

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION
BOARD OF CLINICAL SOCIAL WORK
MARRIAGE AND FAMILY THERAPY
AND MENTAL HEALTH COUNSELING

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

vs.

CASE NO. 90-4169

JANET GREESON-JOWERS,

Respondent.

ADMINISTRATIVE COMPLAINT

COMES NOW, the Petitioner, Department of Professional Regulation, hereinafter referred to as "Petitioner", and files this Administrative Complaint before the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling against JANET GREESON-JOWERS, hereinafter referred to as "Respondent", and alleges:

1. Petitioner, Department of Professional Regulation, is the State agency charged with regulating the practice of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling pursuant to Section 20.30, Florida Statutes, Chapter 455, Florida Statutes, and Chapter 491, Florida Statutes.

2. Respondent is and has been, at all times material hereto, a licensed mental health counselor, license number MH 0000979, whose address of record is 401 N. Mills Avenue, Suite A, Orlando, Florida 32803.

3. On or about March 21, 1987, Patient #1 was admitted into Orlando General Hospital to undergo treatment for an eating

disorder with the Respondent's New Life Center.

4. At the hospital, Patient #1 was given a physical examination with lab work, and it was discovered that Patient #1 tested positive for AIDS.

5. The Respondent was informed of Patient #1's condition by a doctor at the hospital.

6. Patient #1 subsequently left the program and went to New York.

7. In 1988, Patient #1 returned to Florida to work for the Respondent in a program called Freedom Walk, which was a halfway house program for patient/addicts who needed continued care.

8. Part of Patient #1's duties was to collect an \$800.00 deposit from clients before they were allowed to stay at the homes. Those clients who had insurance coverage were to be reimbursed the deposit money once the insurance proceeds were received. Patient #1 maintains that few, if any, people were reimbursed by the Respondent.

9. Patient #1 was allowed to live in one of the homes during her employ with Respondent.

10. At one point, Patient #1 roomed with Patient #2, another patient of the Respondent.

11. Patient #2 subsequently told Patient #1 that the Respondent made him aware of Patient #1's medical condition.

12. Patient #2 also stated that the Respondent released information concerning Patient #1's medical condition to other individuals because it soon became common knowledge that Patient #1 had AIDS.

COUNT I

13. Petitioner realleges and incorporates by reference the allegations contained in the foregoing paragraphs.

14. Based upon the foregoing allegations, the Respondent is guilty of violating Section 491.009(v), Florida Statutes (1989), by failing to maintain in confidence a communication made by a patient or client in the context of professional activities.

COUNT II

15. The Petitioner realleges and incorporates by reference the allegations contained in the foregoing paragraphs.

16. Based upon the foregoing allegations, the Respondent is in violation of Section 491.009(s), Florida Statutes (1989), by failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance.

WHEREFORE, Petitioner respectfully requests the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling to enter an Order imposing one or more of the following penalties: revocation or suspension of the Respondent's license, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, restriction of Respondent's practice, and/or any other relief that the Board deems appropriate.

SIGNED this _____ day of _____, 1990.

Larry Gonzalez
Secretary

BY: Charles F. Tunnicliff
Chief Attorney

COUNSEL FOR DEPARTMENT:

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LPG/CWH/ssw
8/8/90
ac/stip/jowers/csw

PCP: ___/___/90



DEPARTMENT OF PROFESSIONAL REGULATION

Bob Martinez
Governor

Larry Gonzalez
Secretary

November 13, 1990

Janet R. Greeson-Jowers
625 Hillcrest
Orlando, FL 32803

RE: Case No. 90-004169

Dear Ms. Greeson-Jowers:

This letter is sent to inform you of the action taken in regard to the above-referenced complaint which was filed against you. This complaint concerned allegations that you violated Sections 491.009(2)(s) and (v), Florida Statutes, by failing to meet minimum standards of performance in professional activities and failing to maintain confidential information.

The case was reviewed by the legal staff of the Department and then presented to the Panel with the Department's recommendation. After reviewing this material and considering the recommendation of the Department, the Panel determined that probable cause exists to believe that you have violated the provisions governing the practice of mental health counseling. In light of the circumstances presented, however, the Panel determined that this case should be dismissed without further administrative action.

The Panel noted that you should have informed the patient and obtained a written waiver before revealing confidential information.

Accordingly, the Panel determined that you had violated the provisions governing the practice of mental health counseling. I would encourage you to familiarize yourself with the statutes and rules governing the practice of mental health counseling and to abide by these provisions in the future.

If you have any questions or comments regarding this matter, please feel free to contact me.

Sincerely

A handwritten signature in black ink, appearing to read "Laura P. Gaffney".

Laura P. Gaffney
Senior Attorney

LPG/pr