

**BEFORE THE WEST VIRGINIA BOARD OF SOCIAL WORK EXAMINERS**

**WEST VIRGINIA BOARD OF SOCIAL  
WORK EXAMINERS,**

**Complainant,**

**v.**

**Case No. 01312008LT-0811**

**LYNDA K. TRIPPETT,**

**Licensed Social Worker**

**Licensed Number:**

**Respondent.**

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**CONSENT AGREEMENT AND ORDER**

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After due investigation of information received regarding possible statutory and rule violations, the West Virginia Board of Social Work Examiners (hereinafter "Board") determined that there was probable cause to believe that Lynda K. Trippett (hereinafter "Respondent") has committed violations of the provisions of W. Va. Code § 30-30-1 *et seq.* and the Rules of the Board, 25 C.S.R. § 1 *et seq.* The Respondent was provided with written notice of the allegations against her pursuant to the rules of the Board and the laws of this State. Now, in lieu of hearing, the parties agree to entry of the following Order in disposition of this matter.

**FINDINGS OF FACT**

The Board adopts the following findings in this matter:

1. That the Board is a State entity created by W. Va. Code § 30-30-1 *et seq.* and is empowered to regulate the practice of social work.
2. That the Respondent, Lynda K. Trippett, is a licensee of the Board, possessing License No. AP00816084, and is therefore subject to the license requirements of said Board.

3. That the Board is empowered to investigate allegations of unprofessional or unethical conduct and to suspend, restrict, revoke or refuse to issue a license to practice social work under the authority granted to it by W. Va. Code § 30-30-1 *et seq.*

4. That Respondent was, at all times material hereto, employed as a Social Worker with the West Virginia Department of Health and Human Resources in Harrison County, West Virginia.

5. That in September of 2007 the Board received a Complaint against the Respondent from, the West Virginia Department of Health and Human Resources (hereinafter "WVDHHR"), for not performing mandatory background checks on potential foster home and/or adoption home providers, entering false information into WVDHHR's computer system, and altering records in order to conceal her failure to perform the mandatory background checks during the period of July 2000 through November 2006.

6. That the Respondent was employed as a Social Service Worker III whose job duties included, finding placements for children in either foster or adoptive homes. In performing that job duty, Respondent was to perform background checks on potential foster and/or adoptive home providers.

7. That it was discovered by random checks conducted by the Respondent's immediate supervisor that the Respondent appeared to be conducting no background checks on these potential foster and/or adoptive home providers before placing children in these homes.

8. That upon this discovery WVDHHR referred this matter to its Office of the Inspector General for a complete investigation which revealed that the Respondent failed to perform the prerequisite background checks before placing children into these homes for foster and/or adoptive home placements.

9. That Respondent in her reply dated December 4, 2007, admits that she has placed children in homes for foster and/or adoptive placement before having received the results of the C.I.B. fingerprint background checks. Moreover, Respondent denies altering any records of WVDHHR.

10. At no time were any persons reported to be harmed by the Respondent's actions.

11. That the Board conducted an investigation, during which time the Complainant, the Respondent and other relevant parties were interviewed and various documents relevant to the complaint were obtained and reviewed.

12. That the Board's assigned complaint investigator did review all the information obtained during the investigation and based upon that review, did make a recommendation to the Board for a finding of probable cause.

13. That the Respondent's actions constitute a violation of the current Code of Ethics adopted by the Board, the Board's governing practice act, and that this violation of the Code of Ethics may be grounds for disciplinary action by the Board pursuant to W. Va. Code § 30-30-7 and 25 C.S.R. § 1-4.2.

14. That the Board did meet and made a finding of probable cause for a violation of the National Association of Social Workers Code of Ethics at sections 1.01, 1.04, 3.04(a), (b) and (d), 3.09(a) and (b), and 4.04 of the National Association of Social Workers Code of Ethics.

### **CONCLUSIONS OF LAW**

1. That the Board has jurisdiction to take disciplinary action against Respondent.
2. That based upon the allegations of unprofessional or unethical conduct set out above in the *Findings of Fact* section, the Board is authorized to suspend, revoke or otherwise restrict the license of the Respondent to practice social work, pursuant to W. Va. Code § 30-30-7.
3. That the Board has adopted the National Association of Social Workers Code of Ethics as its Code of Ethics pursuant to 25 C.S.R. § 1-4.1 and has defined professional negligence to include a licensed social worker's failure to comply with the Code of Ethics. Violations of this Code may be grounds for disciplinary action by the Board pursuant to 25 C.S.R. § 1-4.2.

### **CONSENT OF LICENSEE**

I, Lynda K. Trippett, by affixing my signature hereto, acknowledge the following:

1. That I have had the opportunity to consult with counsel and execute this Consent Agreement voluntarily, freely, without compulsion or duress and mindful that it has legal consequences.
2. That no person or entity has made any promise or given any inducement whatsoever to encourage me to make this settlement other than as set forth herein.
3. That I acknowledge that I am aware that I may pursue this matter through appropriate administrative and/or court proceedings, and I am aware of my legal rights, including my right to a hearing pursuant to W. Va. Code § 30-1-8(e), regarding this matter, but intelligently, knowingly and voluntarily waive such rights.
4. That I waive any defenses including, but not limited to, laches, statute of limitations, and estoppel, that I may have otherwise claimed as a condition of this agreement.

5. That I admit that my actions were a violation of the statute and rules of the Board.

The Respondent, Lynda K. Trippett, by affixing her signature hereon, agrees to the following:

**ORDER**

On the basis of the foregoing, the Board does hereby ORDER and DECREE that:

1. The Respondent's license to practice social work expired at the end of its current period on January 1, 2009. Moreover, Respondent will not be eligible for re-instatement of this license number AP00816084.

2. The Respondent will cease working in any capacity as <sup>licensed</sup> a social worker in the state of West Virginia.

3. Should the Respondent apply for a new license to practice social work in the state of West Virginia, the Respondent shall be considered as a new applicant and must meet all the requirements for certification as licensed social worker or licensed graduate social worker and satisfy state social work examination provisions.

4. The Board is bound by agreement and by law to report the results of all disciplinary actions, including the instant matter, for posting in the Health Integrity Practitioners Data Bank through the Association of Social Work Boards.

5. Respondent shall reimburse the Board for all of the administrative and legal expenses incurred by the Board in the investigation and disposition of this case within six months of the entry date of this *Consent Agreement and Order*.

6. That this document is a public record as defined in W. Va. Code § 29B-1-2(4).

7. This *Consent Agreement and Order* constitutes the entire agreement between the parties.

WEST VIRGINIA BOARD OF  
SOCIAL WORK EXAMINERS

By:

Rita Brown

Rita Brown, Chairperson

Entered:

3/12/09

DATE

Agreed to by:

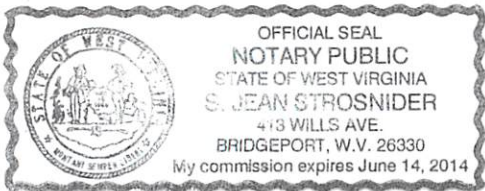
Lynda K. Trippett

Lynda K. Trippett, Respondent

Lynda K. Trippett

Sworn and subscribed before me this 5 day of March, 2009.

My Commission expires: June 14, 2014



S. Jean Strosnider  
Notary Public

Shawn R. Romano

Shawn R. Romano, Counsel for Respondent