

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

**WEST VIRGINIA BOARD OF SOCIAL  
WORK,**

**Complainant,**

**v.**

**Case No: 20156**

**MONICA COGLE,  
Licensed Independent Clinical Social Worker  
Licensed Number: DP00939896,  
Respondent.**

**CONSENT AGREEMENT AND ORDER**

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 Monica R. Cogle (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. § 25-1-1 *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 Monica Cogle is a licensee of the Board, License No. DP00939896, and is subject to the license requirements of said Board.
2. The Board is a regulatory board created for the purpose of regulating the social work profession. W. Va. Code § 30-30-1.

3. In order to carry out its regulatory duties, the Board is empowered to suspend, revoke or otherwise discipline an individual's social work license because of authority granted to it by W. Va. Code § 30-30-5.

4. That Respondent was, at all times material hereto, worked as an Independent Clinical Social Worker at her own business called Courageous Journey, PLLC, in Martinsburg, West Virginia.

5. That on July 9, 2015, the Board received a written complaint. The complaint was submitted by a Licensed Social Worker who is employed by the West Virginia Department of Health and Human Resources. The complaint alleged several violations of the Board's governing statute and rules.

6. That it had been reported to a caseworker for three children currently in foster care who had been receiving counseling, both individual and family, at the Respondent's place of business that during a counseling session on June 2, 2015, the Respondent allowed a third party to be present during the counseling session without first obtaining the appropriate consent from the clients. 7.

That it was also alleged that this third party was permitted to direct one of the children to perform push-ups.

8. That the Board did forward the complaint to the Respondent for a response to these allegations. Respondent replied in a timely manner on August 10, 2015 with her written response to these allegations via her attorney, Barbara G. Arnold.

9. That the Respondent denies all the allegations of wrongdoing as outlined in the complaint.

10. That Respondent states that she is the clinical supervisor at Courageous Journey an outpatient behavioral health center in Martinsburg, West Virginia.

11. That Respondent states that an Employee of Courageous Journey was present during the counseling session on June 2, 2015, because of the Respondent's safety concerns which occurred when the adult caregiver, the three children's Grandmother, joined the counseling session.

12. That the Respondent observed an immediate and negative impact when the Grandmother joined the counseling session.

13. That the Respondent states that when one of the children began to exhibit inappropriate behavior the Respondent requested that he sit in a chair, or he could do push-ups. The child continued to act inappropriately and stated that he could do push-ups all day long. Upon hearing that statement, the Employee directed the child to start doing push-ups.

14. That the Respondent stated that once the adult caregiver left the counseling session, so did the Employee; although, he remained in the hallway to ensure the security of the facility.

15. That the Respondent stated that since the adult caregiver was unwilling to re-enter the counseling session, be part of any future counseling session and failed to return for scheduled appointments, she terminated counseling services.

16. That the Respondent states that the Employee who was present in the room during a portion of the counseling session was bound by Courageous Journey's confidentiality standards as an employee.

17. That the Board designated an Investigator to review and investigate all allegations in the complaint. The Respondent and other relevant parties were interviewed and various documents relevant to the complaint were obtained and reviewed.

18. That the Board's Investigator did review all the information obtained during the investigation and based upon that review, did make a recommendation to the Board for a finding of probable cause as to some of the allegations in the complaint.

19. That the Board, by vote at its February 11, 2016, meeting, made a finding of probable cause for violations of the National Association of Social Workers Code of Ethics.

20. That the Respondent's actions constituted a violation of W. Va. Code § 30-30-26(g)(3). Moreover, Respondent's actions include violation of the current code of ethics from the National Association of Social Workers as adopted by the Board at W. Va. Code R. § 25-1-4. Specifically, the rules of professional conduct violated are sections 1.07 and 1.03(f) of the National Association of Social Workers Code of Ethics. Further, 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 § 30-30-26.

3. That the Board has adopted, at W. Va. Code R. § 25-1-4, 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 which relevant sections are 1.07 and 1.03(f) of the National Association of Social Workers Code of Ethics.

### **CONSENT OF LICENSEE**

I, Monica R. Cogle, 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 a violation of the statute and rules of the Board.

The Respondent, Monica R. Cogle, 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 this case matter.

2. Respondent shall complete six (6) contact hours of West Virginia Board of Social Work approved continuing education in the areas of Ethics, addressing privacy and confidentiality, and Informed Consent. All of these six hours shall be earned by attending in-person seminars. Moreover, these six hours are in addition to the hours that each licensee must obtain in order to maintain licensure. Respondent shall provide proof of completion to the Board.

3. 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.

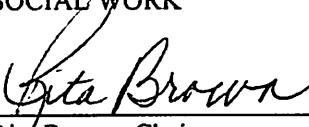
4. The Board is bound by agreement and by law to report the results of all disciplinary actions, including the instant matter, for posting in the Health Integrity Practitioners Data Bank through the Association of Social Work Boards.

5. 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

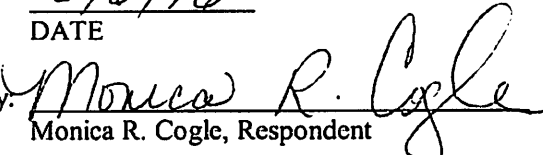
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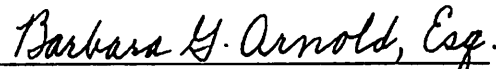
  
Rita Brown, Chairperson

Entered:

6/6/16  
DATE

Agreed to by:

  
Monica R. Cogle, Respondent

  
Barbara G. Arnold, Esquire  
Counsel for Respondent

*W. Va. Bar & Ct. 4672*