BEFORE THE BOARD OF SOCIAL WORK
OF THE STATE OF IOWA

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| IN THE MATTER OF | ) | NO. 09-031 |
| | ) | |
| DANA DIGGINS, | ) | SETTLEMENT AGREEMENT |
| | ) | AND FINAL ORDER |
| RESPONDENT. | ) | |

COMES NOW the Iowa Board of Social Work (Board) and Dana Diggins ("Respondent"), and pursuant to Iowa Code sections 17A.10 and 272C.3(4), enter into the following Settlement Agreement and Final Order of the contested case currently on file against the Respondent:

1. Respondent is licensed to practice as a master level social worker in the state of Iowa. Respondent was issued Iowa license 06122 on July 24, 2002.

2. The Board filed a Notice of Hearing and Statement of Charges against the Respondent on May 21, 2012. A contested case hearing in this matter is scheduled for August 13, 2012.

3. Respondent's current address as reported to the Board is 1905 Duff Avenue, Ames, Iowa 50010.

4. The Board has jurisdiction of the parties and the subject matter.

5. Execution of this Settlement Agreement and Final Order constitutes the resolution of this contested case. Respondent has a right to a hearing on the charges, but waives her right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Settlement Agreement and Final Order. Once entered, this Order shall have the force and effect of a disciplinary order entered

following contested case hearing.

6. Respondent is freely and voluntarily entering into this Settlement Agreement and Final Order, and she agrees that the State's counsel may present this agreement to the Board and may have ex parte communication with the Board while presenting it.

7. This agreement is subject to approval of the Board. If the Board approves this agreement, it becomes the final disposition of this matter. If the Board fails to approve this agreement, it shall be of no force or effect to either party.

8. This agreement shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

9. This Settlement Agreement and Final Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C. The Notice of Hearing and Statement of Charges is also a public record available for inspection and copying in accordance with the requirements of Iowa Code chapters 17A, 22, and 272C.

10. The Board's approval of this Settlement Agreement and Final Order shall constitute a FINAL ORDER of the Board.

**IT IS THEREFORE ORDERED:**

11. Respondent's license is hereby placed on probation for a period of one (1) year subject to the following terms and conditions:

a. Respondent shall remit to the Board a civil penalty in the amount of five hundred dollars ($500.00) made payable to "Treasurer, State of Iowa," within ninety

(90) days of the date of this agreement.

b. Respondent shall maintain sufficient, timely and accurate documentation in client records which conform with the Board's record keeping requirements at 645 IAC 282.2(5). All case notes shall be legibly written or typed. Respondent shall only bill for services which have been actually provided and Respondent's billing practices shall conform with the Board's billing and fee requirements at 645 IAC 282.2(7).

c. Respondent shall, within ten (10) days of the date of this agreement, submit a written plan for supervision to the Board for its approval. The plan shall include the name and curriculum vitae of a proposed supervisor. The proposed supervisor shall be a licensed independent social worker. If the proposed supervisor is not approved by the Board, Respondent shall, within ten (10) days of the date Respondent is notified of the Board's decision, submit the name and curriculum vitae of another proposed supervisor who is a licensed independent social worker. The approved supervisor will be provided a copy of the Notice of Hearing and Statement of Charges, the investigative file, and this agreement. The plan of supervision shall include a plan for the practice supervisor to review a random selection of Respondent's appointment records, billing records, and client case records to ensure that Respondent is complying with paragraph 11(b) of this agreement. The supervisor shall provide quarterly written reports to the Board indicating the Respondent's compliance or lack of compliance. All costs associated with the supervision shall be the responsibility of Respondent.

d. Respondent shall attend nine (9) hours of continuing education in the area of record keeping and nine (9) hours of continuing education in the area of ethics within the period of probation. Such hours shall be in addition to the standard continuing

education renewal requirements. Prior to attending the continuing education, the Respondent shall submit the name of the course(s), the course instructors, and the course content to the Board for its approval.

e. Respondent shall make a personal appearance before the Board upon request. The Respondent shall be given reasonable notice of the date, time, and place for appearance.

f. Respondent shall obey all federal, state, and local statutes and regulations governing the practice of social work.

g. Respondent shall notify the Board of any change in address within one week of said change.

h. If Respondent is not practicing social work at the time this agreement is executed, the term of probation will not commence until such time as Respondent returns to the practice of social work. Respondent shall notify the Board in writing of her plans to return to the practice of social work at least thirty (30) days prior to such return, and shall submit a written plan of supervision for Board approval at that time. The period of probation and the terms and conditions of probation will be in effect for one year from the date the Board approves Respondent's written plan of supervision. Upon full compliance with the terms and conditions for probation set forth in this Settlement Agreement and Final Order, the Respondent's probation shall be terminated.

12. In the event the Respondent violates or fails to comply with any of the terms or provisions of this Settlement Agreement and Final Order, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized by Iowa Code section 272C.3(2)(a).

AGREED AND ACCEPTED:

DANA DIGGINS
RESPONDENT

8/2/12
DATE

This Settlement Agreement and Final Order is approved by the Board on Aug 13, 2012.

Chairperson, Iowa Board of Social Work

Copies to:

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