



BoardBrief

Winter 2005



NC Social Work Certification and Licensure Board

Board Officers for 2004 – 2005

The Board selected new officers to begin one-year terms in July 2004. Dr. Jacalyn Claes, Ph.D., LCSW, was re-elected Chair. Vice Chair is Mr. William Lamb, MSW, CMSW; and Secretary/Treasurer is Mr. Ronald W. Penney, MPA.

Ethics Trends

The Board is providing this special edition brief in response to the increased interest in ethics trends within the social work practice profession.

From 1989 through November 30, 2004, the Board received a total of 274 complaints alleging one or more violations of the ethical codes. Some of the more recent complaints have not yet been resolved. From 1989 through 2000, the Board received 122 complaints, averaging slightly more than 10 complaints per year. From 2001 through November 2004, the Board received 151 complaints, averaging an estimated 38.5 complaints per year. This is a significant rate of increase, although when you consider that there are, at the time of this writing, 3656 active LCSW licensees and 565 active P-LCSW licensees, practicing with multiple clients, the incidence of complaints per client is quite low.

The majority of our complaints come from clients, former clients, and from professional colleagues. The increased number of complaints from clients may be attributable to public awareness of professional abuse; therefore consumers are becoming more educated about what their rights are in therapy and where to seek help if these rights are violated. Regulatory boards in general are seeing this increased public awareness. There is also a concurrent growing legal sophistication in oversight of the profession.

The following is information taken from the complaints that have been resolved at the time of this writing: Of the complaints received, 59 (or 22%) were not completed by the complainant, and therefore no action was taken; 78 (28%) were examined and found to be completely unsubstantiated, meaning that there were no violations or poor practice concerns noted; 41 (15%) identified some poor practice concerns, some of which were reflective of code violations; and in 20 cases (7%) the social worker's license was revoked, surrendered or suspended. In conclusion, the significant majority (78%) of the complaints received did not reflect any ethics violations.

In addition to complaints received from the public, social workers are expressing the concerns they have about their practice. The Board often receives phone calls from social workers requesting an opinion on the resolution of ethical questions. Usually the questioner wants to know if an ethical breach has occurred. While we will attempt to be helpful, it may not be possible to give an unambiguous answer if the question is complex or murky. Attempting to make an ethical determination based on one contact may not yield the same result the Board would reach following a full investigation. At a hearing, the Board listens to a careful presentation of the evidence from both sides, and makes a decision by majority vote.

It is important for social workers to determine what good clinical practice is. Peer consultation is usually the best option for doing this. The Board recommends consultation with three MSW/LCSW licensees who are skilled in the area in question. Please keep records of these consultations, including who was involved, when the consultations occurred, and what was discussed. Doing this does not guarantee an unquestionable decision, but it does document one's rationale and that the decision was carefully determined. Of course, if you have legal questions about your practice, it is best to consult an attorney.

Current Disciplinary Actions

(Disciplinary actions implemented since our Spring 2004 publication)

John J. McGloin: 3/19/04—Letter of Reprimand with twelve months probation, requiring supervised practice.

Stan C. Cagle: 8/5/04—License suspended for a minimum of one year. Requires Board approval to return to clinical practice.

Jane R. Eubanks: 10/01/04—License revoked for a minimum of one year. Requires reapplication and Board approval to return to clinical practice.

Allen Greene: 11/15/04—Letter of Reprimand with six month probation, requiring supervised practice.

Thomas L. Hoffler, Jr.: 12/10/04—License suspended for a minimum of six months, requiring Board approval to return to clinical practice.

Aubrey Russell Harris, Jr.: 12/10/04—License suspended for a minimum of one year, requiring Board approval to return to clinical practice.
