

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH, BOARD OF
CLINICAL SOCIAL WORK, MARRIAGE
AND FAMILY THERAPY AND MENTAL
HEALTH COUNSELING,

Petitioner,

vs.

CASE NO. 2001-08747

MARY A. WILLIAMS-JARVIS, LMHC,

Respondent.

ADMINISTRATIVE COMPLAINT

Petitioner, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, through counsel, files this Administrative Complaint before the Board of Clinical Social Work, Marriage and Family and Mental Health Counseling, against the Respondent, MARY A. WILLIAMS-JARVIS, LMHC, and states:

1. Petitioner is the state agency charged with regulating the practice of mental health counseling, pursuant to Section 20.43, Florida Statutes; Chapter 456 (formerly Chapter 455, Part II; see Chapter 2000-160, Laws of Florida), Florida Statutes; and Chapter 491, Florida Statutes. Pursuant to the authority of Section 20.43(3)(g), Florida Statutes, the Petitioner has contracted with the Agency for Health Care Administration, hereinafter referred to as the "Agency," to provide consumer complaint, investigative, and prosecutorial services required by the Division of Medical Quality Assurance, councils or board, as appropriate, including the issuance of emergency orders of suspension or restriction.

2. Respondent has been at all times pertinent, a mental health counselor, licensed by the State of Florida, having been issued license number MH 1402.

3. Respondent's last known address is 205 West Lupita Road, Santa Fe, New Mexico 87505.

4. On or about June 23, 2000, the Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling sent, via certified mail delivery, a letter to the Respondent informing Respondent that she had been randomly selected for in the Board's continuing education pre-audit.

5. The certified letter was mailed to the Respondent's address of record with the Board office, to wit: 12309 Cloverstone Drive, Tampa, Florida 33624.

6. The letter advised the Respondent to submit copies of the continuing education credits earned during the biennium beginning February 1, 1999 and ending on January 31, 2001. The letter stated that the Respondent was required to submit proof of completion of the required continuing education courses to the Board office by March 1, 2001.

7. The certified return receipt was not returned to the Board office.

8. The Respondent failed to provide proof of continuing education hours to comply with audit by the March 1, 2001 deadline.

9. During this investigation, the Respondent submitted copies of continuing education credits.

10. Rule 64B4-6.001(2)(a), Florida Administrative Code, requires that a licensee obtain thirty (30) hours of approved continuing education credit including one (1) hour on domestic violence during the two-year period ending on the last day of the biennial renewal period.

11. The Respondent submitted proof of attendance for courses entitled: The Addicted Brain- The New Brain Science of Addiction; Memory; Domestic Violence: A Critical Look at Current Practices; and 22nd Annual Training Seminar on Addictions.

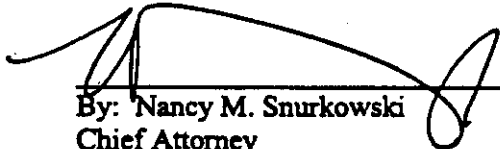
12. These courses were taken during the biennium; however, only twenty-one (21) hours of continuing education credit were obtained from courses offered by Board approved providers.

13. By this conduct, Respondent's license is subject to discipline pursuant to Section 491.009(2)(q), Florida Statutes [re-numbered as Section 491.009(1)(t), Florida Statutes (2001)], for violating provisions of this chapter, or of chapter 456 or any rule promulgated thereto, by violating Rule 64B4-6.001(2)(a), Florida Administrative Code, by failing to complete the continuing education requirement required for license renewal.

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; restriction of Respondent's practice; imposition of an administrative fine; assessment of the costs related to the investigation and prosecution of the matter; issuance of a reprimand; placement of the Respondent's license on probation for a period of time and subject to terms and/or conditions; and/or any other relief which the Board deems appropriate.

SIGNED this 19th day of February, 2002.

