

SETTLEMENT AGREEMENT
BETWEEN THE MISSOURI STATE COMMITTEE FOR SOCIAL WORKERS
AND SHARON WOLLARD

Sharon Wollard (“Licensee”) and the Missouri State Committee for Social Workers (“Committee”) enter into this settlement agreement for the purpose of resolving the question of whether Licensee’s license as a clinical social worker will be subject to discipline.

Pursuant to the terms of § 536.060, RSMo,¹ the parties hereto waive the right to a hearing by the Missouri Administrative Hearing Commission (“AHC”) and, additionally, the right to a disciplinary hearing before the Committee under § 621.110, RSMo (Cum. Supp. 2007), and stipulate and agree that a final disposition of this matter may be effectuated as described below.

Licensee acknowledges that she understands the various rights and privileges afforded her by law, including the right to a hearing of the charges against her; the right to appear and be represented by legal counsel; the right to have all charges against her proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against her; the right to a decision upon the record by a fair and impartial administrative hearing commissioner concerning the charges pending against her and, subsequently, the right to a disciplinary hearing before the Committee at which time she may present evidence in mitigation of discipline; and the right to recover attorney’s fees incurred in defending this action against her license.

¹ All statutory references are to Missouri Revised Statutes 2000, as amended where applicable, unless otherwise indicated.

Being aware of these rights provided her by operation of law, Licensee knowingly and voluntarily waives each and every one of these rights and freely enters into this settlement agreement and agrees to abide by the terms of this document, as they pertain to her.

Licensee acknowledges that she has received a copy of the investigative report and other documents relied upon by the Committee in determining there was cause for discipline, along with citations to law and/or regulations the Committee believes were violated. For the purpose of settling this dispute, Licensee stipulates that the factual allegations contained in this settlement agreement are true and stipulates with the Committee that Licensee's license as a clinical social worker, No. 000425, is subject to disciplinary action by the Committee in accordance with the provisions of Chapter 621, RSMo (Cum.Supp. 2007), and Chapter 337, RSMo.

Stipulations of Fact

1. The Committee is an agency of the state of Missouri created and established by § 337.622, RSMo, for the purpose of administering and enforcing those provisions of Chapter 337, RSMo, relating to social workers.

2. Sharon Wollard ("Licensee") is licensed by the Committee as a clinical social worker, license number 000425. Licensee's license was current and active at all times relevant herein, until August 20, 2007, at which time, per Licensee's request, her license was placed on inactive status by the Committee. Licensee's license has remained on inactive status since that date.

3. On or about August 9, 2006, Licensee entered into a Consent Agreement with the Behavioral Sciences Regulatory Board of the state of Kansas imposing discipline on her license as a Licensed Specialist Clinical Social Worker within the meaning of the Kansas Social Workers Act, K.S.A. 65-6301 et seq., and amendments thereto, for violations of K.S.A. 65-6311(a)(4) and (6) as defined in K.A.R. 102-2-7(b)(1991) (the regulation in effect at the time of the violations), as follows:

a. (20) using a confidence or secret of any client to the client's disadvantage;

b. (21) using a confidence or secret of any client for the advantage of the social worker . . . without obtaining the client's consent after full disclosure of the purpose;

c. (25) making sexual advances toward . . .any client . . .of that social worker;

d. (27) exercising undue influence on any client . . . in a manner that will exploit the . . . client . . . for the . . . personal gratification of the practitioner . . .; and

e. (45) practicing social work in an incompetent manner.

4. Licensee's Consent Agreement with the Behavioral Sciences Regulatory Board of the state of Kansas states that there was probable cause to believe that Licensee engaged in conduct that includes the following:

- a. In March of 1996, Licensee initiated treatment with client E.M.;
- b. In September of 1996, Licensee terminated the professional relationship with E.M. so they could explore a more personal relationship;
- c. A few weeks later, Licensee and E.M. began a sexual relationship despite Licensee's possession of confidential information based on the professional relationship and her knowledge of E.M.'s psychological and emotional vulnerabilities;
- d. The sexual relationship continued until the end of 1996; and,
- e. E.M. moved to Texas in May of 1997 and periodic contact continued until December 2001.

5. Licensee's Consent Agreement with the Behavioral Sciences Regulatory Board of the state of Kansas prohibits unsupervised individual private practice by Licensee for two years from the date of the Order, and requires her practice of social work to be supervised by a Licensed Specialist Clinical Social Worker for a period of two years from the date of the Order.

6. Prior to September of 2002, Licensee entered into a professional relationship with client M.W. for the purpose of providing therapy to M.W. In September of 2002, the therapeutic relationship between Licensee and M.W. ended, and Licensee began an intimate relationship with M.W. The intimate relationship between Licensee and M.W. continued until January 2006.

7. The Consent Agreement entered into with the Behavioral Sciences Regulatory Board of the state of Kansas states “(6) Wollard has referred all clients with similar presentation and diagnoses as E.M. to other licensed professionals.” The relationship between Licensee and M.W. continued throughout Licensee’s negotiations with the Behavioral Sciences Regulatory Board of the state of Kansas. The Consent Agreement was based on the false statement by Licensee that all clients with similar presentation and diagnoses as E.M. had been referred to other licensed professionals. Further, Licensee subsequently discontinued her supervision in violation of the Consent Agreement.

8. On November 27, 2006, Licensee surrendered her social work license to the Behavioral Sciences Regulatory Board of the state of Kansas.

9. On December 14, 2006, the Behavioral Sciences Regulatory Board of the state of Kansas revoked Licensee’s social work license in that state based on Licensee’s conduct with regard to M.W. Such revocation became effective November 6, 2007.

