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BEFORE THE WEST VIRGINIA BOARD OF SOCIAL WORK

WEST VIRGINIA BOARD OF  
SOCIAL WORK,

Complainant,

v.

Case No. CHSFY12-01

CHARLENE HARLESS-SYRES,  
Licensed No.: AP00942946,  
Respondent.

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CONSENT AGREEMENT AND ORDER

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After due investigation of information received regarding possible statutory and rule violations, the West Virginia Board of Social Work (Board) determined that there was probable cause to believe that Charlene Harless-Syres (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 the above-styled 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 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.*

3. That Charlene Harless-Syres is a licensee of the Board License No. AP00942946 and is subject to the license requirements of said Board.

4. That Respondent was employed as a Social Worker for the Behavioral Health Pavilion of the Virginias at Princeton Community Hospital in West Virginia from approximately September 7, 2008 through January 26, 2011. Respondent resigned from her position.

5. That on February 23, 2011, the Board received a complaint against the Respondent from the Behavioral Health Pavilion of the Virginias for engaging in an inappropriate relationship with a former patient and sending inappropriate photographs to co-workers.

6. That from approximately March 2010 the Respondent engaged in a relationship with a former patient which the Respondent does not deny in her Response received by the Board on March 16, 2011.

7. That the Respondent's relationship with this former patient was discovered during the course of an investigation by her former employer for the sending of inappropriate photographs to co-workers. Upon resignation, the former employer discovered hundreds of electronic mail messages via her employer's computer during work hours which evidence this relationship.

8. That the Respondent admits in her Response that she used her former employer's computer to send electronic mail messages to the former patient during work hours.

9. That the Board found probable cause by vote at its August 11, 2011, Board meeting for multiple violations of the National Association of Social Workers Code of Ethics

10. That the Respondent's actions constituted violations of W. Va. Code. §§ 30-30-26(g)(3) and W. Va. Code R. § 25-1-4.1. Specifically, the rules of professional conduct violated are sections 1.01(c), 2.08, and 4.03, and that these violations are grounds for disciplinary action by the Board.

### **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, at W. Va. Code R. § 25-1-4.1, the National Association of Social Workers Code of Ethics.

4. That the Board has grounds for disciplinary action against the Respondent for violations of W. Va. Code. §§ 30-30-26(g)(3) and W. Va. Code R. §25-1-4.1 and the National Association of Social Workers Code of Ethics sections 1.01(c), 2.08 and 4.03.

### **CONSENT OF LICENSEE**

I, Charlene Harless-Syres, 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, Charlene Harless-Syres, 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. The Respondent's license to practice social work expired at the end of its current period on July 1, 2011, during the investigation of this case matter. Respondent

will not be eligible for re-instatement of this license number AP00942946, and the Board accepts this non-renewal in lieu of a hearing as an admission of statutory and rule violations and considers it as reportable disciplinary action.

2. The Respondent will cease working in any capacity as a social worker in the state of West Virginia.

3. Should the Respondent apply for a new license to practice social work in the state of West Virginia, the Respondent shall be considered as a new applicant and must meet all the requirements for certification as licensed social worker or licensed graduate social worker and satisfy state social work examination provisions. Moreover, the Respondent must have completed all the requirements of this *Order*.

4. Respondent shall pay for all administrative expenses incurred by the Board in its investigation and disposition of this case matter including, but not limited to legal fees incurred by the Board. These expenses shall be paid to the Board within twelve (12) months of entry of this *Order*.

5. 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.

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

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

WEST VIRGINIA BOARD OF  
SOCIAL WORK EXAMINERS

By:

  
\_\_\_\_\_  
Rita Brown, Chairperson

Entered: 5-29-12  
DATE

Agreed to by: Charlene K Harless Syres  
Charlene Harless-Syres, Respondent

Sworn and subscribed before me this 29 day of MAY, 2012  
My Commission expires: 5/31/14

Terril Barie  
Notary Public

