



COPY

BEFORE THE STATE OF OREGON
BOARD OF LICENSED SOCIAL WORKERS

In the Matter of)	Case No. 2011-31
)	
YVONNE M. RICE, MSW, LCSW)	SETTLEMENT AGREEMENT &
License #2437)	STIPULATED FINAL ORDER
)	<i>(License Surrender in lieu of Revocation and</i>
Respondent.)	<i>Assessment of Civil Penalties with Conditions)</i>
)	

1.

The Board of Licensed Social Workers (hereafter referred to as "Board") is the state agency responsible for licensing, regulating and disciplining regulated social workers in the State of Oregon, including but not limited to Licensed Clinical Social Workers, pursuant to ORS 675.510 to 675.600 and OAR Chapter 877.

2.

At all times material herein, Respondent Yvonne M. Rice, LCSW (hereafter referred to as "Respondent"), was licensed with the Board as a Licensed Clinical Social Worker (LCSW), License No. L002437, and subject to the full jurisdiction of the Board. Respondent has been a licensee or certificate holder of the Board since being granted her Clinical Social Worker License on January 10th, 1997.

As a licensee, Respondent had a duty to report required information pursuant to OAR 877-030-0040(2)(a)(C) [07/2008] and OAR 877-030-0040(2)(a)(D) [01/2011], as well as other applicable authority. Furthermore, Respondent also had a duty to not participate in, condone or be associated with dishonesty, fraud, deceit or misrepresentation to the Board, pursuant to OAR 877-030-0040(1)(b), and other applicable authority.

3.

Respondent failed to notify the Board of reportable event(s) that occurred during the following time periods within the time required by the following Oregon Administrative Rule(s):

1 07/17/2008 – 08/01/2008 as required by OAR 877-030-0040(2)(a)(C) [07/2008]
2 08/06/2008 – 08/28/2008 as required by OAR 877-030-0040(2)(a)(C) [07/2008]
3 08/07/2009 – 08/26/2009 as required by OAR 877-030-0040(2)(a)(C) [07/2009]
4 01/25/2010 – 02/11/2010 as required by OAR 877-030-0040(2)(a)(C) [07/2009]
5 03/04/2010 – 03/17/2010 as required by OAR 877-030-0040(2)(a)(C) [07/2009]
6 02/18/2011 – 02/28/2011 as required by OAR 877-030-0040(2)(a)(D) [01/2011]
7 05/25/2011 – 06/02/2011 as required by OAR 877-030-0040(2)(a)(D) [01/2011]

8 **4.**

9 As part of the licensure renewal process for the following years, Respondent was asked
10 and answered a series of questions on her application for renewal and certified that said statements
11 were true and correct when in fact one or more statements were false, in violation of the following
12 rules:

13 2010 -Respondent signed on 05/27/2010 violated OAR 877-030-0040(1)(b) [01/2010]
14 2009 -Respondent signed on 06/06/2009 violated OAR 877-030-0040(1)(b) [07/2008]
15 2008 -Respondent signed on 07/01/2008 violated OAR 877-030-0040(1)(b) [07/2008]
16 2007 -Respondent signed on 06/04/2007 violated OAR 877-030-0040(2) [12/2005]

17 **5.**

18 On November 5, 2011, the Board issued and served on Respondent a Notice of Proposed
19 Action and Notice of Right to a Hearing (Notice) proposing to revoke Respondent's LCSW license
20 and assess against Respondent civil penalties in the amount of \$500 each for the above violations
21 and the Board's costs of this disciplinary process, which Notice is incorporated herein by this
22 reference.

23 **6.**

24 On November 28, 2011, the Board received Respondent's timely request for hearing on
25 the Notice.

7.

Respondent and the Board now desire to resolve this matter by entry into this Settlement
Agreement and issuance of the Stipulated Final Order (Order), pursuant to ORS 183.417(3)(b) and
ORS 675.510 to 675.600. In doing so, the Board finds and Respondent admits to having committed

1 the aforementioned conduct and violations.

