

## SETTLEMENT AGREEMENT

### A. PARTIES

This Settlement Agreement is made by the North Dakota Board of Social Work Examiners ("Board") and Jordan Herbel ("Herbel").

### B. RECITALS

The Board is authorized pursuant to North Dakota Century Code (N.D.C.C.) ch. 43-41 to license and regulate the profession of social work.

N.D.C.C. § 43-41-10 authorizes the Board to suspend, revoke, or place on probationary status any license issued by the Board on proof at a hearing that the licensed person has committed an act set forth in the law.

Herbel is licensed to practice social work in North Dakota by the Board.

The Board found grounds to support allegations Herbel violated North Dakota Century Code (N.D.C.C.) § 43-41-10(2), and decided to initiate a disciplinary action.

Herbel acknowledges she has been informed and understands she has the right to seek the advice of legal counsel in this matter.

Herbel acknowledges she has been informed and understands she has the right to a hearing and appeal pursuant to N.D.C.C. § 43-41-10 and N.D.C.C. ch. 28-32 prior to any adverse action being taken against her license.

### C. AGREEMENT

The Board and Herbel agree to resolve this matter as follows:

1. Herbel waives her right to an administrative hearing and appeal for subsequent violations of N.D.C.C. § 43-41-10(2).
2. Herbel's license to practice social work will be placed on probation for a period of five years from the date this Settlement Agreement is fully executed.
3. Herbel agrees to submit to random drug screening at her expense or her employer's expense for a period of five years from the date this Settlement Agreement is fully executed by a screening company or service approved by the Board and shall allow the screening company or service to release and provide all regular reports to the Board. Failure to successfully complete a drug screen or a failed drug screen may result in further

disciplinary action against Herbel's license to practice social work. Herbel waives her right to an administrative hearing and appeal should this occur.

- 4. The Board will determine if Herbel has violated N.D.C.C. § 43-41-10(2) in the future, and may impose any disciplinary measure for subsequent violations of N.D.C.C. § 43-41-10(2) without an administrative hearing or appeal. This measure remains in force even after successful completion of the term of probation of Herbel's license.
- 5. The news release required by N.D.A.C. § 75.5-02-07-01 shall be the same as the news release attached as Exhibit 1.
- 6. There are no covenants, promises, undertakings, or understandings outside this Agreement other than as herein specifically set forth.
- 7. This Agreement shall be governed by the substantive laws of the State of North Dakota without regards to conflicts of law principles.

Dated this 28 day of February, 2017.

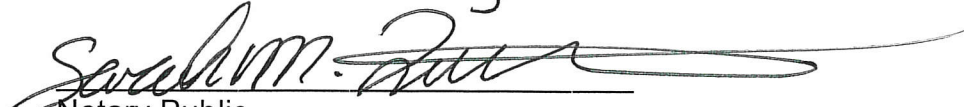
  
 \_\_\_\_\_  
 Jordan Herbel

State of North Dakota

County of Burleigh

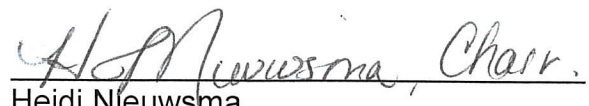
Subscribed and affirmed to before me this 28 day of February, 2017.



  
 \_\_\_\_\_  
 Notary Public

Dated this 12 day of April, 2017.

NORTH DAKOTA BOARD OF SOCIAL WORK EXAMINERS

  
 \_\_\_\_\_  
 Heidi Nieuwsma  
 Chair

\_\_\_\_\_, 2017

Fargo INFORUM  
101 5th St N  
Fargo, ND 58102-4826

To whom it may concern:

As required by North Dakota Century Code (N.D.C.C.) § 75.5-02-07-01, the North Dakota Board of Social Work Examiners notifies you that Jordan Herbel agreed to have her license to practice social work placed on probation for a period of five years for a violation of North Dakota Century Code § 43-41-10(2).

Sincerely,

Nikki Owings  
Board Administrator  
North Dakota Board of Social Work Examiners