

BEFORE THE WEST VIRGINIA BOARD OF SOCIAL WORK EXAMINERS

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

Complainant,

v.

Case No. 07-08BS

**BRANDI STAUB ,
Licensed Social Worker
Licensed Number: AP00942581**

Respondent.

FINDINGS OF FACT AND CONCLUSION OF LAW AND ORDER OF THE BOARD

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 Brandi Staub (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, W. Va. Code R. § 25-1 *et seq.* The Respondent was provided with written notice of the allegations against her and this matter was scheduled for hearing for which a hearing was held on August 23, 2007, pursuant to the rules of the Board and the laws of this State.

The Board appeared by and through Katherine A. Campbell, Assistant Attorney General, and the Respondent failed to appear. Testimony and exhibits were offered by the Board, and no evidence in any form was offered by the Respondent.

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, Brandi Staub, is a licensee of the Board, possessing License No. AP00942581, 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 in December 2006, the Board received information from Central West Virginia Aging Services, Inc., that the Respondent had been convicted of a felony criminal charge in the state of Virginia.
5. That upon further investigation, verification was received from the state of Virginia that the Respondent had accepted a plea agreement wherein the Respondent was adjudged guilty of felony embezzlement on July 12, 2005. The Respondent was ultimately sentenced in August 2005, with entry of the final sentencing order on September 23, 2005.
6. That on October 18, 2005, the Respondent filed an application for a social work license with the Board, and on the application the Respondent stated under penalty of perjury that she had not been convicted of a felony.
7. That at the January 18, 2007 Board meeting, by unanimous vote, the Board determined there was sufficient probable cause to warrant further proceedings and that further action should be taken against the Respondent.

8. That the Respondent's actions constitute multiple violations of the West Virginia Code and the Code of State Rules. Specifically, the Respondent violated W. Va. Code § 30-30-79(a)(1), (a)(7), (a)(8), and (a)(9), and the Code of State Rules sections 25-1-10.1.1, 10.1.6, and 10.1.7.

CONCLUSIONS OF LAW

1. That the Board has jurisdiction to take disciplinary action against Respondent.
2. That based upon the findings of unprofessional and/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 on July 16, 2007, the Board issued a Notice of Hearing and Complaint to the Respondent sent via certified mail at her last known address. The proof of delivery was received back to the Board offices, and the matter was scheduled for hearing on August 23, 2007, at 10:30a.m.

ORDER

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

1. Respondent's license to practice social work is hereby REVOKED effective immediately, and Respondent is hereby ORDERED to return all licenses to the Board office immediately upon receipt of this Order.
2. That 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.

Dated this 11th of September, 2007.



RITA M. BROWN, CHAIRPERSON
WEST VIRGINIA BOARD OF SOCIAL WORK EXAMINERS