

BEFORE THE WEST VIRGINIA BOARD OF SOCIAL WORK EXAMINERS

WEST VIRGINIA BOARD OF SOCIAL
WORK EXAMINERS,

Complainant,

ORIGINAL

v.

Case No: CLFY12-0118

CYNTHIA LANTZ,
Licensed Social Worker
Licensed Number: AP00942159
Respondent.

CONSENT AGREEMENT AND ORDER

After due investigation of a written complaint, the West Virginia Board of Social Work Examiners (hereinafter "Board") determined that there was probable cause to believe that Cynthia Lantz (hereinafter "Respondent") has exhibited unprofessional and unethical conduct in the practice of social work, in violation 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 have reached an agreement for the resolution of this case matter and 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:

ORIGINAL

1. That Cynthia Lantz is a licensee of the Board, License No.AP00942159, and is subject to the license requirements of said Board.

2. The Board is a regulatory board created for the purpose of regulating the social work profession. W. Va. Code § 30-30-1.

3. In order to carry out its regulatory duties, the Board is empowered to suspend, revoke or otherwise discipline an individual's social work license because of authority granted to it by W. Va. Code § 30-30-8.

4. That Respondent was, at all times material hereto, employed as a licensed Social Worker with the Crittenton Services, Inc. dba Wellspring Family Services.

5. That in December of 2010 the Board received a Complaint from Beverly Petrelli, Vice-President Community Services for CrittentonServices, Inc. dba Wellspring Family Services ("Wellspring") against the Respondent for billing for services that had not been provided and falsifying signatures and other documents in order to bill for these services.

6. That the Respondent provided social services to various clients as a salaried employee of Wellspring who in turn billed the clients' insurance providers for services rendered by the Respondent.

7. That Wellspring began to investigate complaints that the Respondent was failing to appear for scheduled appointments.

8. That through its investigation Wellspring discovered that the Respondent had billed for services on October 22, 2010, for DD Client #5618 even though she had failed to appear at the appointment. Wellspring found that the Respondent had submitted a Session Verification Form which showed the client's signature and that the services were rendered by the Respondent; however,

the client stated that she had not signed any form and was not seen for any services on October 22, 2010, by the Respondent. Moreover, Wellspring discovered two more October 2010 visits that had been falsified by the Respondent. Again, DD Client #5618 stated that she was not seen by the Respondent; however, the Respondent submitted Session Verification Forms signed by the client.

9. That upon further investigation another client was discovered to not have received services for which the Respondent made billings. It was found that for LB Client #10010, the Respondent submitted falsified Session Verification Forms for services on September 24, 2010, and October 7, 2010. These services were allegedly rendered to LB Client #10010 at a school; however, the school principal verified that the signatures on the Session Verification Forms were not those of any school personnel and the Respondent was not logged into the school on either of those days.

10. That Respondent submitted additional Session Verification Form for LB Client #10010 for October 22, 2010, and the foster Mother of LB Client #10010 verified that was not her signature on the Session Verification Form submitted to Wellspring for payment. Moreover, the foster Mother stated that no services had taken place on October 22, 2010, in her home by the Respondent.

11. That the Respondent did respond to the Complaint made to the Board on February 4, 2011, by denying any falsification of records while in the employment of Wellspring. Respondent stated that she was overwhelmed by the assigned caseload and sometimes would forget to obtain the client's signatures on the Session Verification Forms. Moreover, she attempted to see her clients as often as possible, but that sometimes she did not see them as often as required by their respective treatment plans.

12. 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.

13. 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.

14. That the Board by vote at its December 13, 2011, meeting, made a finding of probable cause for violations of the National Association of Social Workers Code of Ethics at 1.01, 3.05, 4.04, and 5.01 of the National Association of Social Workers Code of Ethics.

15. 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 are grounds for disciplinary action by the Board pursuant to W. Va. Code § 30-30-7 and 25 C.S.R. § 1-4.2.

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 are grounds for disciplinary action by the Board pursuant to 25 C.S.R. § 1-4.2.

CONSENT OF LICENSEE

I, Cynthia Lantz, 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 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 unprofessional and unethical and a violation of the statute and rules of the Board.

The Respondent, Cynthia Lantz, 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. Respondent's license is hereby suspended for a period of six (6) months effective upon the entry date of this *Order* hereto.

2. During this six (6) month period of suspension the Respondent must complete the following requirements:

a. Respondent shall complete six (6) contact hours of West Virginia Board of Social Work Examiners approved continuing education in the area of ethics, maintaining client and billing records. Respondent shall provide proof of completion to the Board. These six (6) contact hours are in addition to the standard requirement of fifty (50) contact hours that a licensee must complete for license renewal, and shall not be obtained via any online courses.

b. 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.

3. 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.

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

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

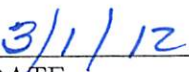
WEST VIRGINIA BOARD OF
SOCIAL WORK EXAMINERS

By:



Rita Brown, Chairperson

Entered:



DATE

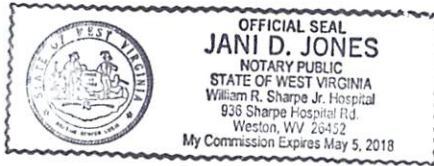
Agreed to by:

Cynthia Lantz
Cynthia Lantz, Respondent

2/27/12
DATE

Sworn and subscribed before me this 27 day of February 2012.

My Commission expires: 5-5-2018



Jani D. Jones
Notary Public