

BEFORE THE ALABAMA STATE BOARD OF SOCIAL WORK EXAMINERS

_____) Case No.: No. 99-0970C-02
)
IN THE MATTER OF THE COMPLAINT AGAINST)
)
BEVERLY K. BESS,)
)
Respondent)
)
)

AGREEMENT TO INFORMAL SETTLEMENT OF VIOLATIONS

WHEREAS, the Disciplinary Investigative Committee (Committee) of the Alabama State Board of Social Work Examiners (Board) has investigated an Administrative Complaint filed against the Respondent BEVERLY K. BESS and has determined that probable cause exists to warrant filing formal charges against the Respondent BEVERLY K. BESS for having violated rules of the Board, and

WHEREAS, Respondent BEVERLY K. BESS has been notified of the Complaint and alleged violations, the Committee's determination of probable cause, and the right to have a formal hearing before the Board on the alleged violations, and

WHEREAS, Respondent having been notified of the alleged violations and the Committee's determination of probable cause, the right to a formal hearing before the Board on the alleged violations, waives her right to a formal hearing and requests an informal disposition of the alleged violations presently pending before the Alabama State Board of Social Work Examiners, and

WHEREAS, the Respondent has agreed to an informal disposition of the alleged violations, and in consideration of the Committee's promise to informally dispose of the violations, the Respondent agrees to the following:

- (1) An administrative fine of \$400.00. (The Respondent is afforded four months to pay the fine; however, Respondent must make payment each month. She may pay the full amount prior to the expiration of the (4) months).

- (2) Suspension of Social Work License for a one (1) year. Suspension begins upon receipt by the Board of the signed agreement by the Respondent.
- (3) During the suspension, the Respondent is required to keep the license current by paying the required renewal fee and maintaining the required continuing education. However, the Respondent will not receive the biennial sticker indicating a current license.
- (4) During the suspension, Respondent is prohibited from practicing social work.
- (5) Respondent will be permitted to maintain her current position as an administrator.
- (6) By agreeing to have the violations informally discharged by the Committee, Respondent does not admit to the truth of the allegations contained in the Administrative Complaint; however, the Respondent waives her right to a formal hearing before the full Board.
- (7) This agreement applies only to the present allegations, and has no bearing on any future complaints or allegations.
- (8) Nothing in this Agreement is intended to circumvent the law, statutes, or Administrative Code of the Alabama State Board of Social Work Examiners.
- (9) The Board is required to report all disciplinary measures imposed, formally or informally, and that the Board has no authority to waive this requirement.
- (10) The disciplinary infraction will be reported by the Board as a relationship which was outside the boundaries of a social worker client relationship with a client or former client.
- (11) In the event that the Investigative Committee has probable cause to determine that Respondent has violated any term of this Agreement, the Agreement is rescinded, and the Respondent forfeits the Administrative fine, and this cause will be set for an Administrative Hearing before the full Board.
- (12) This Agreement is and shall be deemed to be treated as a public record. In consideration of the Respondent's acceptance of the above-listed disciplinary measures and acknowledgment of a violation of the Committee, on behalf of the Board, agrees that the Board agrees not to actively pursue the prosecution of the Administrative Violations.

IT IS STIPULATED AND AGREED by the Respondent and the Committee that the above-stated terms represent the complete agreement, and that this Agreement is binding once it has been signed by both parties, and that if any term is illegal or unconstitutional, the agreement becomes void.

SIGNED, this 26th day of July 2002

Beverly K. Bess
BEVERLY K. BESS

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ADDRESS

Executive Secretary for the Board
BRENDA W. HOLDEN