

COPY

BEFORE THE
BOARD OF CLINICAL SOCIAL WORKERS
STATE OF OREGON

In the Matter of the License as)
a Clinical Social Worker of) STIPULATED
RICHARD B. BOLTON, LCSW.) FINAL ORDER

Pursuant to ORS 675.540, the above-entitled matter came before the State Board of Clinical Social Workers (Board) on the complaint of J██████ H██████. Pursuant to ORS 183.415(5) and OAR 877-40-045, in order to informally dispose of and settle this matter, Richard B. Bolton (Bolton), and the Board by and through its Chair, Carol Ormiston, make the following statements:

1.

Bolton admits and stipulates that he has been advised of his right to request a hearing in this matter pursuant to ORS 183.415(2)(a) and to be represented at a hearing pursuant to ORS 183.415(3).

2.

Bolton waives his right to request such a hearing in this matter and waives the right to be represented by an attorney at a hearing.

3.

The Board and Bolton stipulate to the following: That the following allegations, if proven, would be sufficient to support a finding by the Board that Bolton has violated one or more of the

1 statutes and rules of the Board, specifically ORS 675.540(1)(d)
2 and (e), OAR 877-30-000(1)(b), OAR 877-30-005(2)(g), and that
3 Bolton may be disciplined under the provisions of ORS 675.540(2)(b).
4 Bolton does not contest the following:

5 (a) Since May 8, 1984, Richard Bolton (Bolton) has been a
6 licensed clinical social worker. ORS 675.520.

7 (b) Bolton entered into a client provider contract with J
8 H (H) in July of 1990.

9 (c) Thereafter, between September 1990 and January 18, 1991,
10 Bolton prescribed and dispensed homeopathic remedies
11 Lycopodium, Pulsatilla, Ignasia and Sulfur to H,
12 charging her for each prescription. On March 8, 1991
13 Bolton prescribed Phosphorus to stop bleeding that H
14 was experiencing.

15 (d) H participated in Bolton's Self Recovery Processing
16 classes (a methodology of psychotherapy). Bolton billed
17 H's Blue Cross Blue Shield insurance for two separate
18 Self Recovery Processing classes that were actually offered
19 in 20 separate sessions. H learned how to conduct
20 Neuro-Emotional Restructuring in a professional or private
21 setting, but received no group therapy or individual
22 therapy.

23 (e) On more than one occasion, Bolton billed H's Blue
24 Cross Blue Shield insurance for 110-minute therapy sessions
25 with H by splitting them into two separate sessions

26 ///

1 lasting 45 minutes each, although the sessions actually
2 lasted 110 minutes.

3 4.

4 Bolton's actions, as detailed in the Notice of Proposed
5 Revocation dated August 18, 1992, if proven, would constitute
6 grounds for license sanction under ORS 675.540(2)(a).

7 5.

8 The Board finds insubstantial evidence to support an allegation
9 of a breach of confidentiality or disclosure of any communication
10 given by H. in the course of treatment. The Board takes
11 official notice of proof of continuing education presented by
12 Bolton showing his homeopathic treatment training.

13 6.

14 The Board and Bolton stipulate and agree that this disciplinary
15 action may be concluded by the entry of this Stipulation on the
16 following terms:

17 (a) Bolton shall undergo supervision by a licensed clinical
18 social worker approved by the Board for two years. The
19 supervisor will be chosen (once only) by Bolton from a list
20 of six created by the Board. Selection of the supervisor
21 shall be completed thirty days from entry of this order.
22 The supervision shall specifically address, but is not
23 limited to, client-related ethics issues and limits of
24 clinical social practice. The content and the direction of
25 the supervision shall be at the sole discretion of the
26 supervisor. The supervision shall occur at least twice a
month and for at least one hour each session, for a total of
40 hours a year.