John O. Agwunobi, M.D., M.B.A.
Secretary, Department of Health



By: Nancy M. Snurkowski
Chief Attorney
On Behalf of the Agency for
Health Care Administration

COUNSEL FOR AGENCY:

Deborah B. Loucks *del*
Senior Attorney
Florida Bar No. 0169889
Agency for Health Care Administration
General Counsel's Office - MQA
Practitioner Regulation - Legal
P.O. Box 14229
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PCP: Shyers & Zachary
on 1/24/02

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK *Vicki R. Kenon*
DATE 2/22/02

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STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

Petitioner,

vs.

CASE NO.: MH 2001-08747

MARY A. WILLIAMS-JARVIS,

Respondent,

STIPULATION

Pursuant to Section 120.57(4), Florida Statutes, the above named parties hereby offer this Stipulation to the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling as disposition of the Administrative Complaint, attached hereto as Exhibit "A", in lieu of any other administrative proceedings. The terms herein become effective only if and when a Final Order accepting this Stipulation is issued by the Department and filed. In considering this Stipulation, the Board may review all investigative materials regarding this case. If this Stipulation is rejected, it, and its presentation to the Board, shall not be used against either party.

STIPULATED FACTS

1. For all times pertinent hereto, Respondent was a licensed Mental Health Counselor in the State of Florida, having been issued license number MH 0001402. Respondent's last known address is 205 West Lupita Road, Santa Fe, New Mexico 87505.

2. The Respondent was charged in an Administrative Complaint filed by the Department and properly served upon Respondent with violations of Chapter 456 and 491, Florida Statutes. A true and correct copy of the Administrative Complaint is attached hereto and incorporated by reference as Exhibit A.

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3. Respondent admits the factual allegations contained in the Administrative Complaint for purposes of settling these proceedings only.

STIPULATED LAW

1. Respondent admits that Respondent is subject to the provisions of Chapters 456 and 491, Florida Statutes, and the jurisdiction of the Board, Department, and the Agency.

2. Respondent admits that the stipulated facts, if proven true, constitute violations of law as alleged in the Administrative Complaint.

3. Respondent admits that the stipulated disposition in this case is fair, appropriate, and acceptable to Respondent.

PROPOSED DISPOSITION

1. The license of the Respondent shall be reprimanded by the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling.

2. The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling shall impose an administrative fine of One Thousand (\$1000) dollars against the license of the Respondent, to be paid by the Respondent to the Department of Health, HMQAMS/Client Services, Post Office Box 6320, Tallahassee, Florida 32314-6320, Attention: Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Compliance Officer, within thirty (30) days of entry of the Final Order accepting this stipulation.

3. The Respondent shall reimburse the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling in an amount up to Three Hundred (\$300) dollars for the cost of investigation of this case within thirty (30) days from the entry of the Final Order in this cause. The cost shall be paid to the Compliance Officer at address listed in paragraph two.

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4. Respondent shall be subject to audit of the continuing education hours earned during the biennium of July 1, 2001 to June 30, 2003.

5. Respondent shall pay all costs necessary to comply with the terms of the Final Order issued to resolve this cause.

6. Respondent shall not in the future violate Chapter 456 and 491, Florida Statutes, the rules promulgated pursuant thereto, or any other state or federal law, rule, or regulation relating to the practice or the ability to practice Clinical Social Work.

7. It is expressly understood that a violation of the terms of this Stipulation shall be considered a violation of a Final Order of the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, for which disciplinary action may be initiated pursuant to Chapter 456 or 491, Florida Statutes.

8. It is expressly understood that this Stipulation is subject to approval of the Board and has no force or effect until a Final Order is entered by the Board approving this Stipulation.

