

**BEFORE THE STATE OF NEW MEXICO
BOARD OF SOCIAL WORK EXAMINERS**

IN THE MATTER OF:

**BEVERLY MICHEAL
LICENSE NO. I-06355**

Case No. SW-09-07-19

Respondent.

SETTLEMENT AGREEMENT

WHEREAS, the State of New Mexico Board of Social Work Examiners ("Board") has received a complaint filed on July 27, 2009 with the Board stating that the Respondent improperly recommended medication to clients and instructed the clients to tell their physician that they should be started on the medications she recommended; and

WHEREAS, the Board voted unanimously on September 25, 2009 to issue a Notice of Contemplated Action (NCA); and

WHEREAS, the parties wish to resolve this matter in an amicable fashion without the need for the issuance of a Notice of Contemplated Action (NCA) required under the Uniform Licensing Act, and without the need for a formal hearing, and

WHEREAS the Board believes that this Settlement Agreement to ("Agreement") is appropriate and in the best interests of both the Board and Respondent,

IT IS HEREBY AGREED AS FOLLOWS:

1. Jurisdiction. The Respondent at all times relevant to these proceedings was a licensee of the Board. The Board has jurisdiction over the Respondent and the subject matter.
2. Violations. The Respondent acknowledges that this disciplinary action is for the following conduct:
 - A. Failure to comply with the provisions of NMAC 16.63.16.8.E. (1) and 61-31-17

NMSA 1978

3. Discipline. This Agreement constitutes disciplinary action by the Board against the Respondent.

4. The Board shall take no further action against Respondent with respect to the matters in the subject case, provided that Respondent complies with the following:

A. Respondent accepts a letter of Reprimand issued by the Board;

5. Waiver of rights.

A. Respondent has waived the time limitations set forth in the Uniform Licensing Act.

B. Respondent understands that he has a statutory right to a hearing on the charges made in the complaint against her and that she would have the right to appeal any decision of the Board following such hearings; and she hereby waives these rights.

C. Respondent waives his right to assert a claim of bias or move to excuse any Board member based upon the Board member's consideration of this Agreement.

D. Respondent's waiver of any rights contained herein is made knowingly, intentionally, and voluntarily.

6. Respondent has the right to be represented by an attorney.

7. Respondent's execution of this Agreement is made knowingly, intentionally, and voluntarily.

8. Upon execution of this Agreement, Respondent releases the Board from any and all claims arising out of the Board's decision to investigate the complaint, file a Notice of Contemplated Action, and take the actions described herein.

9. This Agreement is subject to Board approval.

10. This Agreement is binding upon the Board and the Respondent.

11. Failure to comply with the terms and conditions of this Agreement shall be separate and independent grounds for disciplinary action by the Board. In the event the Respondent fails to comply with the provisions hereof, the Board shall have the right to take such action against Respondent as it deems appropriate under the circumstances, including revoking Respondent's license.

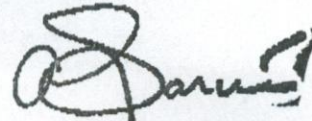
12. This Agreement is a settlement of Board case number SW-09-07-19, and only the specific allegations contained therein. The board reserves the right to initiate proceedings for any other violations of the Social Work Practice Act or the Rules and Regulations of the Board adopted pursuant to that act.

13. The complaint and this Agreement are public records within the meaning of the Inspection of Public Records Act, NMSA 1978, § 14-2-6(E) (1993). Other data, communications, and information acquired by the Board relating to this matter shall be public as provided by the Social Work Practice Act.

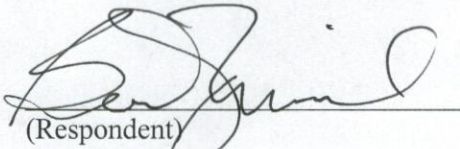
14. The complaint and this Agreement shall be reported to the National Practitioners Data Bank.

IT IS THEREFORE SO ORDERED.

Signed this 8 day of October, 2010.
State of New Mexico Board of Social Work Examiners



Alfredo Garcia, Board Chair
New Mexico Board of Social Work Examiners
2550 Cerrillos Road
Santa Fe, NM 87505



(Respondent)

9/6/10
(Date)