

Before the West Virginia Board of Social Work

W. Va. Board of Social Work,

Complainant,

v.

Case No. 201717JD

Jayne Dawn Dodd, License No. AP00944042

Respondent.

Consent Agreement and Order

Pursuant to W. Va. Code § 30-30-5, the West Virginia Board of Social Work ("Board") commenced an investigation involving Respondent Jayme D. Dodd and possible unethical conduct in violation of applicable statutes or rules including, but not limited to, W. Va. Code §§ 30-30-26(g), W. Va. Code R. § 25-1-4.3, and the Code of Ethics of the National Association of Social Workers ("NASW"), in that Respondent engaged in a dual relationship with a client, violated the client's privacy and confidentiality, used derogatory language with a client.

Respondent was provided with written notice of the allegations against her pursuant to the rules of the Board and the laws of this State.

The parties have reached an agreement as to the appropriate disposition of this matter, with consideration to necessary safeguards for protection of the public, and do hereby agree to the following Findings of Fact, Conclusions of Law, and Order.

Findings of Fact

1. 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 in this State.
2. Respondent, at all times relevant to this investigation, was a licensed social worker in the State of West Virginia, License No. AP00944042, and is subject to the jurisdiction and authority of the Board and applicable licensing requirements.
3. The Board conducted an investigation regarding a complaint it received from Bartlett House on or about October 2017, concerning Respondent's behavior that may have violated the NASW Code of Ethics.
4. Respondent was employed by Bartlett House as a Case Manager in the agency's Rapid Re-Housing Program. She provided in-home case management to clients participating in Bartlett's community-based housing program. Bartlett provides financial support to cover rent until a client is financially stable, up to twelve months.
5. Respondent was expected to meet with clients in their homes to work on housing sustainability plans and to provide support services and help coordinate services.
6. In September 2017, Respondent self-reported an incident with a client wherein she called the client derogatory names and used profanity. Also, she inappropriately discussed private or confidential details of the client's case with the client's property manager without a release of information.
7. In October 2017, it was reported to Bartlett House that Respondent may be having dual relationship with a client.

8. Respondent was terminated from her position with Bartlett House for ethical violations.

9. Respondent admits to having a dual or multiple relationship with a client. She denies having a sexual relationship with a client.

10. During the Board's investigation, Respondent submitted a written response wherein she admitted to calling a client derogatory names and using profanity. Also, she discussed private or confidential details of the client's case with the client's property manager.

11. The Board alleges that its review of this matter shows Respondent engaged in conduct, practices, or acts constituting a willful departure from accepted professional standards of professional conduct in violation of W. Va. Code § 30-30-26 *et seq.*, and NASW Code of Ethics.

12. The Board and Respondent desire to resolve this matter through the use of this negotiated Consent Agreement and Order as follows:

Conclusions of Law

1. The Board has jurisdiction to take disciplinary action against Respondent.
2. The Board is empowered to suspend, revoke, or otherwise discipline an individual's social work license. See W. Va. Code § 30-30-5 and W. Va. Code R. § 25-6-1 *et seq.*
3. Pursuant to W. Va. Code § 30-30-26(g), the Board may, after notice and opportunity for hearing, deny or refuse to renew, suspend, restrict, or revoke the license or permit of, or impose probationary conditions upon or take disciplinary action against any licensee for engaging in unprofessional conduct which places the public at risk and intentionally violating a lawful order or legislative rule of the Board.

4. W. Va. Code R. § 25-1-4 states that a licensee must abide by the provisions of NASW Code of Ethics.

5. Pursuant to the Ethical Principles set forth in the NASW Code of Ethics, social workers are supposed to elevate service to others above self-interest.

6. Social worker' primary responsibility is to promote the well-being of clients. (NASW Code of Ethics Standard 1.01 – Commitment to Clients).

7. Social workers should work toward the maintenance and promotion of high standards of practice. (NASW Code of Ethics Standard 5.01 – Integrity of the Profession).

8. Social workers should be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment, which includes avoiding have a dual or multiple relationship with a client. (NASW Code of Ethics Standard 1.06 – Conflicts of Interest).

9. Social workers may not disclose confidential information unless it is appropriate with valid consent from a client or a person legally authorized to consent on behalf of a client. Social workers should not discuss confidential information, electronically or in person, in any setting unless privacy can be ensured. (NASW Code of Ethics Standard 1.07 – Privacy and Confidentiality).

10. Social workers should not use derogatory language in their written, verbal, or electronic communications to or about clients. Social workers should use accurate and respectful language in all communications to and about clients. (NASW Code of Ethics Standard 1.12 – Derogatory Language).

