

COMMONWEALTH OF KENTUCKY
BOARD OF SOCIAL WORK
CASE NO. 20-23



IN RE: THE LICENSE TO PRACTICE SOCIAL WORK IN THE COMMONWEALTH OF KENTUCKY
HELD BY LOVELLA LASSY, TEMPORARY PERMIT #264387

AGREED ORDER

Come now the Kentucky Board of Social Work (hereinafter "the board"), and Lovella Lassy (hereinafter "Lassy"), and, based upon their mutual desire to fully and finally resolve this pending matter in an expeditious manner, without the need for filing a formal complaint and notice of evidentiary hearing pursuant to KRS 335.155, hereby ENTER INTO the following **AGREED ORDER**:

STIPULATION OF FACTS

The parties stipulate the following facts, which serve as the factual bases for this Agreed Order:

1. Lassy was authorized to practice social work within the Commonwealth of Kentucky upon issuance of a temporary permit on April 24, 2020.
2. On or about May 7, 2020, the board received a self-reported complaint, stating that Lassy was employed with Four Rivers Behavioral Health (hereinafter "Four Rivers") and had accessed a client file on April 28, 2020 to obtain an address and telephone number for personal purposes.
3. On or about May 11, 2020, the Board received a letter from Gretchen Roof, LCSW, Vice President for Clinical Services at Four Rivers, and Wendy Lay, LCSW, Site Administrator for CSCS at Four Rivers, in which they stated that they had conducted an internal investigation with regard to this matter and had found that Lassy's behavior was a violation of The Health Insurance

Portability and Accountability Act of 1996 ("HIPAA"). They further stated that they had entered into a voluntary "Plan of Correction" with Lassy on May 12, 2020, which they also provided to the Board. The contents of that plan are adopted and restated herein below.

4. On July 14, 2020, the board's complaint committee reviewed the case file and recommended an agreed order to resolve this matter, in lieu of the issuance of a formal complaint and notice of evidentiary hearing. The board approved the terms of the agreed order by unanimous vote.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Agreed Order:

1. Lassy's Kentucky social work license was active and subject to regulation and discipline by the board on April 28, 2020 when the alleged violation occurred.

2. Pursuant to 201 KAR 23:080 Section 3 and Section 9, the Lassy has a duty to the clients of the agency with which they work as well as a duty to of confidentiality.

3. Based upon the Stipulation of Facts, the Lassy has engaged in conduct that violates the provisions of KRS 335.150 and 201 KAR 23:080, Sections 3 and 9. Accordingly, there are legal grounds for the parties to enter into this Agreed Order.

4. Pursuant to KRS 335.150(4), the parties may fully and finally resolve this pending matter without the filing of a formal complaint and an evidentiary hearing by entering into informal resolution such as this Agreed Order.

AGREED ORDER

Based upon the foregoing Stipulation of Facts and Stipulated Conclusions of Law, and based upon their mutual desire to fully and finally resolve this pending matter without an evidentiary hearing, the parties ENTER INTO the following AGREED ORDER:

1. The Board adopts the "Plan of Correction" entered into between Lassy and Four Rivers herein. Specifically, the Lassy must complete the following:

a. Complete Relias training on HIPAA/Confidentiality with a passing score and provide a copy of the certificate of completion and score to the Board;

b. Complete two Continuing Education trainings that have been approved by the Board and the Lassy's clinical supervisor, Wendy Lay;

c. Complete two hours of supervision, minimum, as approved and determined by the Lassy's clinical supervisor, Wendy Lay;

d. SHALL NOT further violate any provision of KRS 335.010 – 335.160 and 201 KAR 23:080;

e. Complete any specific self-study or additional trainings or activities recommended by Lassy's clinical supervisor, Wendy Lay.

2. In addition, the Board imposes the following requirements:

a. The supervision requirements above shall transfer to any additional supervisors should Ms. Lay no longer be supervising Lassy at any time prior to completion of the requirements of this Agreed Order.

b. The Continuing Education trainings referenced in 1(b) above shall result in at least 6 hours of credit and shall cover a topical area related to the violations herein.

3. Lassy freely and voluntarily enters into this Agreed Order, motivated by a desire to resolve the issues addressed herein, and has executed this Agreed Order only after a careful reading of it, and consultation with an attorney of her choosing should she so desire, and a full understanding of all of its terms; that she is fully aware of and expressly waives the right to contest charges in a formal hearing pursuant to KRS 335.155, the right to obtain judicial review of the board's decision, and the right to appeal any final order of the board to the Franklin Circuit Court as otherwise allowed by KRS 335.155(3).

4. Lassy acknowledges the board has jurisdiction over the Lassy and the conduct that precipitated this Agreed Order; that the board has the legal power to take disciplinary action up to and including revocation of the Lassy's license to practice social work in Kentucky; and the Lassy further acknowledges the board shall retain jurisdiction over this matter until all terms and conditions set forth in this Agreed Order have been met to the satisfaction of the board.

5. This Agreed Order is considered a public document, available for inspection at any time by any member of the public under the Kentucky Open Records Act.

6. This matter shall constitute disciplinary action that may be reportable under state or federal law.

7. Lassy expressly understands that any violation of the terms of this Agreed Order shall provide the legal basis for additional disciplinary action and shall constitute failure to comply with an order of the board under KRS 335.150(1)(f), and for which the board may impose additional penalties available under law after notice and an opportunity to be heard.

8. This Agreed Order shall be governed in all respects, whether as to validity, construction, capacity, performance or otherwise, in accordance with the laws of the Commonwealth of Kentucky. Furthermore:

a. Any dispute arising hereunder shall be settled by a state court of appropriate jurisdiction in Franklin County, Kentucky. The parties irrevocably consent to the personal jurisdiction and venue of such court.

b. This Agreed Order may not be modified except by a written agreement signed by the parties.

9. In consideration of execution of this Agreed Order, Lassy, her executors, administrators, successors and assigns, hereby release and forever discharge the Commonwealth of Kentucky, the Board of Social Work, and each of its members, agents, and employees in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, the Lassy ever had, now has, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this investigation, this disciplinary action, this Agreed Order, or its administration.

Upon consideration of this Agreed Order, it is hereby ORDERED that the terms of this Agreed Order are approved and adopted.

SO ORDERED on this 26th day of January 2021.

Lovella Lassy
LOVELLA LASSY

Date 1/8 2021

FOR THE BOARD OF SOCIAL WORK:

/S/ Jay Miller, CSW, PhD
JAY MILLER, CSW, PhD
CHAIR, KENTUCKY BOARD OF SOCIAL WORK

Nicole S. Bearse
HON. NICOLE S. BEARSE
ATTORNEY, BOARD OF SOCIAL WORK

CERTIFICATE OF SERVICE

I hereby certify that copies of the Agreed Order were mailed by regular first-class mail
on this 26th day of January 2021, to:

Ms. Lovella Lassy
Four Rivers Behavioral Health
425 Broadway Street, Suite 100
Paducah, Kentucky 42001

Ms. Gretchen Roof
Four Rivers Behavioral Health
425 Broadway Suite 100
Paducah, Kentucky 42001



Board Administrator