BEFORE THE IOWA BOARD OF SOCIAL WORK

IN THE MATTER OF	)	NO. 12-034
	)	
DARLA KROM,	)	NOTICE OF HEARING AND STATEMENT OF CHARGES
	)	
RESPONDENT.	)	

COMES NOW the Iowa Board of Social Work (Board) and files this Notice of Hearing and Statement of Charges against Darla Krom, 4507 Twana Drive, Des Moines, Iowa 50310, pursuant to Iowa Code sections 17A.12(2) and 17A.18(3). Respondent's license number 06228 to practice social work at the independent level is currently active and expires on December 31, 2014.

A. TIME, PLACE, AND NATURE OF HEARING

Hearing. A disciplinary contested case hearing shall be held on December 3, 2013, before the Board. The hearing shall begin at 10:00 a.m. and shall be located in the Lucas State Office Building, 5th Floor Board Room #526, Des Moines, Iowa.

Answer. Within twenty (20) days of the date you are served this Notice of Hearing and Statement of charges, you are required by 645 Iowa Administrative Code rule 11.12 to file an Answer. The Answer should specifically admit, deny, or otherwise answer all allegations contained in sections C and D of this Notice of Hearing and Statement of Charges. Pleadings shall be filed with the Board at the following address: Iowa Board of Social Work, Lucas State Office Building, 5th Floor, 321 E. 12th St., Des Moines, Iowa 50319.

Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge from the Department of Inspections and Appeals make initial rulings on pre-hearing matters, and be present to assist and advise the Board at the hearing.

Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 645 Iowa Administrative Code chapter 11. At the hearing, you may appear personally or be represented by counsel at your own expense. You will be allowed the

opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at the hearing. If you need to request an alternative time or date for the hearing, you must comply with the requirements in 645 Iowa Administrative Code rule 11.18. The hearing may be open to the public or closed to the public at your discretion.

Pre-hearing Conference. Any party may request a pre-hearing conference to discuss evidentiary issues related to the hearing. The Board's rules regarding pre-hearing conferences are found at 645 Iowa Administrative Code rule 11.17.

Prosecution. The Office of Attorney General is responsible for representing the public interest (the State) in this proceeding. Copies of pleadings should be provided to counsel for the State at the following address:

Laura Cathelyn
Assistant Attorney General
Iowa Attorney General's Office
2nd Floor, Hoover State Office Building
Des Moines, Iowa 50319

Ms. Cathelyn can also be reached by phone at (515) 281-6690 or by e-mail at laura.cathelyn@iowa.gov.

Communications. You may contact the Board office at (515) 281-4422 with questions regarding this notice and other matters relating to these disciplinary proceedings. You may not contact individual Board members in any manner, including by phone, letter, or e-mail, regarding this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties have notice and the opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case.

B. LEGAL AUTHORITY AND JURISDICTION

Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 154C, and 272C (2013).

Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 147, 154C, and 272C (2013) and under 645 Iowa Administrative Code chapters 13 and 283.

Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 645 Iowa Administrative Code rule 11.21.

C. CHARGES

Count I

Respondent is charged with engaging in sexual activities with a former client, in violation of 645 Iowa Administrative Code rule 282.2(9)(b), pursuant to Iowa Code § 147.55(3) and 645 Iowa Administrative Code rule 283.2(12).

Count II

Respondent is charged with conviction of a crime related to the profession, pursuant to Iowa Code § 147.55(5) and 645 Iowa Administrative Code rule 283.2(11).

D. FACTUAL CIRCUMSTANCES

1. Respondent holds Iowa license number 06228 to practice social work at the independent level, which is currently active and expires on December 31, 2014.

2. Respondent provided marital counseling to client #1 from September 2010 to December 2011.

3. Respondent provided individual counseling to client #1 beginning in February 2012.

4. Respondent and client #1 terminated their therapeutic relationship on or around April 12, 2013 via email.

5. Respondent engaged in sexual activities with client #1 beginning on or around April 13, 2012 and continuing for several months.

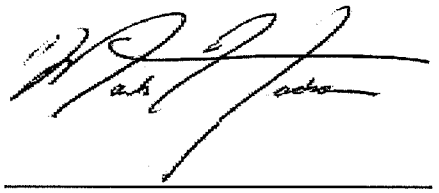
6. On January 18, 2013, Respondent pleaded guilty to two counts of prohibited acts related to the facts above.

E. SETTLEMENT

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 645 Iowa Administrative Code rule 12.1. If you are interested in pursuing settlement in this matter, please contact Assistant Attorney General Laura Cathelyn at (515) 281-6690.

F. FINDING OF PROBABLE CAUSE

On this 12 day of August, 2013, the Iowa Board of Social Work found probable cause to file this Notice of Hearing and Statement of Charges.



Chairperson
Iowa Board of Social Work

cc: Laura Cathelyn
Assistant Attorney General
Hoover Building, 2nd Floor
Des Moines, IA 50319