

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

IN THE MATTER OF:

CELESTE BENCOMO

Case No. SW-10-08-24-APP

Respondent.

SETTLEMENT AGREEMENT

WHEREAS, the State of New Mexico Board of Social Work Examiners ("Board") has received an application filed on August 27, 2010 with the Board; Applicant answered "yes" to question number three "Have you ever plead guilty to or pled nolo contendere to or been convicted of Driving Under the Influence or Driving While Intoxicated?" on the application for licensure ; and

WHEREAS, the Board voted unanimously on October 8, 2010 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 an applicant for licensure. The Board has jurisdiction over the applicant and the subject matter.
2. Violations. The Respondent acknowledges that this disciplinary action is for the following conduct:
 - A. has been convicted of the commission of any illegal operation 61-31-17 NMSA 1978
3. Discipline. This Agreement constitutes disciplinary action by the Board against the applicant.

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

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

5. Waiver of rights.

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

B. Applicant 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. Applicant waives her 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. Applicant's waiver of any rights contained herein is made knowingly, intentionally, and voluntarily.

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

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

8. Upon execution of this Agreement, Applicant 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 Applicant.

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 Applicant fails to comply with the provisions hereof, the Board shall have the right to take such action against Applicant as it deems appropriate under the circumstances, including revoking Applicant's license.

12. This Agreement is a settlement of Board case number SW-10-08-24-APP, and only the specific allegations contained therein. The board reserves the right to initiate proceedings for any other

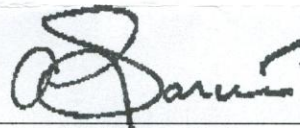
violations of the Social Work Practice Act or the Rules and Regulations of the Board adopted pursuant to that act.

13. The Application 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 14th day of Feb., ²⁰¹¹2010.
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

Celeste Bencomo
(Respondent)

12.22.10
(Date)