Conclusions of Law

10. The ethical standards for clinical social workers adopted by the Committee by rule and filed with the Secretary of State are set forth in 20 CSR 2263-3.010 through 3.140. Title 20 CSR § 2263-3.010(1) sets forth the scope and coverage of the ethical standards for social workers and states in part:

The ethical standards/disciplinary rules for licensed social workers...are mandatory. The failure of a licensed social worker...to abide by any ethical standard/disciplinary rule in this chapter shall constitute unethical conduct and be grounds for disciplinary proceedings

11. The grounds for the discipline of Licensee's license as a specialist clinical social worker in Kansas constitute a violation of 20 CSR § 2263-3.020, which states in part:

(2) A licensed social worker . . . shall not—

(A) Violate any ethical standard/disciplinary rule;

....

(D) Allow the pursuit of financial gain or other personal benefit to interfere with the exercise of sound professional judgment or skills. . . .

....

(6) Licensed social workers... shall not engage in any activity that exploits clients... including sexual intimacies, which means physical or other contact by either the licensed social worker... or the client.

....

12. The grounds for the discipline of Licensee's license as a specialist clinical social worker in Kansas constitute a violation of 20 CSR § 2263-3.040 which states in part:

(1) A licensed social worker . . . shall not enter into or continue a dual or multiple relationship, including . . . sexual relationship, as defined by the committee, with a current client or with a person to whom the licensed social worker . . . has at anytime rendered psychotherapy (clinical social work) or other professional social work services for the treatment or amelioration of mental and emotional conditions.

....

13. The grounds for the discipline of Licensee's license as a specialist clinical social worker in Kansas constitute a violation of § 337.630.2, RSMo, which states in part:

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any license required by §§ 337.600 to 337.639, RSMo or any person who failed to renew or has surrendered the person's license for any one or any combination of the following causes:

....

(5) Incompetency, misconduct, fraud, misrepresentation or dishonesty in the performance of the functions or duties of a clinical social worker;

....

(15) Being guilty of unethical conduct as defined in the ethical standards for clinical social workers adopted by the committee by rule and filed with the secretary of state.

....

14. The grounds for the discipline of Licensee's license as a specialist clinical social worker in Kansas constitute grounds for the revocation or suspension of Licensee's license in this State pursuant to § 337.630(4), RSMo, which states in part:

4. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the committee may censure or place the person named in the complaint on probation on such terms and conditions as the committee deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license.

15. The Committee may seek discipline against Licensee's license as a clinical social worker based on the discipline of her license as a specialist clinical social worker in Kansas pursuant to § 337.630.2(8) RSMo, which states in part:

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any license required by §§ 337.600 to 337.639, RSMo or any person who failed to renew or has surrendered the person's license for any one or any combination of the following causes:

....

(8) Revocation or suspension of a license or other right to practice social work licensed pursuant to this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

Disciplinary Order

Based on the foregoing, the parties mutually agree and stipulate that the following shall constitute the disciplinary order entered by the Committee in this matter under the authority of § 621.045, RSMo (Cum.Supp. 2007):

1. Licensee's license as clinical social worker license, number 000425, is hereby revoked. Licensee shall return all indicia of licensure to the Missouri State Committee for Social Workers on or before the effective date of this revocation.

2. The parties to this settlement agreement understand that the Committee will maintain this settlement agreement as an open and public record of the Committee as provided in Chapters 337, 610, and 620, RSMo.

3. The terms of this settlement agreement are contractual, legally enforceable, and binding, not merely recital. Except as otherwise contained herein, neither this settlement agreement nor any of its provisions may be changed, waived, discharged, or terminated,

except by an instrument in writing signed by the party against whom the enforcement of the change, waiver, discharge, or termination is sought.

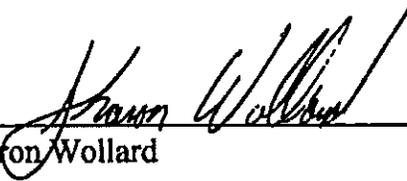
4. Licensee hereby waives and releases the Committee, its members and any of its employees, agents, or attorneys, including any former committee members, employees, agents, and attorneys, of, or from, any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including, but not limited to, any claims for attorney's fees and expenses, including any claims pursuant to § 536.087, RSMo, or any claim arising under 42 U.S.C. § 1983, which may be based upon, arise out of, or relate to any of the matters raised in this litigation, or from the negotiation or execution of this settlement agreement. The parties acknowledge that this paragraph is severable from the remaining portions of this settlement agreement in that it survives in perpetuity even in the event that any court of law deems this settlement agreement or any portion thereof void or unenforceable.

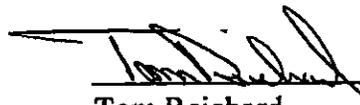
5. Licensee understands that she may, either at the time this settlement agreement is signed by all parties, or within 15 days thereafter, submit this settlement agreement to the AHC for determination that the facts agreed to by the parties constitute grounds for disciplining Licensee's license. If Licensee desires the AHC to review this settlement agreement, Licensee may submit her request to:

Administrative Hearing Commission
Truman State Office Building, Room 640
301 W. High Street
Post Office Box 1557
Jefferson City, Missouri 65101.

6. If Licensee requests review, this settlement agreement shall become effective on the date that the AHC issues its order finding that the settlement agreement sets forth cause for disciplining Licensee's license.

7. If Licensee does not request review by the AHC, this settlement agreement goes into effect 15 days after the document is signed by the Committee's Executive Director.


Sharon Wollard


Tom Reichard
Executive Director

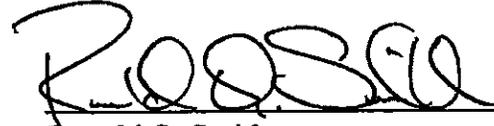
July 20, 2008
Date

07-31-2008
Date

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