11. Based on the allegations of unprofessional or unethical conduct set out above in the Findings of Fact, Respondent has failed to comply with applicable law, regulation, or codes of conduct pertaining to licensed social workers in West Virginia, which are grounds for disciplinary action pursuant to W. Va. Code § 30-1-8, W. Va. Code § 30-30-26, and W. Va. Code R. § 25-6-1 *et seq.*

Consent of Licensee

The Respondent, by affixing his signature hereto, acknowledges the following:

1. Respondent acknowledges the Board has jurisdiction over her and the conduct which has precipitated this Consent Agreement and Order.
2. Respondent has been given the opportunity to consult with counsel and she executes this negotiated Consent Agreement and Order voluntarily, freely, without compulsion or duress, and she is mindful that it has legal consequences.
3. No person or entity has made any promise or given any inducement whatsoever to encourage Respondent to make this settlement other than as set forth herein.
4. Respondent acknowledges that she is aware she may pursue this matter through appropriate administrative and/or court proceedings, and she is aware of his legal rights regarding this matter, but intelligently, knowingly, and voluntarily waives such rights.
5. Respondent expressly acknowledges that the entire agreement is contained in this Consent Agreement and Order and no representations, promises, or inducements have been made by or to Respondent other than as appear in this Consent Agreement and Order.

6. Respondent acknowledges that this Consent Agreement and Order is a public document available for inspection by the public in accordance with the provisions set forth in the West Virginia Freedom of Information Act (W. Va. Code § 29B-1 *et seq.*), and may be reported to other governmental agencies, professional boards, or other organizations.

7. Respondent waives any defenses including, but not limited to, laches, statute of limitations, and estoppel, that she may have otherwise claimed as a condition of this Consent Agreement and Order.

8. Respondent admits that her conduct violated applicable Board statutes, regulations, or codes of conduct.

9. Respondent consents to the entry of the following Order affecting her conduct as a licensed social worker in the State of West Virginia.

Order

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

1. Beginning on the date of execution of this Consent Agreement and Order, Respondent's license (# AP00944042) shall be suspended for a period of four (4) years. Respondent shall not engage in the practice of social work in the State of West Virginia, during such period of suspension.

2. The Respondent shall notify the Board in writing if she seeks to have her license reinstated at the end of the four (4) year suspension period. This written notification must be submitted to the Board no later than 90 days prior to the expiration of the suspension period.

Respondent shall comply with applicable application requirements, including the submission of a self-reflective essay.

3. As a condition of reinstatement, Respondent, at her own expense, shall enroll in and successfully complete nine (9) hours of Board-approved continuing education in Ethics, Dual Relationships, Privacy & Confidentiality, and Conflicts of Interest. These hours of continuing education are in addition to what is otherwise required in order to maintain his licensure as a social worker and shall be completed no less than 60 days prior to the expiration of the suspension period.

4. If the Board does not approve of Respondent's request for reinstatement of license, Respondent may request a hearing to seek reinstatement. Any such hearing shall be scheduled and conducted in accordance with the provisions of W. Va. Code § 30-1-8, W. Va. Code § 30-20-1 *et seq.*, and W. Va. Code R. § 16-2-1 *et seq.*

5. If the Board approves of Respondent request for reinstatement of license at the end of the suspension period, Respondent's license shall be placed on probation for a period of three years.

6. During this period of probation, and at her own expense, Respondent shall practice social work only under the direct supervision of a Board-approved, licensed social worker.

7. During the 36th month of the probation period, Respondent shall appear before the Board to document and assure the Board she has met all requirements of the Consent Agreement and Order and affirm she is ready and able to return to independent practice.

8. After meeting with the Board, Respondent shall be reinstated to a licensee in good standing, provided she has complied with all the foregoing requirements of the Consent Agreement and Order, and subject to the recommendation of the supervising licensed social worker, and subject to her meeting continuation education requirements that may be needed in the normal course of renewing her license.

9. Respondent shall at all times cooperate with the Board, and any of its agents or employees, in the monitoring or investigation of Respondent's compliance with the terms and conditions of this Consent Agreement and Order.

10. Respondent's failure to comply with the terms and conditions of this Consent Agreement and Order hereby imposed shall be deemed a violation of this Consent Agreement and Order, and should Respondent violate any of the terms of this Consent Agreement and Order, the Board may immediately proceed with further disciplinary action against Respondent's license. In the event Respondent contests any such allegations of violation of the Consent Agreement and Order, if any, which result in the further discipline of Respondent's license, Respondent may request a hearing to address the matter. Any such hearing shall be scheduled and conducted in accordance with the provisions of W. Va. Code § 30-1-8, W. Va. Code § 30-30-1 *et seq.*, and W. Va. Code R. § 25-6-1 *et seq.*

11. This Consent Agreement and Order shall be interpreted in accordance with the laws of the State of West Virginia, and venue of any lawsuit filed by any party arising in whole or in part out of this Consent Agreement and Order shall be in the Circuit Court of Kanawha County, West Virginia, and further, in the event any part of this Consent Agreement and Order is invalidated by order of a court of competent jurisdiction or by legislative action, the remainder of this Consent Agreement and Order shall remain in binding effect.

Entered this 5th of August, 2019.

W. Va. Board of Social Work

Rita M. Brown
Board Chairperson

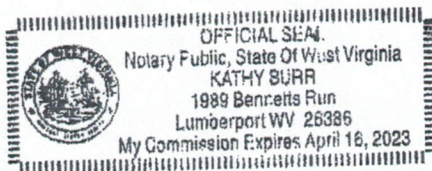
Reviewed and agreed to by:

Jayne Dawn Dodd
Jayne Dawn Dodd, Respondent

8-19
Date

Sworn and subscribed before me this 1ST day of August 2019.

My Commission expires: 4-16-2023.



K. Burr
Notary Public