

BEFORE THE ALABAMA STATE BOARD
OF SOCIAL WORK EXAMINERS

IN THE MATTER OF)
)
SHIRLEY CARTER)
RESPONDENT)
)
)

DECISION

THIS CASE CAME to be heard as a result of a Complaint filed by the Alabama Board of Social Work Examiners (the Board) against Respondent Shirley Carter. Prior to this hearing, the Respondent had been notified of the Complaint and had been given an opportunity to respond to the Complaint. Prior to the date of this hearing, the Respondent had been notified of the time and place of the hearing by registered mail.

The Complaint charged the Respondents with five counts. COUNT ONE charged a violation of ALA. ADMIN. CODE, Rule 850-X-9-.01 (1)(a) 2, While licensed by the Board to practice social work, on or about October 24, 2002, respondent while employed as a Public Health Social Worker II at the Department of Public Health visited D. L., an Elderly and Disabled Waiver patient of Public Health. Respondent made several statements to Mr. L. that made him believe that if she reported certain information to Medicaid that he would lose his coverage. Respondent requested and received from D. L. a personal check in the amount of three thousand dollars (\$3000.00). Mr. L. told respondent that he did not have three thousands dollars in his account. There was a subsequent attempt to cash this check, which resulted in insufficient funds' charge to Mr. L.

COUNT TWO charged a violation of ALA. ADMIN. CODE, Rule 850-X-9-.01 (2)(a) 2, respondent requested and received from D. L. a personal check in the amount of three thousand dollars (\$3000.00). COUNT THREE charged a violation of ALA. ADMIN. CODE, Rule 850-X-9.01(1)(d)(2),. Respondent, first asked V. C., employee of Advantage Care Services, for a hundred dollars (\$100.00). Ms. C. did not have it. Respondent then asked A. H. for a hundred dollars (\$100.00). Ms. H. told her that she did not have a hundred dollars and Respondent, then asked her to give her any money that she had. Ms. H. gave Shirley Carter ten dollars (\$10.00). Respondent Shirley Carter left with this money. COUNT FOUR charged a violation of ALA. ADMIN. CODE, Rule 850.X-10-.01(2)(d), Respondent Shirley Carter billed Medicaid for clients' visits that she failed to document in those clients' files. COUNT FIVE charged a violation of ALA ADMIN. CODE, Rule 850-X-10-.01(2)(u), In the summer of 2003 D. H., the investigator for the Board of Social Work Examiners tried to interview respondent, Ms. Carter, concerning the complaint filed against her. On two occasions the investigator scheduled interviews with Ms. Carter. Ms. Carter cancelled both of these interviews and failed to reschedule.

On December 12, 2003, the date of the hearing, the Respondent did appear before the Board representing herself. The Board produced Board Exhibits 1 and 2. The Respondent, Ms. Carter, provided Carter's Exhibits 1-4. Exhibits went into the record. The hearing was conducted. After the hearing the Board went into Executive Session.

CONCLUSION

After consideration of the evidence in this case, the Board concludes as follows:

1. the Board has proper jurisdiction to hear the Complaint, and proper notice of the hearing was given Respondent.
2. the Complaint sets forth allegations which violate the rules and regulations as defined in Section 34-30-1, *et seq.* ALA CODE (1975) and ALA. ADMIN. CODE.
3. the Respondent was found guilty of the violations charged in Count One.
4. the Respondent was found guilty of the violations charged in Count Two.
5. the Respondent was found guilty of the violations charged in Count Three.
6. the Respondent was found guilty of the violations charged in Count Four.
7. the Respondent was found guilty of the violations charged in Court Five.

THREFORE, these premises considered, it is hereby

Ordered, adjudged and decreed, that the decision of the Alabama State Board of Social Work Examiners is the licensed be revoked. This disciplinary action is to be reported to the Association of Social Work Boards Disciplinary and Regulatory System and will be forwarded to the National Practitioner Data Bank in the event Respondent attempts to regain licensure in the State of Alabama or in another state.

Done this day the 12th day of December 2003, by a majority vote of the Board.

Brenda W. Holden
Executive Secretary
For the Board of Social Work
Examiners