BEFORE THE IOWA BOARD OF
SOCIAL WORK EXAMINERS

IN THE MATTER OF:	)	CASE NUMBER: 02-014
	)	
KRISTEN LEE MALAKE,	)	**SETTLEMENT AGREEMENT AND FINAL ORDER**
	)	
Respondent.	)	

COME NOW the Board of Social Work Examiners of the State of Iowa ("Board") and Kristen Lee Malake ("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 Respondent was originally licensed to practice as a social worker in the state of Iowa on June 22, 2001, and holds license number 05968.

2. A Statement of Charges was filed against the Respondent on May 29, 2003. A contested case hearing in this matter is scheduled for August 11, 2003. 3. The Board has jurisdiction over the parties and subject matter of the 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 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 a contested case hearing.

5. 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.

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 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.

8. This Settlement Agreement and Final Order as well as the Statement of Charges are public records available for inspection and copying in accordance with the requirements of Iowa Code Chapter 22.

9. The Board's approval of this agreement shall constitute a FINAL ORDER of the Board.

IT IS THEREFORE ORDERED:.

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

11. The Respondent shall surrender her social work license to the Board within

ten (10) days of the execution date of this Agreement. The execution date is that date which accompanies the Board Chairperson's signature.

12. By voluntarily surrendering her license, the Respondent agrees not to use any words or titles which imply or represent that she is a licensed social worker, or to otherwise hold herself 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.

13. The Respondent agrees that should she ever seek reinstatement of her license to practice social work in the State of Iowa, such application shall be subject to the provisions of 645 Iowa Administrative Code Section 11.31. In any application for reinstatement, the Respondent shall be required to submit evidence that demonstrates to the Board's satisfaction that the basis for the surrender of Respondent's license no longer exists and that it will be in the public interest for the license to be reinstated. The Respondent shall bear the burden of proof establishing these facts.

AGREED AND ACCEPTED:

This Settlement Agreement and Final Order is approved by the board on August 11, 2003