

**BEFORE THE WEST VIRGINIA BOARD OF SOCIAL WORK EXAMINERS**

**WEST VIRGINIA BOARD OF SOCIAL  
WORK EXAMINERS,  
Complainant,**

**v.**

**Case No. 307JS-0806**

**T. JANE SPRAGGINS ,  
Licensed Certified Social Worker  
Licensed Number: CP00816357  
Respondent.**

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**CONSENT AGREEMENT AND ORDER**

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After due investigation of a written complaint, the West Virginia Board of Social Work Examiners (hereinafter "Board") determined that there was probable cause to believe that T. Jane Spraggins (hereinafter "Respondent") has exhibited unprofessional and unethical conduct in the practice of social work, in violation of the provisions of W. Va. Code § 30-30-1 *et seq.* and the Rules of the Board, 25 C.S.R. § 1 *et seq.* The Respondent was provided with written notice of the allegations against her pursuant to the rules of the Board and the laws of this State.

Now, in lieu of hearing, the parties have reached an agreement for the resolution of this case matter and the parties agree to entry of the following Order in disposition of this matter.

**FINDINGS OF FACT**

The Board adopts the following findings in this matter:

1. That the Board is a State entity created by W. Va. Code § 30-30-1 *et seq.* and is empowered to regulate the practice of social work.

2. That the Respondent, T. Jane Spraggins, is a licensee of the Board, possessing License No. CP00816357, and is therefore subject to the license requirements of said Board.

3. That the Board is empowered to investigate allegations of unprofessional or unethical conduct and to suspend, restrict, revoke or refuse to issue a license to practice social work under the authority granted to it by W. Va. Code § 30-30-1 *et seq.*

4. That Respondent was, at all times material hereto, self-employed as a licensed social worker receiving referrals from the Problem Gamblers Help Network of West Virginia (hereinafter "Network"). However, Respondent's referral contract with the Network was subsequently cancelled in March 2007.

5. That in March 2007, the Board received a written complaint along with documentation that the Respondent had doubled billed for services by billing both the Network and the client's private health insurance when the Respondent had previously indicated that she was not billing to any other source, including private insurance. Moreover, the Respondent billed the Network for client sessions that never occurred, and provided fictitious treatment notes with the invoices. All of these incidents took place from April 2006 through February 2007.

6. That it was revealed that the Respondent had indeed doubled billed the Network for client sessions between April 2006 and February 2007. When questioned by the Network about the billing irregularities the Respondent stated the errors were merely billing errors and subsequently sent corrected invoices. Moreover, the Respondent billed

the Network for sessions that never occurred with clients from April 2006 and February 2007, and the Respondent would submit fictitious treatment notes to correspond to the invoices submitted to the Network for payment.

7. That the Board conducted an investigation, during which time the Complainant, the Respondent and other relevant parties were interviewed and various documents relevant to the complaint were obtained and reviewed.

8. That during the Board's investigation, the Respondent admitted that all the allegations as stated by the Network (who filed the complaint) were true. Respondent stated she, "billed insurance and PGHN [Network] on those cases they listed this past year. I also wrote progress notes on some cases when the client was not seen." See Respondent's Response.

9. That the Board's assigned complaint investigator did review all the information obtained during the investigation and based upon that review, did make a recommendation to the Board for a finding of probable cause.

10. That the Respondent's actions constitute a violation of the current Code of Ethics adopted by the Board, the Board's governing practice act, and that this violation of the Code of Ethics may be grounds for disciplinary action by the Board pursuant to W. Va. Code § 30-30-7 and 25 C.S.R. § 1-4.2.

11. That the Board made a finding of probable cause for a violation of the National Association of Social Workers Code of Ethics at 2.01, 3.05, 4.04.

### **CONCLUSIONS OF LAW**

1. That the Board has jurisdiction to take disciplinary action against Respondent.

2. That based upon the allegations of unprofessional or unethical conduct set out above in the *Findings of Fact* section, the Board is authorized to suspend, revoke or otherwise restrict the license of the Respondent to practice social work, pursuant to W. Va. Code § 30-30-7.

3. That the Board has adopted the National Association of Social Workers Code of Ethics as its Code of Ethics pursuant to 25 C.S.R. § 1-4.1 and has defined professional negligence to include a licensed social worker's failure to comply with the Code of Ethics. Violations of this Code may be grounds for disciplinary action by the Board pursuant to 25 C.S.R. § 1-4.2.

#### **CONSENT OF LICENSEE**

I, T. Jane Spraggins, by affixing my signature hereto, acknowledge the following:

1. That I have had the opportunity to consult with counsel and execute this Consent Agreement voluntarily, freely, without compulsion or duress and mindful that it has legal consequences.

2. That no person or entity has made any promise or given any inducement whatsoever to encourage me to make this settlement other than as set forth herein.

3. That I acknowledge that I am aware that I may pursue this matter through appropriate administrative and/or court proceedings, and I am aware of my legal rights regarding this matter, but intelligently, knowingly and voluntarily waive such rights.

4. That I waive any defenses including, but not limited to, laches, statute of limitations, and estoppel, that I may have otherwise claimed as a condition of this agreement.

5. That I admit that my actions were illegal, unprofessional and unethical and a violation of the statute and rules of the Board.

The Respondent, T. Jane Spraggins, by affixing her signature hereon, agrees to the following:

## **ORDER**

On the basis of the foregoing, the Board does hereby ORDER and DECREE that:

1. Respondent's license is hereby suspended for a period of six (6) months effective upon the entry date of this *Order* hereto.
2. Respondent shall complete ten (10) contact hours of Board approved continuing education in professional and social work ethics within one year of license reinstatement. These ten (10) contact hours are in addition to the standard requirement of fifty (50) contact hours that a licensee must complete for license renewal, and shall not be obtained via any online courses.
3. Respondent shall reimburse the Board for all of the administrative and legal expenses incurred by the Board in the investigation and disposition of this case prior to license reinstatement or within six months of the entry date of this *Order*.
4. Respondent shall apply for license reinstatement to the Board for reinstatement at the end of the six (6) month suspension.
5. The Board is bound by agreement and by law to report the results of all disciplinary actions, including the instant matter, for posting in the Health Integrity Practitioners Data Bank through the Association of Social Work Boards.
6. That this document is a public record as defined in W. Va. Code § 29B-1-2(4).
7. This *Consent Agreement and Order* constitutes the entire agreement between the parties.

8. The Respondent, T. Jane Spraggins, shall return all licenses to the Board office within ten days from entry of this *Order*.

WEST VIRGINIA BOARD OF  
SOCIAL WORK EXAMINERS

By:

Rita Brown  
Rita Brown, Chairperson

Entered:

12-04-2007  
DATE

Agreed to by:

Teresa Jane Spraggins  
T. Jane Spraggins, Respondent

11-27-07  
DATE

Sworn and subscribed before me this 27 day of November, 2007.  
My Commission expires: 2/11/2014



Janet Rosic  
Notary Public