BEFORE THE IOWA BOARD OF SOCIAL WORK

IN THE MATTER OF:	)	CASE NUMBER: 07-008
	)	
WENDY NOFTSGER CAPPS,	)	**SETTLEMENT AGREEMENT AND FINAL ORDER**
	)	
Respondent.	)	

COME NOW the Iowa Board of Social Work ("Board") and Wendy Noftsger Capps ("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. The Board originally licensed Respondent to practice as a social worker in the state of Iowa on October 22, 1998, and Respondent holds license number 304 05105. Respondent's license to practice bachelor level social work expired on December 31, 2006.

2. The Board filed a Notice of Hearing and Statement of Charges against the Respondent on May 12, 2008. A contested case hearing in this matter is scheduled for January 26, 2009.

3. The Board has jurisdiction over the parties and subject matter of the Notice of Hearing and Statement of Charges.

4. 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 Respondent's 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.

5. Respondent is freely and voluntarily entering into this Settlement Agreement and Final Order. Respondent 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.

6. 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.

7. This agreement shall be part of the Respondent's permanent record 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.

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

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 is hereby **CITED** for releasing confidential client information without authorization. Respondent is hereby **WARNED** that releasing confidential information without authorization in the future may result in future disciplinary action, including suspension or revocation of her license to practice social work in the state of Iowa.

12. Respondent's license is currently inactive. If Respondent applies for reactivation of her license in the future, Respondent shall comply with all relevant requirements of 645 IAC 280.14. In addition prior to applying for reactivation, Respondent shall attend nine (9) hours of continuing education in the area of record keeping. Such hours shall be in addition to the standard continuing education renewal and reactivation 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.

AGREED AND ACCEPTED:

This settlement agreement and final order is approved by the board on February 9, 2009.