

SOUTH DAKOTA DEPARTMENT OF SOCIAL SERVICES

BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF)	BSWE 2022-276
PROFESSIONAL LICENSE OF)	
DEBRA HUGHES)	STIPULATION
)	
(CSW-PIP 3174))	

The South Dakota Board of Social Work Examiners (“Board”), by and through its attorney, Jennifer M. Jorgenson, Assistant Attorney General, and Debra Hughes (“Hughes”), stipulate to the following:

1. During all times herein, Hughes has been and is now subject to the jurisdiction of the Board from which she holds a valid South Dakota license to practice as a Certified Social Worker in private, independent practice—license number 3174.
2. The Board has the statutory obligation to protect the public’s health, safety, and welfare set forth in SDCL § 36-26.
3. Hughes is subject to the provisions of SDCL § 36-26 and ARSD 20:59.
4. The Board received information against Hughes alleging that Hughes received confidential information from a colleague regarding a shared client. The confidential information included the client’s negative views regarding her potential adoption. Hughes also received information that the client did not want to share the information out of fear of retaliation. Hughes received this inform via email. Hughes disclosed the emails to the proposed adoptive parents.
5. The Board investigated these allegations and alleges that Hughes’s conduct violated the National Association of Social Workers (“NASW”) Code of Ethics in violation of SDCL § 36-26-32(6).

6. Hughes admits to violating the NASW Code of Ethics and agrees her conduct violated SDCL § 36-26-32(6).
7. Hughes recognizes her conduct would constitute grounds for discipline regarding her license to practice as a social worker in South Dakota under SDCL § 36-26-32(6).
8. The intention of this Stipulation is to provide for a settlement of the licensing issues presented by Hughes's conduct, in a professional manner, without the necessity of a hearing or further proceedings.
9. Hughes recognizes that the Board may approve this Stipulation, reject it, or modify it.
10. In the event the Board, in its discretion, does not approve this Stipulation or a lesser sanction, this Stipulation is withdrawn and will be of no evidentiary value and will not be relied upon nor introduced by either party. Hughes agrees that if the Board rejects the Stipulation and this case proceeds to a hearing, she will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or any records or information relating thereto.
11. Hughes has been given an opportunity to discuss this Stipulation with an attorney of her choice. She is aware of her right to a hearing in this matter, and all rights under the United States and South Dakota Constitutions, laws, rules, and regulations. Hughes hereby voluntarily waives all such rights to a contested case proceeding under SDCL § 1-26, including notice, appearance, representation by an attorney, calling witnesses, or any other rights under the Constitutions, laws, rules, and regulations.
12. Hughes is agreeing to this Stipulation voluntarily and without duress or compulsion.
13. Hughes agrees that the Board's executive staff may present this Stipulation to the Board and disclose to the Board all items of its investigation, including, but not limited to, any communications with Hughes.

14. Hughes's license to practice as a Certified Social Worker in private, independent practice shall be suspended. Hughes's license will be reinstated after one month *and* based upon the following terms and conditions, whichever is completed later:

- a. Hughes shall undergo one-on-one education meetings with Kelly Bass ("Dr. Bass"). If Dr. Bass has a conflict, Hughes shall undergo one-on-one education meetings with a Board-chosen Certified Social Worker in private, independent practice. The education meetings shall last a total minimum of 3 hours. Hughes is responsible for paying for the education meetings;
- b. During the education meetings, Hughes and Dr. Bass will review the records deemed pertinent by the Board, including the Complaint, Answer, and the email correspondence at issue; and
- c. During the education meetings, Hughes will complete individualized education with Dr. Bass focused on the NASW Code of Ethics sections that are related to this matter, specifically 1.07 and 2.02.
- d. Following completion of the education, Dr. Bass shall submit a report to the Board's executive staff addressing the following:
 - i. Verification that Dr. Bass has reviewed a copy of this Order and any records deemed pertinent by the Board or by Dr. Bass prior to the education;
 - ii. An evaluation of Hughes's understanding of the subject matter prior to beginning the education;
 - iii. A description of the content and method of instruction provided during the education;
 - iv. A description of what Hughes learned and achieved through the instruction and how the learning was evaluated;

