

**BEFORE THE WEST VIRGINIA BOARD OF SOCIAL WORK EXAMINERS**

**IN RE:        MATTER OF MICHAEL J. CULLINAN**

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**FINDINGS OF FACT AND CONCLUSIONS OF LAW  
AND ORDER OF THE BOARD**

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BACKGROUND: The WV Board of Social Worker Examiners after a finding of probable cause, filed charges against Respondent Michael J. Cullinan. A Notice of Hearing set those charges for hearing on April 13, 2000 pursuant to W.Va. Code §30-28-1 et seq. and W.Va. Code §29A-5-1 et seq. The respondent returned correspondence stating he would be present at the scheduled hearing.

A hearing was held on April 13, 2000, before a quorum of the Board. The Board appeared through its counsel, the Attorney General's Office, the Respondent failed to appear. A witness was presented by the Board. No witnesses were presented by the Respondent.

### **FINDINGS OF FACT**

1. That the reliable and substantial evidence taken at hearing demonstrated that:
  - (A) Michael J. Cullinan was charged with fifty-two counts of criminal activity IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO EASTERN DIVISION;
  - (B) Michael J. Cullinan, through a pleas agreement, was convicted of False Statements Relating To Health Care Matters, a felony;
  - (C) Michael J. Cullinan was incarcerated in a Federal Correctional Institution for a total term of twelve (12) months and one (1) day
  - (D) Michael J. Cullinan shall pay financial penalties and restitution to the US Department of Health and Human Services Healthcare Financing Administration in the amount of \$57,141.87

### **CONCLUSIONS OF LAW**

1. That the Board has the authority under West Virginia Code §30-30-7, 30-30-8, and §30-1-8 to place a license on probation, suspend a license, limit or restrict a license or revoke a license.
2. That Michael J. Cullinan is currently licensed as an Independent Clinical Social Worker in the State of West Virginia.

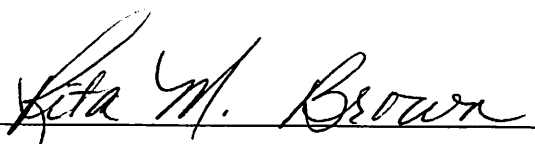
3. That the Board finds that facts support a finding of violations of the West Virginia Code §30-30-7, the Legislative operating policies of this Board, and the Code of Ethics of the National Association of Social Workers.
4. That the Board finds that the appropriate penalty for this misconduct is revocation of Mr. Cullinan's license effective as of the date of this Order.

### **ORDER**

It is ORDERED that the license to practice social work of Michael J. Cullinan is hereby revoked effective on the date of this Order. It is further ORDERED that Mr. Cullinan pay the administrative costs associated with his disciplinary case.

An appeal of this decision may be made to the Circuit Court of the county in West Virginia in which you live or do business. This appeal must be filed within thirty (30) days after receiving notice of this decision.

Dated this 13<sup>th</sup> of April, 2000.

  
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WV BOARD OF SOCIAL WORK EXAMINERS