

ORIGINAL

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BEFORE THE WEST VIRGINIA BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF:

Dora Marie Musick
1000 North Walker Street
Princeton, WV 24740
License Number: Temporary TD11410854

CONSENT AGREEMENT

Comes now Dora M. Musick and the West Virginia Board of Social Work Examiners (hereinafter "the board"), for the purpose of agreeing to disciplinary action which shall be taken against Ms. Musick by the board pursuant to West Virginia Code §30-30-7(a)(5). As reflected in this document, the parties have reached an agreement concerning the proper disposition of this matter, and the board approving such agreement, does hereby find and **ORDER** as follows:

FINDINGS OF FACT

1. The board is a State entity created by West Virginia Code §30-30-1 et seq., and is empowered to regulate the practice of social work pursuant to West Virginia Code §30-30-7.
2. Dora M. Musick was granted temporary license number TD11410854 to perform social work for the WV Department of Health & Human Resources pursuant to Legislative Rule 25CSR1 §25-1-3.3.3 effective November 17, 2005 following receipt

of the required "Agreement for Temporary License" to confirm social work employment and mandatory supervision provisions had been met.

3. Ms. Musick was hired on January 5, 2004 and continued to perform as a social worker until November 16, 2004 without being duly licensed to do so.
4. The discovery of unlicensed practice occurred when the board received the "Agreement for Temporary License" on November 17, 2004. This document was due into the Board office within no more than sixty (60) days immediately following hire as a social worker. Written directives clearly indicated this limited time period and the Board's authority to take disciplinary action in matters of unlicensed practice.
5. A social work license is required by the employer and by the WV Board of Social Work Examiners for any person titled as a "Social Service Worker."
6. Ms. Musick presented herself to be a licensed social worker for a period of more than ten (10) months and was not licensed to do so.

CONCLUSIONS OF LAW

1. West Virginia Code §30-30-7(a)(6) states that "[t]he board may refuse to issue or renew a license, or may suspend or revoke an existing license....[if a social worker] [h]as been found guilty by the board of unprofessional conduct in accordance with the rules and regulations promulgated by the board.
2. As indicated in the Findings of Fact, Ms. Musick has violated §30-30-7(a)(6) of the West Virginia Code and section 4.06(c) of the Code of Ethics of the National Association of Social Workers.

CONSENT

Dora M. Music, by affixing her signature hereon, **agrees** to the following:

1. She acknowledges that she is aware of her option to pursue this matter through appropriate administrative and/or court channels, but intelligently, knowingly, and voluntarily waives her right to do so.
2. She consents to the entry of the following **Order** affecting her license to practice social work in the State of West Virginia.
3. The following Order is considered a formal discipline and as such will be reported to the Healthcare Integrity and Protection Data Bank through the Board's assigned agent, the Association of Social Work Boards. Disciplinary actions are matters of public record and are available upon request under the Freedom of Information Act (F.O.I.A.).

ORDER

On the basis of the foregoing, the board hereby **ORDERS** that:

1. This Consent Agreement is a formal reprimand and as such will be reported as stated herein.
2. In addition to the standard mandatory eight (8) hours of ethics education required by all temporary licensed social workers, Ms. Musick agrees to earn five (5) additional hours in Social Work and professional ethics for a total of *thirteen (13)* contact hours

prior to November 17, 2006. Ethics education earned since November 17, 2004 will apply to this sanction. And; upon the timely renewal of the license prior to November 17, 2006 the licensee will only be required to earn the standard eight (8) hours of Ethics during the second and final two-year license period.

3. Ms. Musick will reimburse the board for administrative expenses incurred by the board due to her actions within a reasonable time frame. The charges will be invoiced by the agency director.
4. The board recognizes that this Agreement is a compromise of a disputed claim and is not to be construed as an admission of liability or culpability on the part of Ms. Musick.

Entered this 11th day of July, 2005.

[Signature] Date Signed: 7/11/05
Signature of licensee

[Signature] Date Signed: 7/18/05
Signature of Board Chairperson