

SETTLEMENT AGREEMENT

A. PARTIES

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

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.

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

The Board found grounds to support allegations Fox violated North Dakota Century Code (N.D.C.C.) § 43-41-09 (9) and North Dakota Administrative Code §§ 75.5-02-03-07 and 75.5-02-06.1-04(3), and decided to initiate a disciplinary action.

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

Fox acknowledges he has been informed and understands he 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 his license.

C. AGREEMENT

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

1. Fox waives his right to an administrative hearing and appeal pursuant to N.D.C.C. ch. 43-41 and ch. 28-32.

2. Fox's license to practice social work in North Dakota is placed on probation for a period of no less than one year from the date this Agreement is fully executed.
3. As conditions of this probation:
 - a. Fox shall attend at least two (2) regular meetings of the Board.
 - b. Fox shall comply with all laws and rules relating to the practice of social work.
 - c. Fox shall complete fourteen (14) continuing education credits related to the 2016-2017 reporting continuing education reporting cycle that meet the requirements of N.D.A.C. § 75.5-02-03-07, including at least five (5) continuing education hours related to ethics. Fox shall submit to the Board satisfactory evidence of completion of the credits. The credits shall be in addition to, and may not be counted towards, the continuing education credits required for the current reporting cycle. Fox shall bear all costs and expenses associated with earning the continuing education credits.
 - d. Without a hearing or appeal pursuant to N.D.C.C. ch. 43-41 or N.D.C.C. ch. 28-32, the Board will determine if Fox fulfills the terms of this Agreement. If Fox fails to fulfill the terms of this Agreement, the Board may take further disciplinary action against his license without a hearing or appeal pursuant to N.D.C.C. ch. 43-41 or N.D.C.C. ch. 28-32.
4. There are no covenants, promises, undertakings, or understandings outside this Agreement other than those herein specifically set forth.

5. This Agreement shall be governed by the substantive laws of the State of North Dakota without regard to conflict of law principles.

Dated this 26th day of June, 2018.

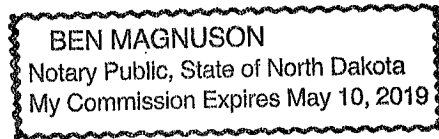
Kelly Fox, LCSW
Kelly Fox, LCSW

State of North Dakota

County of Ward

Subscribed and affirmed to before me this 26 day of June, 2018.

[Signature]
Notary Public



Dated this 19 day of July, 2018.

NORTH DAKOTA BOARD OF
SOCIAL WORK EXAMINERS

Heidi Nieuwsma, Chair
Heidi Nieuwsma, Chair