

BEFORE THE BOARD OF SOCIAL WORK OF THE STATE OF IOWA

IN THE MATTER OF)	
THE APPLICATION)	PRELIMINARY NOTICE OF
FOR LICENSURE OF)	INTENT TO DENY LICENSURE
)	
MICHELLE J. DAVIS, APPLICANT)	
)	

TO: Michelle J. Davis

YOU ARE HEREBY NOTIFIED that your application for licensure at the independent level is denied. The intent to deny licensure is based upon the following:

LEGAL GROUNDS

Iowa Code 154C.1 states:

Master social workers are qualified to perform the practice of bachelor social workers and provide psychosocial assessment, diagnosis, and treatment, including but not limited to performance of psychosocial histories, problem identification and evaluation of symptoms and behavior, assessment of psychosocial and behavioral strengths and weaknesses, effects of the environment on behavior, psychosocial therapy with individuals, couples, families, and groups, establishment of treating goals and monitoring progress, differential treatment planning, and interdisciplinary consultation and collaboration. [Iowa Code 154C.1(3)(b)]

Independent social workers are qualified to perform the practice of master social workers as a private practice. [Iowa Code 154C1(3)(c)]

“Private practice” means social work practice conducted only by an independent social worker who is either self-employed or a member of a partnership or of a group practice providing diagnosis and treatment of mental and emotional disorders or conditions. [Iowa Code 154C.1 (4)]

Iowa Code 154C.3 states:

An applicant for a license as an independent social worker shall present evidence satisfactory to the board that the applicant has engaged in the practice of social work, under supervision, for at least two years as a full-time employee or for four thousand hours prior to taking the examination given by the board. [Iowa Code 154C.3(1)(c)(4)]

645 IAC 280.6(1) states:

The supervised professional practice shall be the equivalent of two years of full-time post-master’s social work degree practice at the master’s level performing psychosocial assessment, diagnosis and treatment. [645 IAC 280.6(1)(a)]

To meet the requirements of the supervised professional practice, the supervisor must be an Iowa-licensed independent social worker. [645 IAC 280.6(3)(a)]

FACTUAL CIRCUMSTANCES

The Iowa Board of Social Work received an application for independent level licensure from Ms. Davis on February 8, 2010. A review of the application indicates the following:

1. Ms. Davis was not in a position performing diagnosis and treatment during her supervision under Kim DeVries from May 18, 2006 to October 26, 2007.
2. Ms. Davis was not supervised by a licensed independent social worker from July 14, 2008 to January 13, 2010. She was supervised by Gary Schmidt, an LMHC. The majority of direct supervision (76 hours) occurred under the supervision of Mr. Schmidt.
3. Supervisor Beth Harms did not answer questions #8 and #9 on the *Supervision Report* form indicating Ms. Davis met the goals and objectives established at the onset of their supervised experience and did not answer the question, "Has the supervisee, to your knowledge, adhered to the board's administrative rules, including the rules of conduct."
4. Supervisor DeVries stated on the *Supervision Report* form that Ms. Davis had not met the goals and objectives established by her and Ms. Davis at the onset of the supervised experience because Ms. Davis did not have a caseload. Ms. Davis did not adequately develop skills for psychosocial assessment, diagnosis and treatment. Ms. Davis was in an administrative position, not a clinical position.

NOTICE OF APPEAL RIGHTS

Pursuant to the provisions of 645 IAC 11.32, you may appeal the Board's preliminary notice of denial of license by serving a notice of appeal and request for hearing upon the board not more than thirty days following the date of mailing of this notice. The request for hearing shall specifically describe the facts to be contested and determined at the hearing. The hearing shall be held pursuant to the process outlined at 645 IAC Chapter 11. If an appeal is not filed within this time period, this preliminary notice of intent to deny licensure will become final.

Dated: March 17, 2010