9. This Stipulation is executed by the Respondent for the purpose of avoiding further administrative action by the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling regarding the acts or omissions specifically set forth in the Administrative Complaint, attached as Exhibit A. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of the Stipulation. Respondent agrees to support this stipulation at the time it is presented to the Board and shall offer no evidence, testimony or argument that disputes or contravenes any stipulated fact or conclusion of law. Furthermore, should this Stipulation not be accepted by the Board, it is agreed that the presentation and consideration of this Stipulation and

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other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

10. The Respondent and the Department fully understand that this Stipulation and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Department against the Respondent for acts or omissions which are not the subject of the Administrative Complaint, attached as Exhibit A. This Stipulation relates solely to the current disciplinary proceedings arising from the aforementioned complaint and does not preclude further action by other divisions, departments, and/or sections of the Department, including but not limited to the Agency's Medicaid Program Integrity Office.

11. The Respondent waives the right to seek attorney's fees and/or costs from the Board, Department of Health or Agency for Health Care Administration in connection with this disciplinary proceeding.

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WHEREFORE, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.

SIGNED this 21st day of MARCH, 2002.

Mary Ann Williams-Jarvis
Mary A. Williams-Jarvis
CASE NO. MM 2001-08747

Before me, personally appeared Mary Ann Williams
whose identity is known to me by NM DL # 13457075
(type of identification) and who, under oath, acknowledges
that his/her signature appears above.

Sworn to and subscribed by Respondent before me this 21st day of MARCH, 2002.

Karen E Garcia
Notary Public
My Commission Expires: 4/29/02



OFFICIAL SEAL
KAREN E GARCIA
NOTARY PUBLIC STATE OF NEW MEXICO
My Comm. Expires 4/29/02

APPROVED this 17th day of April, 2002.

John O. Agwunobi, M.D., MBA
Secretary, Department of Health

[Signature]

By: Nancy M. Snurkowski
Chief Attorney
Practitioner Regulation
Agency for Health Care Administration

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Deborah Loucks, Senior Attorney *dbl*
Agency for Health Care Administration
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P.O. Box 14229
Tallahassee, Florida 32317-4229
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Final Order No. DOH-02-1319-S-MOA
FILED DATE - 8/28/02
Department of Health
By: Virki R. Kemp
Deputy Agency Clerk

**STATE OF FLORIDA
BOARD OF CLINICAL SOCIAL WORK, MARRIAGE AND
FAMILY THERAPY AND MENTAL HEALTH COUNSELING**

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2001-08747

MARY A. WILLIAMS-JARVIS,

Respondent.

_____ /

FINAL ORDER

This matter came before the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling (hereinafter the "Board") at a duly noticed public meeting held on July 30, 2002, in Tallahassee, Florida. Respondent, MARY A. WILLIAMS-JARVIS, holds Florida license number MH 1402 as a Mental Health Counselor. Petitioner filed an Administrative Complaint seeking disciplinary action against the license of MARY A. WILLIAMS-JARVIS; a copy of that complaint is attached to and made a part of this Final Order.

Petitioner and Respondent have stipulated to a disposition in this case. The Board concurs that this Stipulation is an appropriate settlement of the case and that the Respondent shall comply with all terms of the Stipulation which is attached to and made a part of this Final Order which include costs in the amount of \$290.48.

It is therefore ORDERED that the Stipulation is adopted, and Respondent shall be governed accordingly.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 27th day of August, 2002.

BOARD OF CLINICAL SOCIAL WORK,
MARRIAGE AND FAMILY THERAPY AND
MENTAL HEALTH COUNSELING



Susan Foster
Executive Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by certified mail to: Respondent's attorney, MARY A. WILLIAMS-JARVIS, 1810 Calle De Sebastian, Unit G-1, Santa Fe, New Mexico 87505; Deborah Loucks, Senior Attorney, Agency for Health Care Administration, P.O. Box 14229, Tallahassee, Florida 32317-4229; Lisa Pease, Senior Attorney, Agency for Health Care Administration, P.O. Box 14229, Tallahassee, Florida 32317-4229; and Edward A. Tellechea, Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, on this 28th day of August, 2002.

