

BEFORE THE WEST VIRGINIA BOARD OF SOCIAL WORK EXAMINERS

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

Complainant,

v.

Case No: ST1108-0908

**Sharon Todd,
Licensed Social Worker
Licensed Number: AP00942979
Respondent.**

CONSENT AGREEMENT AND ORDER

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 Sharon Todd (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, Sharon Todd, is a licensee of the Board, possessing License No. AP00942979, 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, employed as a Therapist with KVC Behavioral Health Care.

5. That on September 19, 2008, the Board received a telephone call from the Respondent, Sharon Todd, to self-report an incident of unethical behavior in her role as a Therapist at KVC Behavioral Care.

6. That Board Director, Judy Williams, requested that the Respondent send in a written statement to the Board office as to her unethical behavior, and on September 29, 2008, a written statement admitting to unethical and unprofessional behavior was received by the Board.

7. That the Respondent admitted that while counseling a client in her capacity as a Therapist with KVC Behavioral Care, the Respondent co-signed a car loan for the client on October 4, 2007.

8. That the client after making the first two payments on this car loan failed to make any additional payments. The payments were to be automatically withdrawn from her bank account; however, the client failed to maintain enough funds in the bank account in order to make such payments. Eventually, the client closed this account and moved from the area in July 2008.

9. That the Respondent continued to make payments on this car loan while still in the capacity as her Therapist, and had any correspondence from the bank related to this car loan mailed to her office address. Co-workers began to suspect that the Respondent had co-signed for the loan, and eventually the Respondent on September 18, 2008, was requested to meet with the Director of Clinical Services at KVC Behavioral Care wherein she admitted to these unethical and unprofessional actions.

10. That the Respondent admitted that her actions in the instant matter were unprofessional, and that she had entered into a dual relationship with her client.

11. That the Board at its January 22, 2009, Board meeting made a finding of probable cause for a violation of the National Association of Social Workers Code of Ethics at 1.06(c) and 4.04.

12. 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.

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, Sharon Todd, 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 unprofessional and unethical and a violation of the statute and rules of the Board.

The Respondent, Sharon Todd, 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 is hereby REPRIMANDED for her actions in co-signing a car loan with a client, continuing to make payments on this car loan when the client failed to make such payments and all the while still counseling the client as her Therapist.

2. Respondent shall complete ten (10) contact hours of West Virginia Board of Social Work Examiners approved continuing education in the area of conflict of interest, boundary issues, and dual relationships. Respondent shall provide proof of completion to the Board. 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 nor from the Respondent's employer, KVC Behavioral Care. Further, these ten (10) additional hours must be completed prior to the expiration of your current license.

3. Respondent shall reimburse the Board for all of the administrative and legal expenses incurred by the Board in the review and disposition of this case within six (6) months of entry of this *Order*.


4. 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.

5. That this document is a public record as defined in W. Va. Code § 29B-1-2(4).

6. This *Consent Agreement and Order* constitutes the entire agreement between the parties.

WEST VIRGINIA BOARD OF
SOCIAL WORK EXAMINERS

By:


Rita Brown, Chairperson

Entered:

03/12/2009
DATE

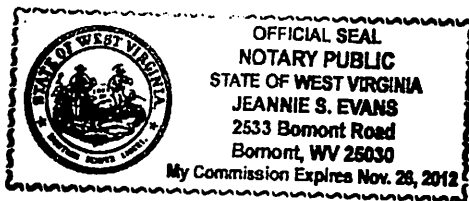
Agreed to by:

Sharon Todd
Sharon Todd, Respondent

Feb. 13, 2009
DATE

Sworn and subscribed before me this 13th day of February, 2009.

My Commission expires: Nov. 26, 2012



Jeannie S. Evans
Notary Public