

RECEIVED DEC 09 2002

BEFORE THE WEST VIRGINIA BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF:

DEBORAH ORNSTEIN
Licensed Social Worker
License Number: AP00450011

Case No. 03-01B

CONSENT AGREEMENT

Comes now Deborah Ornstein, LSW, and the West Virginia Board of Social Work Examiners (hereinafter the "Board"), by counsel, Barry L. Koerber, Assistant Attorney General, for the purpose of agreeing to disciplinary action which shall be taken against Ms. Ornstein by the Board pursuant to W.V. Code § 30-30-7(a)(6). 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

The Board is a state entity created by WV Code § 30-30-1 *et seq.*, and is empowered to regulate the practice of social work pursuant to WV Code § 30-30-7.

Deborah Ornstein was issued a license as a Social Worker number AP00450011.

1. On or about May 15, 2002, while acting in the capacity of supervising social worker, Ms. Ornstein conducted herself in an unprofessional manner.

2. That Ms. Ornstein was a party to an action by a licensed supervisee in preparing and submitting, an "Emergency Hours Request Form", a nursing assessment document that must be completed and authorized by a Registered Nurse.
3. That this action occurred without the knowledge or consent of the Registered Nurse named on the document.

CONCLUSIONS OF LAW

1. WV 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. The Board has adopted the National Association of Social Workers Code of Ethics as the Code of Ethics for West Virginia social workers, 25 C.S.R. 1-2.4 and 4.1.
3. The National Association of Social Workers Code of Ethics, Ethical Standards as follows state:

3.01(a): Social Workers who provide supervision or consultation should have the necessary knowledge and skill to supervise or consult appropriately and should do so only within their areas of knowledge and competence.

4.04: Social workers should not participate in, condone, or be associated with dishonesty, fraud, or deception.

4.06(a): Social Workers should make clear distinctions between statements made and actions engaged in as a private individual and as a representative of the social work

profession, a professional social work organization, or the social worker's employing agency.

4.06(c): Social workers should ensure that their representations to clients, agencies, and the public of professional qualifications, credentials, education, competence, affiliations, services provided, or results to be achieved are accurate...

5.02(a): Social workers should monitor and evaluate policies, the implementation of programs, and practice interventions.

4. As indicated in the Findings of Fact, Ms. Ornstein, a licensed social worker, violated these sections of the National Association of Social Workers Code of Ethics when she engaged in the acts set forth in the Findings of Fact.

CONSENT

Deborah Ornstein, 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.

ORDER

1. Ms. Ornstein acknowledges this instrument serves as a formal reprimand that has

resulted from her conduct as a social worker who also served in a supervisory capacity.

Ms. Ornstein acknowledges that this action, under Federal and State law, is a matter of public record. The reporting agent for the WV Board of Social Work Examiners is the Association of Social Work Boards Disciplinary Action System (DARS).

2. Ms. Ornstein agrees to earn ten (10) hours of professional ethics training within the next two-year period that relate to and address the violations indicated herein.

3. 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. Ornstein.

Signature: (Deborah Ornstein): Deborah Ornstein

Date Signed: 12-5-02

Signature: (Board Chair): Beta M. Brown

Date Signed: 12/11/02

BOARD SEAL