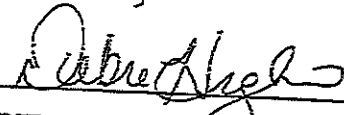
- v. Any recommendations for additional education directed at improving Hughes's social work practice; and
 - vi. Any other information Dr. Bass believes is relevant.
 - e. Following completion of the education, Hughes shall submit a report to the Board's executive staff addressing the following:
 - i. A detailed discussion of what Hughes learned from the education meetings;
 - ii. A detailed discussion of what NASW Code of Ethics sections were violated by her conduct in the emails and how she could have handled the issue differently; and
 - iii. A detailed discussion about how she will apply the knowledge gained to her future social work practice.
- 15. After completing the suspension requirements in paragraph 14, Hughes's license will be reinstated, but she will remain on probation for one year from the date her license is reinstated and will comply with the following terms and conditions to be discharged from probation:
 - a. Hughes shall promptly comply with any recommendation for additional education made by Dr. Bass;
 - b. Hughes shall undergo one year of supervision by Dr. Bass. If Dr. Bass has a conflict, Hughes shall undergo supervision with a Board-chosen Certified Social Worker in private, independent practice who will report to the Board regarding her performance on a monthly basis, as well as any concerns as soon as practicable. Hughes is responsible for paying any costs associated with her supervision; and
 - c. Hughes shall complete four Board-approved credits of continuing education classes, equivalent to forty contact hours of participation in a noncredit continuing education program, about confidentiality requirements in the practice of social work. Those credits shall be completed within her one-year supervision. Credits earned before the adoption of this Stipulation shall not count towards the credits.

These credits are in addition to the credits required to renew her license. For the education classes, Hughes shall:

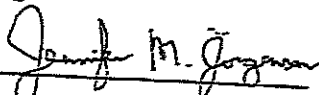
- i. Submit written documentation, such as measurable learning objectives and qualifications of the instructor, in order to receive prior approval;
 - ii. Provide verification to the Board when those credit hours have been completed; and
 - iii. Submit a report to the Board's executive staff within one month of completing the class which includes a brief statement of the topics covered, a detailed discussion of what Hughes learned, and a detailed discussion about how she will apply the knowledge gained to her future social work practice.
16. If Hughes fails to comply with those terms and conditions, the Board may move to revoke Hughes's license for failing to comply with this Stipulation.
17. Hughes shall comply with the NASW Code of Ethics and all rules and regulations governing the practice of social work in South Dakota or any other jurisdiction in which she practices social work.
18. The Board will report the status of Hughes's license to the Association of Social Work Boards, and to any applicable national database or other reporting entity as deemed appropriate by the Board in compliance with state or federal law. This Stipulation will also be publicly available on the Board's website.
19. Hughes shall provide this Stipulation to any other social work licensing entity in any other state in which she may be licensed.
20. The provisions of this Stipulation, if approved by the Board, shall become effective immediately upon the Board President signing below. The Board's executive office shall notify Hughes when that signing has occurred.

NOW, THEREFORE, the foregoing Stipulation is entered into and is respectfully submitted to the Board with the request that the Board adopt its terms and issue an order incorporating its terms in the above matter.

Dated this _____ day of _____, 2023.


DEBRA HUGHES

Dated this 20 day of January, 2023.

1/26/23 
PROSECUTING ATTORNEY

The South Dakota Board of Social Work Examiners meeting on the 10th day of February, 2023 (approved) (rejected) the attached Stipulation (as written) (with the following modifications):

none

and issued its ORDER OF SUSPENSION AND SUPERVISION consistent herewith as follows:

IT IS HEREBY ORDERED that the above Stipulation is adopted as an Order of the South Dakota Board of Social Work Examiners this 10th day of February, 2023, by vote of unanimous.


PRESIDENT