(b) The supervisor shall provide a formal report to the Board at
the following intervals:

- i) 6 months after supervision commences;
- ii) 12 months after supervision commences;
- iii) 18 months after supervision commences; and
- iv) at the conclusion of supervision.

1 Each formal report shall detail Mr Bolton's progress,
2 determine whether Bolton is participating in good faith,
3 whether Bolton is aware of the ethical rules breached which
4 produced the complaint; whether Bolton evidences adequate
5 clinical skills; and Bolton's practice meets the standards
6 for practice in the state of Oregon.

- 7 (c) If the supervisor determines that therapy is necessary,
8 Bolton agrees to attend therapy sessions with a mental
9 health professional, licensed by the State of Oregon. The
10 supervisor shall recommend and approve (only once) the
11 therapist. The number of hours of therapy shall be deter-
12 mined by the therapist in consultation with Bolton and the
13 supervisor. Any therapy shall be at the sole cost of Bolton.
- 14 (d) Bolton consents to the supervisor or therapist contacting
15 the Board, if the supervisor or therapist believes there is
16 a risk to the public by the continued practice of Bolton as
17 an LCSW. Unless the therapist, supervisor, or Board
18 perceives Bolton's continued practice as an LCSW is a risk
19 to the public, the contents of, and communications made as a
20 part of Bolton's therapy shall remain confidential.
- 21 (e) Bolton consents to the above supervisor and/or therapist
22 consulting with each other, or the Board, regarding Bolton's
23 performance.
- 24 (f) At the end of the second year of supervision the supervisor
25 shall, as part of the fourth formal report required by
26 Section (c) above, provide a letter to the Board in which
the supervisor states: (i) whether Bolton is aware of the
ethical issues breached that resulted in this complaint,
(ii) whether Bolton evidences adequate clinical skills, and
(iii) whether Bolton's practice meets the standards for
practice of an LCSW in Oregon. Bolton waives no right to
challenge the report or the contents thereof.
- (g) Bolton shall attend twenty hours of training in the first
year of supervision. The training shall consist of prior
Board approved formal continuing education in the areas of
ethical issues for social workers, social work skills, or
other areas identified by the supervisor.
- (h) Sixty days after supervision begins, Bolton will create,
and submit to the Board for approval, a therapy disclosure
statement including his: name, business address and tele-
phone number; formal education, training, and continuing
education; philosophy, technique and approach to social
work; and fee schedule. A disclosure statement will be
signed by each client and placed in their file, preferable
before beginning therapy.

- 1 (i) Bolton agrees to the imposition of a \$1,000 civil
2 penalty.
- 3 (j) Until Bolton fulfills all of the requirements of this
4 stipulation and the supervisor formally concludes Bolton's
5 supervision, Bolton agrees not to practice clinical
6 supervision of Certified Social Work Associates or Masters
7 of Social Work recipients seeking licensure with the Board.
- 8 (k) Bolton agrees not to dispense homeopathic remedies to the
9 public so long as he is a Licensed Clinical Social Worker.
- 10 (l) Any dispute concerning supervision of Bolton or the
11 therapist, will be resolved by the Board at their
12 regular scheduled monthly meeting, in an informal
13 binding hearing, with testimony limited to the
14 supervisor, the therapist and Bolton.
- 15 (m) Bolton agrees to three years of probation regarding
16 the practice of homeopathy in conjunction with
17 clinical social work and billing practices.

18 7.

19 If the Board finds, after a contested case hearing, that Bolton
20 has materially violated any of the terms of this Stipulation, that
21 violation shall constitute grounds for revocation and Bolton's
22 license may be immediately revoked.

23 IT IS SO STIPULATED

24 Signature on File in Board Office

25 _____
26 RICHARD B. BOLTON, LCSW

6/22/93

DATE

Signature on File in Board Office

27 _____
28 CAROL ORMISTON, CHAIR
29 BOARD OF LICENSED CLINICAL SOCIAL WORKERS

7/6/93

DATE

30 JKS:jks:ros/JGG05D83