

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE BOARD OF SOCIAL WORK

In the Matter of the Social Work License of Lisa K. Veith	FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATION
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The above matter came on for a Prehearing Conference before Administrative Law Judge Richard C. Luis at 9:30 a.m. on April 3, 2006, at the Office of Administrative Hearings in Minneapolis. Nathan W. Hart, Assistant Attorney General, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, MN 55101-2131 appeared on behalf of the Compliance Panel of the Board of Social Work ("Panel"). There was no appearance by or on behalf of the Licensee/Respondent, Lisa K. Veith. The record in this matter closed on April 3, 2006.

NOTICE

This report is a recommendation, not a final decision. The Executive Director of the Minnesota Board of Social Work will make the final decision after a review of the record. The Board may adopt, reject or modify the Findings of Fact, Conclusions, and Recommendations. Under Minn. Stat. § 14.61, the final decision of the Board shall not be made until this Report has been made available to the parties to the proceeding for at least ten days. An opportunity must be afforded to each party adversely affected by this Report to file exceptions and present argument to the Board. Parties should contact Frank Merriam, Executive Director, Minnesota Board of Social Work, University Park Plaza, 2829 University Avenue SE, Suite 340, Minneapolis, MN 55414 to learn the procedure for filing exceptions or presenting argument.

If the Board fails to issue a final decision within 90 days of the close of the record, this report will constitute the final agency decision under Minn. Stat. § 14.62, subd. 2a. In order to comply with this statute, the Board must then return the record to the Administrative Law Judge within 10 working days to allow the Judge to determine the discipline to be imposed. The record closes upon the filing of exceptions to the report and the presentation of argument to the Board, or upon the expiration of the deadline for doing so. The Board must notify the parties and the Administrative Law Judge of the date on which the record closes.

Under Minn. Stat. § 14.62, subd. 1, the agency is required to serve its final decision upon each party and the Administrative Law Judge by first class mail or as otherwise provided by law.

STATEMENT OF ISSUE

Whether disciplinary action should be taken against Licensee/Respondent Lisa K. Veith for violating Minn. Stat. § 148B.26 (2005), subds. 1(1), 1(9), 1(10) and 1(15) by engaging in conduct violating a statute or rule enforced by the Board, engaging in unprofessional conduct or other conduct that has a potential to cause harm to the public, by engaging in unethical conduct or conduct likely to deceive, defraud or harm the public, demonstrating a willful or careless disregard for the health, welfare or safety of a client, and by engaging in sexual contact with a client; and Minn. R. (2005) 8740.0310, subp. 1 involving responsibility to clients; and Minn. R. (2005) 8740.0325, subps. 1, 2, 4, 8 and 12, involving the maintenance of professional boundaries, misuse of a professional relationship, the conduct of a personal relationship with a client, sexual conduct with a former client and social worker irresponsibility?

Based on all the proceedings herein, the Administrative Law Judge makes the following:

FINDINGS OF FACT

1. On March 6, 2006, a Notice of and Order for Prehearing Conference and Hearing was mailed to the Licensee/Respondent at her last known address – Lisa K. Veith, LSW, 10341 Legionville Road, Brainerd, MN 56401. The Notice scheduled a Prehearing Conference for April 3, 2006.

2. The Notice of and Order for Prehearing Conference contains the following language, on page three:

1. Respondent's failure to appear at the prehearing conference, settlement conference, or hearing may result in a finding that Respondent is in default, that the allegations contained in this Notice and Order for Prehearing Conference and Hearing may be accepted as true, and its proposed action may be upheld.

2. The Licensee/Respondent did not appear at the April 3, 2006, Prehearing Conference. She did not contact the Board, the Office of the Attorney General or the Administrative Law Judge to request a continuance. No notice of appearance was filed by the Licensee.

3. The allegations as set forth in the Notice and Order for Prehearing Conference and Hearing are deemed proved and are incorporated into these Findings by reference. They include:

a. On April 17, 1990, the Board granted Ms. Veith a license to practice social work in Minnesota.

- b. From 1989 until 2004, Ms. Veith was employed by a county in Minnesota.
- c. In early 2004, the county began protective services work with client No. 1, client No. 2 and their children. A CHIPS petition was filed and Respondent was assigned as the social worker for the family.
- d. Respondent assisted in arrangements for court-ordered parenting and psychological assessments of both client No. 1 and client No. 2. These assessments were completed in June 2004.
- e. In August 2004, Respondent developed a personal relationship with client No. 2, including sharing personal information and an overnight trip during which Respondent and client No. 2 shared the same bed.
- f. In September 2004, Ms. Veith submitted a "report to court" in which she made recommendations for further service to the family and living arrangements for the children, which recommendations favored the home of client No. 2 as a home for the children.
- g. Ms. Veith's supervisors became aware of her personal relationship with client No. 2 and confronted her with this information subsequently. Ms. Veith denied any wrongdoing but resigned from her employment with the county.
- h. Ms. Veith now admits having a personal, romantic and sexual relationship with client No. 2.

Based on the Findings of Fact, the Administrative Law Judge makes the following:

CONCLUSIONS

1. The Administrative Law Judge and the Board of Social Work have jurisdiction in this matter pursuant to Minn. Stat. §§ 14.50, 148.281 (2005), 148B.26 (2005) and 214.
2. The Licensee/Respondent was given timely and proper notice of the Prehearing Conference in this matter, and the Board has complied with all procedural requirements of law and rule.
3. Under Minn. R. 1400.6000, the Licensee/Respondent is in default as a result of her failure to appear at the scheduled Prehearing Conference.
4. Under Minn. R. 1400.6000, when a party defaults, the allegations and issues set out in the Notice and Order for Prehearing Conference and Hearing may be taken as true and deemed proved. The Administrative Law Judge therefore takes those allegations and issues, as specified in the Findings, as true, and they are deemed proved.

5. Based on the facts set out in the Notice of and Order for Prehearing Conference and Hearing, the Licensee/Respondent has violated Minn. Stat. § 148B.26 (2005), subds. 1(1), 1(9), 1(10) and 1(15) and Minn. Rules (2005) 8740.0310, subp. 1, and 8740.0325, subps. 1, 2, 4, 8 and 12. As a result, she is subject to discipline by the Minnesota Board of Social Work.

Based on the Conclusions, the Administrative Law Judge makes the following:

RECOMMENDATION

IT IS RECOMMENDED that appropriate disciplinary action be taken against the social work license of Lisa K. Veith.

Dated this 7th day of April, 2011

/s/ Richard C. Luis
RICHARD C. LUIS
Administrative Law Judge

Reported: Default