2 **8.**

3 Respondent understands, acknowledges, stipulates, and agrees to the following:

- 4 **8.1** This Settlement Agreement (hereafter "Agreement") and the Stipulated Final Order
5 below (hereafter "Order") will be submitted to the Board for approval and is subject to
6 and conditioned upon the approval by the full Board. If approved by the Board, the
7 Order may be issued and entered.
- 8 **8.2** The Order below, once issued, is a Final Order.
- 9 **8.3** Respondent hereby voluntarily **SURRENDERS** her license to practice social work in
10 Oregon and requests the Board accept her surrender in lieu of revocation. If accepted
11 by the full Board, this voluntary surrender will be effective as of the date of the
12 issuance of the Order.
- 13 **8.4** This Agreement and the Order are a public document and must be disclosed, published
14 and reported in accordance with ORS 676.175, OAR 877-040-0050, and Oregon Public
15 Records Law.
- 16 **8.5** Any violation of the terms of the Order constitutes grounds for disciplinary action
17 under ORS 675.540 and other applicable authority. The Board has the right to take
18 action against the Respondent to enforce this Order, for any violation thereof, or for
19 other violations of ORS 675.510 to 675.600, or OAR Chapter 877 not stated herein.
- 20 **8.6** This Agreement and the Order in no way limit or prevent further remedies, sanctions,
21 or actions which may be available to the Board under Oregon law for conduct or
22 actions of Respondent not covered by this Agreement or Order, or against a party not
23 covered by this Agreement or Order, or for Respondent's failure to comply with the
24 terms of this Agreement or Order.
- 25 **8.7** Respondent has fully read this Agreement and the Order, and understands them
completely. Respondent has consulted with an attorney regarding this Agreement and
the Order and has been fully advised in regards thereto, or waives any and all rights to
consult with an attorney prior to entering into this Agreement and issuance of this
Order.
- 8.8** Respondent enters into this Agreement and agrees to issuance of the Order voluntarily
and without any force or duress. Respondent states that no promises or representation
not stated herein have been made to induce Respondent to sign this Agreement or agree
to issuance of the Order.
- 8.9** Respondent has the right to notice and a contested case hearing under the Administrative

1 Procedures Act (ORS Chapter 183) and Civil Penalty Procedures of ORS 183.745, and
2 fully and finally waives any and all such rights and any rights to appeal or otherwise
3 challenge this Agreement or the Order.

4 **IT IS SO STIUPLATED AND AGREED TO** this 6th day of February, 2012, by:

5 **SIGNATURE ON FILE**

6 Yvonne M. Rice, LCSW #2437 (Respondent)

7 **FINAL ORDER**

8 **9.**

9 **NOW, THEREFORE**, based on the stipulations and agreement by Yvonne M. Rice
10 above, and pursuant to ORS 183.417(3), 675.540 and 675.595, **IT IS HEREBY ORDERED** that:

- 11 **9.1** The above Agreement and stipulation for license surrender in lieu of revocation and
12 conditions submitted by Respondent are accepted and incorporated herein by this
13 reference.
- 14 **9.2** Respondent's voluntary surrender in lieu of revocation of her Licensed Clinical Social
15 Worker (LCSW) license is accepted and effective as of the date of this Order below.
16 Respondent shall within ten (10) calendar days, return Respondent's original license
17 certificate to the Board.
- 18 **9.3** Respondent is prohibited after issuance of this Order from using the title of, or
19 purporting to be, a "social worker," or using any other title that includes those words or
20 indicates that Respondent has an authorization to practice social work in Oregon,
21 pursuant to ORS 675.520(1).
- 22 **9.4** Respondent may not after issuance of this Order, engage in the practice of clinical
23 social work within the meaning of ORS 675.510(2) in the State of Oregon or with an
24 Oregon resident, without being appropriately licensed with the Board and otherwise in
25 compliance with all the requirements of the Order and for practicing clinical social
work in Oregon.
- 9.5** Respondent may not apply for a license or certification with the Board for at least three
years after the effective date of this Order. In the event that Respondent applies for
licensure or certification with the Board after this three year period, the Board may as
part of any review, consideration, or decision on her application, consider her conduct
in this matter and compliance with the terms of this Order in addition to any other
information required by this Order or obtained or required as part of the application
process. This Order does not in any way restrict or limit the Board as part of its review,
consideration, and decision on any application submitted by Respondent.

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9.6 Respondent shall, as part of any application for licensure or certification that is received by the Board after the three (3) year period from the date this Order is issued, submit to and provide the Board with a then current mental health evaluation from a Board approved provider as follows:

- a. The evaluation must be completed by a Board approved Evaluator in a form acceptable to the Board and submitted along with Respondent's application. Respondent's application is incomplete and will not be considered if such an evaluation is not submitted as part of the application.
- b. Respondent must sign all necessary releases to allow full communication between the Board, its staff, and the Evaluator and must direct that the Evaluator provide a copy of the evaluation directly to the Board immediately after completion.
- c. Respondent is financially responsible for and shall pay all costs of the evaluation or associated therewith.

9.7 In the event that Respondent hereafter applies for and meets all of the requirements and qualifications for licensure or certification with the Board, including but not limited to that Respondent is in full compliance with the terms of this Order and all the requirements for practicing social work in Oregon, and, thereafter, is issued a license or certificate by the Board, Respondent shall contemporaneous with issuance of that license or certificate be placed on **PROBATION** for a period of twelve (12) months and until further order of the Board as follows:

- a. The supervision is of Respondent's clinical practice.
- b. The supervision must commence with Respondent being placed on probation and is in addition to any other supervision required for licensure or certification.
- c. The supervision must be provided by a Board approved supervisor.
- d. The supervision must involve Respondent meeting with the supervisor at least once (1) a month for at least one (1) hour each meeting.
- e. Respondent is responsible for all costs associated with the supervision and terms of probation.
- f. Respondent must ensure full access by the supervisor to Respondent's social work case and work records, as well as work performance records, and provide the disciplinary supervisor with the authority to communicate directly with others as necessary to ensure adequate supervision, including signing of any necessary confidentiality releases.

