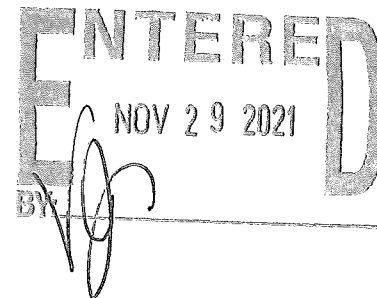


COMMONWEALTH OF KENTUCKY
BOARD OF SOCIAL WORK
CASE NO. 21-13



IN RE: THE LICENSE TO PRACTICE SOCIAL WORK IN THE COMMONWEALTH OF KENTUCKY
HELD BY CHARLETTA SMITH, CSW, LICENSE NO. 252972

MEDIATED AGREED ORDER

Come now the Kentucky Board of Social Work (hereinafter "the board"), and Charletta Smith (hereinafter "Licensee"), and having attended mediation with Hon. Aaron J. Silletto, Assistant Attorney General on November 15, 2021, 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. Licensee was duly licensed by the board to practice social work within the Commonwealth of Kentucky upon issuance of her license on October 24, 2017.
2. On or about March 1, 2021, the board received a written complaint filed by Hon. William F. Bottoms, General Counsel for Pathways, Inc. and Betsy Jackson, Chief Compliance Officer for Pathways, Inc. (hereinafter referred to jointly as "Complainants"), stating that Licensee had engaged in a non-sexual dual relationship with a client, inappropriate shared confidential information related to the client to third parties, and otherwise harassed the client

via electronic means. The complained alleged violations of the provisions of 201 KAR 23:080 Sections 1, 2, 3, 5, 9 and 11 by engaging in a dual relationship with a client.

3. On or about April 8, 2021, the Board received a response from Licensee in which she stated that she had begun a therapeutic relationship with the minor client at issue on August 26, 2019. Thereafter, the client became friends with Licensee's daughter, which led to social interaction between Licensee and client, and thus a non-sexual dual relationship between Licensee and the client. Although the client was eventually transferred to another therapist, Licensee further admitted to text exchanges disclosing information related to the client and to posting an inappropriate video in which she tagged the minor client.

4. On November 15, 2021, the Board, Licensee and their respective counsel attended mediation and agreed to enter into this order to resolve this matter and to dismiss the administrative action currently pending in 21-KBSW-0101. This agreement will be presented to the full board for a vote at the board's next regularly scheduled meeting and will be held for entry until approval thereof.

STIPULATED CONCLUSIONS OF LAW

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

1. During the period from August 26, 2019 to the present, Licensee's Kentucky social work license was active and subject to regulation and discipline by the board.

2. Pursuant to 201 KAR 23:080 Sections 1, 2, 3, 5, 9 and 11, the Licensee participated in a dual relationship with a client, released confidential information related to the client to a third party, posted inappropriate content online and tagged the minor client.

3. Based upon the Stipulation of Facts, the licensee has engaged in conduct that violates the provisions of KRS 335.150(g) and 201 KAR 23:080 Sections 1, 2, 3, 5, 9 and 11. 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 licensee agrees that her license to practice social work shall be suspended retroactive to February 1, 2021. Said suspension shall end either upon the conclusion of thirty (30) months, or upon the approval of a supervision contract for practice with a Licensed Clinical Social Worker by the board pursuant 201 KAR 23:070, whichever happens last. If the licensee does not obtain approval of a supervision contract as set out herein, the suspension for continue for a maximum of five (5) years from the date of entry of this Order in accordance with KRS 335.150.

2. Licensee shall satisfy payment of a \$2,500.00 fine during the term of her suspension. The Board will accept payments thereon, but the full amount shall be paid prior to Licensee's reinstatement.

3. Upon reinstatement of Licensee's license to practice social work, that license shall be on probation for an additional thirty (30) month time period. During the time of probation, Licensee:

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

b. May sit for the LCSW exam, presuming all requirements otherwise required to do so have been met.

c. Complete three (3) hours of Continuing Education hours in the area of ethics each year. At least one such hour shall be on the topic of dual relationships annually.

4. Following the term of suspension hereinabove, Licensee shall complete fifty (50) additional board approved supervision hours regardless of whether licensed as a CSW or LCSW.

5. During the time period covered by the suspension outlined herein, Licensee shall notify the Board when she begins any employment in which she will be practicing social work pursuant to the definition contained within KRS 335.020, whether exempt under KRS 335.010 or otherwise. Including in that notification shall be an affirmation that she has provided a copy of this Order to the employer prior to beginning said employment. During the subsequent probationary period outlined herein, Licensee shall ensure that any and all board-approved supervisors are provided a copy of this Order upon approval of her supervision contract.

6. Licensee 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).

7. Licensee acknowledges the board has jurisdiction over the licensee 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 licensee's license to practice social work in Kentucky; and the licensee 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.

8. 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.

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

10. Licensee 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.

11. 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.

12. In consideration of execution of this Agreed Order, Licensee, 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 licensee 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 15 day of November 2021.

LICENSEE:

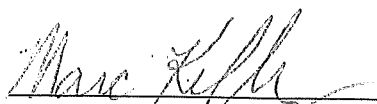
Charletta Smith
CHARLETTA SMITH, Licensee

Date 11/18/ 2021

Jason Greer
HON. JASON GREER, Counsel for Licensee

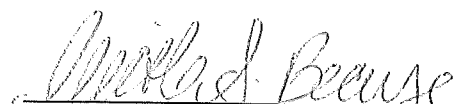
Date 11/18 2021

FOR THE BOARD OF SOCIAL WORK:



MARC KELLY, Executive Director
Kentucky Board of Social Work

Date 11/29/ 2021



HON. NICOLE S. BEARSE, Counsel
Kentucky Board of Social Work

Date 11/29/21 2021

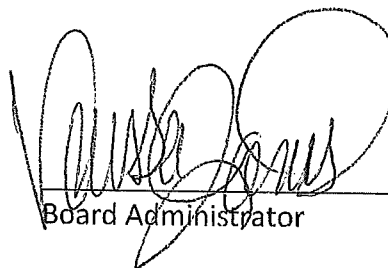
CERTIFICATE OF SERVICE

I hereby certify that copies of the Agreed Order were mailed by regular first-class mail
on this 29th day of November 2021, to:

Ms. Charletta Smith
72 Jim Griffey Road
Olive Hill, Kentucky 41164

Hon. Jason Greer
P.O. Box 145
Grayson, Kentucky 41143

Hon. Nicole S. Bearse
229 West Main Street, Suite 301
Frankfort, Kentucky 40601



Board Administrator