

**Redacted Disciplinary Discharge Table
02.08.2019 Board Meeting**

ITEM #	CASE NUM -BER	DATE RE-CEIVED	LEVEL OF LICENSE	REGION OF THE STATE	COMPLAINANT	ALLEGED VIOLATION(s)	FINDINGS
1.	G13-25	11-18-13	LCSW	Southern	Complainant alleges that Respondent engaged in therapy sessions with child without parent's consent or court order.	Asserts that licensee was unprofessional NRS 641B.400, non-compliant with professional responsibilities NAC 641B.200, in violation of standards of practice NAC 641B.205 (1) (2) (3) (14).	<p><u>Provability</u> BESW cannot find evidence that the Respondent knowingly violated a court order; therefore, the BESW Compliance Unit recommends discharging the complaint. Based on a review of evidence made available the attorney's (DAG) review, he has also recommended discharging this case.</p> <p><u>Offense (harm):</u> This accusation was made by a Complainant (mother) who was involved in a divorce custodial case with the father of their minor child. Based on evidence, it appears that the Court ordered that the minor child of the Complainant be seen for therapy. Based on additional findings, it appears that the child also received an evaluation from a psychologist and that this evaluation was inconclusive. Apparently various professionals were involved. The Complainant expressed dissatisfaction with how this overall situation was handled.</p> <p><u>Age of Case:</u> 2013.</p> <p><u>Cost of Case:</u> Not a factor.</p>
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2.	G13-10	3-15-13	LCSW	Northern	Complainant has 2 primary allegations: 1) that the Respondent broke professional boundaries; 2) and Respondent abruptly terminated services.	NRS 641B.400 (1) (5) (7) Asserts unprofessional conduct; Violations of Standards of Practice: Professional Responsibility; NAC 641B.200 (4) (5) (6) (10) (11) (18); Professional responsibility;	<p><u>Provability</u> The BESW Compliance Unit cannot find sufficient evidence to sustain a prosecution in this case and recommend discharge.</p> <p>As for allegation #1, the provability of this is hindered by the fact that they are "she said vs. she said" accounts. The Complainant and Respondent have quite different statements pertaining to this case. As to the allegation regarding abrupt termination, like with the "professional boundaries" charge,</p>

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					<p>NAC 641B.205 (1) (9) (10) (11) (13) (14) Responsibility to client; NAC 641B.210(1) (3) Confidentiality of records; NAC 641B.220 (1) Unprofessional conduct; NAC 641B.225 (1) (3) Professional incompetence.</p>	<p>the Complainant does not provide anything in support of this allegation beyond her statement. Possibly contradicting the Complainant is the Respondent's 'transaction ledger'. The ledger shows that at the outset of treatment the Complainant was generally seeing the Respondent 4 times a month and at the end the transaction ledger shows that she was generally seeing the Respondent about 2 times a month. Since the Complainant knew about her treatment termination well in advance (according to the Respondent), they had discussed in great detail what the Complainant wanted to do going forward. The Respondent stated that the Complainant said that she had been in therapy so long and that she wanted to try it on her own for a while and that made sense to the Respondent.</p> <p><u>Offense (harm):</u> This accusation was made by a Complainant allegedly seen by the Respondent for therapy from 2002 to 2010. The Respondent stated that she saw the Complainant from 8-31-03 to 2-4-09 with gaps in service. After being in therapy with an LCSW for many years, the Complainant went on to become an LSW in Nevada (8-15-11 to 2-28-13, then an expired license) and then moved out of state..</p> <p><u>Age of Case:</u> 2013. Due to age of this case, two potential witnesses were not available to verify the Complainant's statements. Due to age of case, subpoenas to various cell phone companies for calls and texts were not accessible.</p> <p><u>Cost of Case:</u> Not a factor.</p>
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3.	G16-05	3-22-16	LCSW	Northern	Complainant has 2 primary allegations: 1) that the Respondent's treatment fell below the standard of care; and 2) that the Respondent disclosed Complainant's confidential information.	Asserts unprofessional conduct, NRS 641B.400; Violations of Standards of Practice: Professional responsibility, NAC 641B.200 (1) (11) (18); Responsibility to Client, NAC 641B.205 (1) (2) (3) (5) (6) (14); NAC 641B.210 (1) (2); Confidentiality of records; NAC 641B.210 (1) (2); Unprofessional conduct; NAC 641B.220 (1); and Professional incompetence NAC 641B.225 (1).	<p><u>Provability</u> BESW cannot find sufficient evidence to sustain a prosecution in this case for the first allegation. In the second allegation, there was alleged sharing of confidential information by the Respondent with the Complainant's ex-husband. Family sessions with the Respondent were focused on a teenager. Sessions were with #1 Mother, #2 Father, #3 Teenage daughter. During the course of treatment, sessions with the Respondent took place as follows: #1 + #2 + #3; #1 + #3, #2 + #3, #3. BESW could not find substantial proof that the Respondent shared confidential information that wasn't shared by other family members during treatment. Without corroborating evidence, there is not sufficient evidence to sustain a prosecution in the second allegation.</p> <p><u>Offense (harm):</u> This accusation was made by a Complainant (mother) who was involved in a divorce custodial case with the father of their minor child. Based on evidence, it appears that the Court ordered that the minor child of the Complainant be seen for therapy. The Complainant expressed dissatisfaction with how the case was handled. The father was awarded full custody of the minor child. Because the minor child initially presented with complex therapeutic issues, BESW followed up to learn about the minor child's current situation. BESW contacted the father and he indicated that she is now 16 years old, doing well, lives with him full time and is thriving in her environment.</p> <p><u>Age of Case:</u> 2016.</p> <p><u>Cost of Case:</u> Not a factor.</p>

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4.	G17-14	8-27-17	LCSW	Northern	Complainant has primary allegation that the Respondent broke professional boundaries.	Allegations: NRS 641B.400 (1) (7) Unprofessional conduct; Violations of Standards of Practice: NAC 641B.200 (4) (5) (6) (11) (18) Professional responsibility; NAC 641B.205 (1) (11) (13) (14) Responsibility to client; NAC 641B.220 (1) Unprofessional conduct; NAC 641B.225 (3) Professional incompetence.	<p>Provability: The ability to prove a violation against the Respondent is substantially hindered by the absence of any corroborating evidence. Due to insufficient evidence, BESW recommends discharge of this case.</p> <p>Offense (harm): Due to the disorganization of this complaint and the jumbled nature of follow-up interview, it was difficult to determine the level of harm during the BESW investigation.</p> <p>Age of Case: 2017</p> <p>Cost of Case: Not a factor.</p>