BEFORE THE IOWA BOARD OF
SOCIAL WORK EXAMINERS

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| IN THE MATTER OF: | ) | CASE NUMBER: 01-023 |
| | ) | |
| PEGGY PRODEHL, | ) | **STATEMENT OF CHARGES,** |
| | ) | **SETTLEMENT AGREEMENT** |
| Respondent. | ) | **AND FINAL ORDER** |
| | ) | **(COMBINED)** |

COMES NOW the Iowa Board of Social Work Examiners ("Board") and Peggy Prodehl (Respondent) on December 17, 2003, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) (2003), enter into the following combined Statement of Charges, Settlement Agreement and Final Order.

**STATEMENT OF CHARGES**

1. Respondent was issued license number 02395 to practice social work at the bachelor level on September 9, 1997. Respondent's license is current and will next expire on December 31, 2004.

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 282.2(13)"a"(2) and 645 Iowa Administrative Code 283.2(29)"e" with the inability to practice social work in a safe and competent manner due to a mental or physical impairment.

## CIRCUMSTANCES OF COUNT I

4. Respondent is currently unable to practice social work due to mental health impairments.

## COUNT II

5. Respondent is charged pursuant to Iowa Code section 147.55(2) and 645 Iowa Administrative Code 283.2(2) with professional incompetency in the practice of social work in the area of record keeping.

## COUNT III

6. Respondent is charged pursuant to 645 Iowa Administrative Code 282.2(5) with failing to maintain sufficient, timely, and accurate documentation in client records.

## CIRCUMSTANCES OF COUNTS II and III

7. Respondent failed to maintain appropriate documentation in client records from October 2000 to October 2001.

## SETTLEMENT AGREEMENT AND FINAL ORDER

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

9. Respondent's license is hereby indefinitely suspended. During the entire period of suspension, the Respondent shall not utilize any designation, abbreviation, or title which implies that Respondent is licensed to practice social work or otherwise hold herself out to be a licensed social worker. Respondent shall not engage in any activity or practice of social work in the State of Iowa for which a license is required.

10. Respondent may apply for reinstatement of her license when the following conditions have been satisfied:

a. Respondent submits to a comprehensive mental status and physical status

evaluation at a facility approved in advance by the Board. Respondent is responsible for all costs associated with this evaluation.

b. Prior to the evaluation, the facility shall be provided with the Combined Statement of Charges and Settlement Agreement and the investigative file in this contested case.

c. The facility shall forward directly to the Board an evaluation report and initial treatment plan. The evaluation report shall include a recommendation as to whether Respondent is safe to return to the practice of social work and additional recommendations or restrictions as indicated. The initial treatment plan shall be subject to the approval of the Board.

d. The Respondent shall comply with the recommendations of the facility and shall undergo treatment pursuant to such approved plan.

e. The Respondent shall sign a release which (a) will enable the Board to freely communicate with all individuals involved in Respondent's evaluation and treatment, (b) provide for full access by the Board to all records maintained with respect to such evaluation and treatment, and (c) provide for monthly reports on Respondent's progress to be submitted directly to the Board. It is the Respondent's responsibility to ensure that such monthly progress reports are provided to the Board.

f. Upon compliance with the above provisions, Respondent may submit an application for reinstatement to the Board pursuant to 645 Iowa Administrative Code 11.31. Respondent’s license shall not be reinstated except upon a showing that Respondent has complied with the terms of this agreement, that the basis for the suspension no longer exists, and that it would be in the public interest for the license to

be reinstated. The burden of proof to establish such facts shall be on the Respondent.

11. Respondent agrees that following a hearing on her application for reinstatement the Board may issue an Order which places Respondent's license on probation for a period of time subject to terms, conditions and restrictions which the Board deems appropriate, or which imposes other appropriate discipline.

12. In the event the Respondent violates or fails to comply with any of the terms or provisions of this agreement, 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).

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

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

15. 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.

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

17. 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.

18. The Board's approval of this Statement of Charges and Settlement agreement shall constitute a **FINAL ORDER** of the Board.

**This Statement of Charges, Settlement Agreement and Final Order (combined) is approved by the board on December 17th, 2003.**