

**BEFORE THE
BOARD OF LICENSED SOCIAL WORKERS
OF THE STATE OF OREGON**

In the Matter of
ANDREW JON DAVIS, MSW, CSWA
Respondent.

**STIPULATED FINAL ORDER OF
PROBATION AND ASSESSING CIVIL
PENALTIES**

Case No. 2010-32

1.

The Oregon State Board of Licensed Social Workers (Board) is the agency responsible for licensing, regulating, and disciplining regulated social workers in the State of Oregon, including but not limited to Licensed Clinical Social Workers (LCSWs) and Clinical Social Work Associates (CSWAs).

2.

At all times material herein, Andrew Jon Davis, CSWA (Respondent) was certified by the Board as a CSWA, Certificate No.2611, is an applicant for an LCSW license, and is subject to the jurisdiction of the Board.

3.

The Board finds and Respondent admits to the following five (5) specific incidents of conduct in violation of the terms of Respondent's Impaired Professional (IMP) Monitoring Agreement in Board Case 2009-23 in effect through June 30, 2010, in each instance in violation of OAR 877-030-0040(1)(b)[2010].

3.1.

Respondent failed to report to the Board the end of Respondent's employment with Sequoia Mental Health within fifteen (15) calendar days, in violation of paragraph (6)(c) of his IMP agreement.

3.2

Respondent failed to report to the Board his start of employment with Oregon State Hospital within fifteen (15) calendar days, in violation of paragraph (6)(c) of his IMP agreement.

3.3

Respondent failed to report to the Board his end of employment with Oregon State Hospital within fifteen (15) calendar days, in violation of paragraph (6)(c) of his IMP agreement.

3.4.

Respondent failed to report to the Board his return to employment with Oregon State Hospital within fifteen (15) calendar days, in violation of paragraph (6)(c) of his IMP agreement.

3.5.

Respondent failed to report to the Board his termination from trial service with Oregon State Hospital related to conduct with a female co-worker within five (5) calendar days, in violation of paragraph (6)(b) of his IMP agreement.

4.

The Board further finds that the foregoing conduct demonstrates a lack of good moral character for purposes of making a fitness determination for licensure as a Licensed Clinical Social Worker, as provided in OAR 877-020-0008(2)(a)(A)[2010]. The Board therefore, upon entry of this Order authorizes issuance to Respondent of an LCSW license and immediately places Respondent on **PROBATION** for two (2) years and until all of the following terms and conditions are fully completed to the Board's satisfaction, pursuant to ORS 675.540(1), 675.540(2)(b), and other applicable authority:

4.1 The Board assesses a \$500.00 civil penalty for each of the five (5) violations of OAR 877-030-0040(1)(b)[2010] above, for total civil penalties assessed of \$2,500.00.

4.2 The Board suspends \$2,000.00 of the civil penalties, provided Respondent fully complies with all the terms of the Stipulated Order and does not violate Board rules or statutes in the future. The remaining \$500.00 civil penalty assessed is payable within 30 days of entry of this Stipulated Order.

4.3 Respondent must comply with Disciplinary Supervision for a period of two years from date of entry of this Stipulated Order, as further specified below.

4.4 Disciplinary Supervision must commence within 30 days of the date of entry of the Stipulated Order.

4.5 Disciplinary Supervision is provided by a Board approved supervisor at least twice each month for at least one (1) hour each meeting, with quarterly progress reports from the Supervisor provided to the Board.

4.6 The disciplinary supervision must include a special focus on maintenance of boundaries with colleagues and clients.

4.7 Respondent is responsible for all costs associated with the disciplinary supervision.

4.8 Respondent must ensure full access by the supervisor to his social work case and work records, as well as work performance records, and provide the disciplinary supervisor with the authority to communicate directly with your administrative and clinical work place supervisors, including signing of any necessary confidentiality releases.

4.9 Respondent must also authorize the Board to communicate directly with the supervisor and provide any releases necessary for that to occur.

4.10 Respondent is responsible for ensuring that the supervisor provides quarterly status reports to the Board during the period of Probation, and a final report to the Board within thirty (30) days of the end of the period of supervision, regarding the supervision provided to Respondent and the Respondent's compliance with the terms of the Probation.

4.11 Respondent must complete Six (6) hours of Continuing Education in Ethics focusing on Maintenance of Boundaries within six months of date of entry of this Order. This disciplinary Continuing Education requirement is separate from and in addition to any Continuing Education requirements for LCSW licensure renewal set forth in OAR 877-025-0011.

4.12 Respondent must continue to see Thomas J. Brewer, Psy.D., CSAT, on at least a quarterly basis to be monitored for compliance with Respondent's relapse prevention plan. Respondent must sign necessary releases within 30 days of entry of this Stipulated Order for the Board to communicate directly with Dr. Brewer during the period the Probation is in effect.

4.13 The supervision, Continuing Education and monitoring for relapse required by this Stipulated Order, and all costs, fees, and expenses required for Respondent to comply therewith, shall be paid by Respondent.

5.

Respondent understands, acknowledges, and agrees to the following:

5.1 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.

5.2 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(5)(a)(D), OAR 877-040-0050, and Oregon Public Records Law.

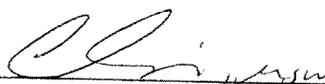
5.3 This Stipulated Order in no way limits or prevents further remedies, sanctions, or actions which may be available to the Board under Oregon law for conduct or actions of Respondent not covered by this Stipulated Order, or against a party not covered by the Stipulated Order, or for Respondent's failure to comply with the terms of this Stipulated Order;

5.4 Respondent has been fully advised of Respondent's rights to notice and a contested case hearing under the Oregon Administrative Procedures Act (ORS Chapter 183) and Civil Penalty Procedures of ORS 183.745, and fully and finally waives any and all such rights and any rights to appeal or otherwise challenge this Stipulated Order; and

5.5 Respondent has fully read this Stipulated Order and understands it completely. Respondent voluntarily, without any force or duress, consents to issuance and entry of this Stipulated Order. Respondent states that no promises or representation has been made to induce

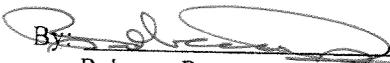
Licensee to sign this Stipulated Order. Respondent has consulted with an attorney regarding this Stipulated Order and has been fully advised in regards thereto or waives any and all rights to consult with an attorney prior to issuance and entry of this Stipulated Order.

IT IS SO STIPULATED AND AGREED TO this 8th day of April, 2011.


Andrew Jon Davis, MSW, CSWA, Respondent

IT IS SO ORDERED this 9 day of April, 2011.

**BOARD OF LICENSED SOCIAL WORKERS
State of Oregon**

By 
Rebecca Rasmussen, Chair