

SETTLEMENT AGREEMENT

I. PARTIES

This settlement agreement is made and entered into by and between the Board of Social Work Examiners (Board) and Toni McCarty (McCarty).

II. RECITALS

A. 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 worker.

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

C. 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 licensee has committed an act set forth in the law.

D. The Board found grounds to support allegations that McCarty violated North Dakota Century Code (N.D.C.C.) § 43-41-10(1)(e) and North Dakota Administrative Code § 75.5-02-06.1-01(10) and (12), and decided to initiate a disciplinary action.

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

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

III. AGREEMENT


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

1. McCarty waives her right to an administrative hearing and appeal that are set forth in N.D.C.C. ch. 43-41 and ch. 28-32.

2. McCarty's license to practice social work is placed on probation for a period of no less than one (1) year. As conditions of probation McCarty shall:
 - a. Complete five (5) continuing education hours on boundaries, and submit evidence to the Board indicating completion of those credits. All costs associated with the hours shall be borne by McCarty. These credits shall be in addition to continuing education hours required by law.
 - b. Review the laws, rules, and code of ethics related to the practice of social work.
 - c. Provide a written two page explanation to the Board that sets forth the harm that can be caused by the ethical lapses and boundary violations of the type McCarty engaged in, what she learned about her conduct and the potential harm of it through the required continuing education courses, and safeguards she will put in place to help ensure similar transgressions do not occur in the future.
3. McCarty shall comply with all laws and rules related to the practice of social worker.
4. The Board will determine if McCarty fulfills the terms of this Agreement. If McCarty fails to fulfill the terms of this Agreement, the Board may take further disciplinary action against her license without a hearing or appeal.
5. There are no covenants, promises, undertakings, or understandings outside this Agreement other than those herein specifically set forth.

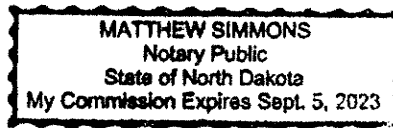
6. This Agreement shall be governed by the substantive laws of the State of North Dakota without regard to conflict of law principles.


Dated this 24th day of March, 2020.


Toni McCarty

State of North Dakota
County of Cass

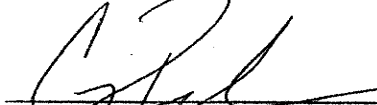
Subscribed and affirmed to before me
this 24th day of March, 2020.




Notary Public

Dated this 1st day of April, 2020.

BOARD OF SOCIAL WORK EXAMINERS

By: 
Cory Pedersen
Its President