

STATE OF SOUTH DAKOTA
SOUTH DAKOTA DEPARTMENT OF COMMERCE
BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF THE PROFESSIONAL
LICENSE OF:
JOSEPH TOLSON

STIPULATION AND ORDER
OF DISMISSAL WITH LETTER OF
REPRIMAND

Complaint No. 228

WHEREAS, JOSEPH TOLSON ("Licensee"), holds a license to practice as a social worker in the State of South Dakota (License number 1737); and

WHEREAS, a complaint has been made against Licensee in connection with a particular case, identified as the H.C.-F./M.F. case, and Licensee admits to committing errors in connection with this case involving maintenance of billing records, a conflict of interest, and competence. The investigation by the Board has shown that Licensee committed certain errors in connection with the H.C.-F./M.F. case, which errors are insufficient in scope to rise to the level that the Board would revoke or suspend Licensee's license, and Licensee agrees such conduct violated SDCL § 36-26-32 (6) and (10); and

WHEREAS, the Licensee recognizes that these matters, are of a nature which would constitute grounds for the discipline of his license to practice as a social worker in South Dakota under SDCL § 36-26-32; and

WHEREAS, the South Dakota Board of Social Work Examiners (hereinafter Board), has a statutory obligation to protect the public health, safety and welfare set forth in SDCL § 36-26; and

WHEREAS, the Licensee has requested the Board's staff to present this Stipulation to the Board for action and recognize that the Board may approve this Stipulation, reject it, or modify it; and

WHEREAS, in the event the Board, in its discretion, does not approve this settlement or a lesser remedy than indicated in this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party. Licensee agrees that if the Board rejects this Stipulation and

this case proceeds to hearing, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation of any of the records or information relating thereto: and

WHEREAS, the Licensee has expressed a desire to resolve this matter without the necessity of additional formal disciplinary proceedings and hearings; and

WHEREAS, it is the intent of this Stipulation to provide for a settlement of the licensing issues presented by the Licensee's conduct, in a professional manner, without the necessity of further hearings and proceedings herein, and to provide for a responsible solution; now therefore,

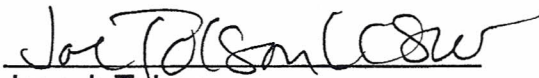
IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Stipulation.
2. Licensee has admitted to committing errors in connection with the H. C.-F./M.F. case involving maintenance of billing records, a conflict of interest, and competence. Investigation by the Board has shown that Licensee committed certain errors in connection with the above case, which errors would be insufficient in scope to rise to the level that the Board would revoke or suspend Licensee's license, and Licensee agrees such conduct violated SDCL § 36-26-32 (6) and (10).
3. The Licensee has been given an opportunity to discuss this Stipulation with an attorney of the Licensee's choice, and is aware of the Licensee's right to a hearing in this matter, and all rights under the United States and South Dakota Constitutions, laws, rules, and/or regulations. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or any other rights under said Constitutions, laws, rules and/or regulations. Licensee is entering into this Stipulation voluntarily and without Duress or compulsion. Licensee also agrees that the Board's 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 Licensee.

4. The complaint against Licensee is dismissed concerning this matter, contingent upon the Board issuing to Licensee a public letter of reprimand for Licensee's action in the H.C.-F./M.F. case.

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

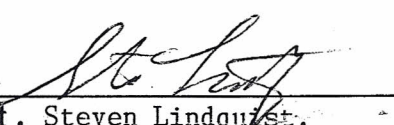
Dated this 26th day of May, 2004.


Joseph Tolson

The South Dakota Board of Social Work Examiners meeting on the 15 day of JUNE, 2004 (approved) (rejected) the attached Stipulation (as written) (with the following modifications):

and issued its order of probation 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 15 Day of JUNE, 2004, by vote of Three to zero.


Acting President, Steven Lindquist,
CSW-PIP