BEFORE THE BOARD OF SOCIAL WORK
OF THE STATE OF IOWA

IN THE MATTER OF	)	NO. 08-013
	)	
DONALD H. KIESEWETTER,	)	STATEMENT OF CHARGES
	)	SETTLEMENT AGREEMENT
RESPONDENT.	)	AND FINAL ORDER
	)	(COMBINED)

COMES NOW the Iowa Board of Social Work (Board) and Donald H. Kiesewetter (Respondent), pursuant to Iowa Code sections 17A.10(2) and 274C.3(4) (2007), enter into the following combined Statement of Charges, Settlement Agreement and Final Order.

STATEMENT OF CHARGES

1. Respondent was issued license number 304 00746 to practice social work July 16, 1991. Respondent's license is current and will next expire on December 31, 2008.

2. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 17A, 147, 154C, and 272C.

COUNT I

3. Respondent is charged pursuant to 645 Iowa Administrative Code 283.2(31) with violation of the terms of an impaired practitioner recovery contract with the impaired practitioner review committee (IPRC).

CIRCUMSTANCES OF COUNT I

1. Respondent signed a contract with the IPRC on July 9, 2007, approved by the IPRC on September 6, 2007.

2. A condition of his contract required random testing for alcohol, dates determined by an automated call in system requiring the Respondent to call in daily.

3. During the months of December 2007, February, March, and April 2008, Respondent missed calling into the automated system on nine (9) occasions, in violation of his contract with the IPRC.

4. On February 21, 2008, and on February 28, 2008, Respondent tested positive for ethylglucurondie (alcohol). Respondent admitted to drinking prior to the tests in violation of his contract.

5. On April 16, 2008, the IPRC terminated their contract with Respondent for non-compliance and referred his case to the Board of Social Work.

SETTLEMENT AGREEMENT AND FINAL ORDER

7. The Board has jurisdiction over the parties and subject matter herein.

8. The Respondent agrees to voluntarily surrender his license to practice social work in the State of Iowa and understands that pursuant to 645 Iowa Administrative Code Section 12.1(5) a voluntary surrender, when accepted by the Board, shall have the same force and effect as an order of revocation. This agreement shall constitute Respondent's written statement of intention to surrender his license pursuant to 12.1(5).

9. The Respondent shall surrender his social work license to the Board within 10 days of the execution date of this Agreement. The execution date is that date which accompanies the Board Chairperson's signature.

10. By voluntarily surrendering his license, the Respondent agrees not to use any words of titles which imply or represent that he is a licensed social worker or to otherwise hold himself out to the public as a licensed social worker or to engage in the practice of social work for which a license is required in the state of Iowa.

11. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

12. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges and voluntarily waives any objections to the terms of this Settlement Agreement, including the right to appeal.

13. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.

14. This combined Statement of Charges, Settlement Agreement and Final Order, is subject to approval of the Board. If the Board fails to approve this combined Statement of Charges, Settlement Agreement and Final Order, it shall be of no force or effect to either party.

15. The Board's approval of this combined Statement of Charges, Settlement Agreement shall constitute a **FINAL ORDER** of the Board

16. This combined Statement of Charges, Settlement Agreement and Final Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code Chapter 22.

This statement of charges, settlement agreement and final order is approved by the Board on February 9, 2009.