period of one year from the date of issuance of this Stipulated Order with the following terms and conditions of probation:

a. Licensee must take steps to ensure that inappropriate disclosures do not occur and to ensure that Licensee fully understands his obligations to maintain client confidentiality as a Licensed Clinical Social Worker.

b. Licensee must promptly enter into supervision with a Licensed Clinical Social Worker (LCSW) (hereafter referred to as the "Supervisor") from a list of Board approved LCSW supervisors from the Pendleton-Hermiston-LaGrande-Baker City areas in Oregon. Licensee must notify the Board in writing within fourteen (14) days of issuance of this Stipulated Order of the name and contact information for the Supervisor and provide the Board with any necessary releases for the Board to communicate directly with the Supervisor.

c. Licensee must meet with the Supervisor for at least an hour each month during the period of Probation. Those supervision meetings shall be used by Licensee to discuss cases and review confidentiality issues, including, but not limited to, the following:

(1) A review of current state and federal legal and ethical requirements relating to maintaining confidential information;

(2) A review of Licensee's current policies and procedures relating to confidential information;

(3) A plan to implement any changes to Licensee's policies and procedures suggested by the Supervisor to ensure adequate safeguards and protection of confidential information; and

(4) A review of current issues relating to the handling of confidential information.

d. The supervision required by this Stipulated Order and all costs required for Licensee to comply with this Stipulated Order shall be at Licensee's expense.

1 e. Licensee authorizes the Board to communicate directly with the Supervisor and
2 shall provide any necessary releases for the Board to communicate directly with the
3 Supervisor.

4 f. Licensee shall instruct and have the Supervisor provide quarterly status reports to
5 the Board during the period of Probation, and a final report to the Board within thirty (30)
6 days of the end of the Probation period, regarding the supervision provided to Licensee and
7 Licensee's compliance with the terms of Probation in this Stipulated Order.

8 g. Licensee shall complete during the period of Probation fifteen (15) hours of
9 Continuing Education Units focused on issues of client confidentiality. These specific
10 Continuing Education hours are in addition to the normal Continuing Education requirements
11 for Licensee to maintain his clinical social worker license. Licensee shall provide a report on
12 the completion of this Continuing Education requirement to the Board within thirty (30) days
13 of the end of the Probation period.

14
15 **IT IS SO STIPULATED AND AGREED TO this** 29th **day of** JANUARY, 2004:

16 Signature on File in Board Office

17
18 ROBERT M. CLARK, MSW, LCSW

19
20 **IT IS SO ORDERED this** 13 **day of** February, 2004:

21 **BOARD OF CLINICAL SOCIAL WORKERS**
22 **State of Oregon**

23 Signature on File in Board Office

24 By: Ginger A. Martin, Chair

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