

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**Petitioner,**

**v.**

**CASE NO. 2002-12812**

**STEPHANIE DENAPOLI-SENCIL,**

**Respondent.**

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**ADMINISTRATIVE COMPLAINT**

COMES NOW the Petitioner, Department of Health (Petitioner), by and through its undersigned counsel, and files this Administrative Complaint before the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling (Board) against Stephanie Denapoli-Sencil, LCSW, (Respondent) and alleges:

1. Petitioner is the state agency charged with regulating the practice of mental health counseling pursuant to section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 491 Florida Statutes.
2. Respondent was licensed as a registered clinical social worker from on or around December 21, 1998, through on or around January 31, 2002. Respondent's registered license number was 921.
3. Respondent was licensed as a provisional social worker from January 31, 2002 through June 13, 2002. Respondent's provisional license number was PSW 541.

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4. Respondent is currently licensed as a clinical social worker, having been issued license number 6787 on June 13, 2002.

5. Respondent's address of record is 1705 NW 113 Drive, Gainesville, Florida 32606.

6. Respondent was employed at Children's Home Society from on or around September 31, 2000, until February 27, 2002.

7. While employed at Children's Home Society, the Respondent signed documents as a licensed clinical social worker.

8. Respondent completed Eligibility Certifications for On-site Intensive Therapy and signed the documents as a licensed clinical social worker.

9. Respondent signed letters dated November 20, 2000, May 29, 2001 and June 1, 2001 which were addressed to a court and advised the court of the case status of children she counseled.

10. Respondent signed each letter as "LCSW Child Therapist."

11. Respondent appeared in court on at least one occasion and presented herself as a licensed clinical social worker.

12. Section 456.072(1)(o), Florida Statutes, (2000), prohibits a licensee from acting outside the scope of licensure and provides:

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**456.072 Grounds for discipline; penalties; enforcement.--**

- (1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:
- (o) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform.

13. Section 491.009 (2)(q), Florida Statutes (2000), sets forth grounds for disciplinary action by the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling and provides:

(2) The following acts of a licensee, provisional licensee, registered intern, certificateholder, or applicant are grounds for which the disciplinary actions listed in subsection (1) may be taken:

(q) Violating provisions of this chapter, or of chapter 456, or any rules adopted pursuant thereto.

14. Signing documents as a licensed clinical social worker when one is not licensed as a clinical social worker, constitutes practicing outside the scope of licensure permitted by law.

15. Completing eligibility certifications and signing the documents as a licensed clinical social worker, when one is not licensed as a clinical social worker constitute acting beyond the scope of licensure permitted by law.

16. Signing letters addressed to a court as a licensed clinical social worker when one is not licensed as a clinical social worker, constitutes practicing beyond the scope of licensure permitted by law.

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17. Appearing in court and representing oneself as a licensed clinical social worker when one is not licensed as a clinical social worker, constitutes practicing beyond the scope of licensure permitted by law.

18. Based on the foregoing, Respondent violated section 491.009(2)(g), Florida Statutes (2000), by violating section 456.072(1)(o), Florida Statutes (2000).

### **COSTS**

19. Petitioner has incurred costs related to the investigation and prosecution of this matter.

20. Pursuant to Section 456.072(4), Florida Statutes (2000), the Board may assess costs related to the investigation and prosecution of a disciplinary matter on a respondent in addition to any other discipline imposed.

Wherefore, Petitioner respectfully requests the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling to enter an order assessing administrative costs related to the investigation and prosecution of this case as provided for in Section 456.072(4), Florida Statutes (2000), in addition to or as well as imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action and/or any other relief that the Board deems appropriate.

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SIGNED this 2nd day of December, 2002.

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

By:

*Kathryn E. Price*

Kathryn E. Price  
Assistant General Counsel  
Florida Bar Number 850860  
DOH Prosecution Services Unit  
4052 Bald Cypress Way, Bin # C-65  
Tallahassee, Florida 32399-3265  
Phone: (850) 414-8126  
Fax: (850) 488-1855

**FILED**  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK *Vicki R. Kenon*  
DATE 12/2/02

Reviewed and approved by *DKK 12/2/02*  
PCP Date: November 21, 2002  
PCP Members: Shyers, Zachary, Francis  
DOH v. Stephanie Denapoli-Sencil, Case Number 2002-12812

#### NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

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

DEPARTMENT OF HEALTH,

Petitioner,

vs.

CASE NO.: SW 2002-12812

STEPHANIE DENAPOLI-SENCIL,

Respondent.

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**SETTLEMENT 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 (hereinafter "Board") as disposition of the Administrative Complaint, attached hereto as Exhibit "A" and incorporated herein by reference, 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 Board 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 herein, Respondent was a provisional clinical social worker in the State of Florida, having been issued license number PSW 541 from January 31, 2002 through June 13, 2002.

2. Respondent is currently licensed as a clinical social worker, having been issued license number SW 6787 on June 13, 2002. Respondent's address of record is 1705 Northwest 113th Drive, Gainesville, Florida 32606-1417.

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

4. Respondent admits the factual allegations contained in the Administrative Complaint for the purposes of settlement in these administrative proceedings only.

#### **STIPULATED LAW**

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

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

3. Respondent admits that the Stipulation is a fair, appropriate, and reasonable resolution to this pending matter.

#### **PROPOSED DISPOSITION**

1. **APPEARANCE:** The Respondent shall be present when this Stipulation is presented by the Department to the Board and under oath shall answer questions by the Board concerning this case and the disposition thereof.

2. **REPRIMAND:** The Board shall reprimand the license of the Respondent.

3. **FINE:** The Board shall impose an administrative fine of Five Hundred (\$500) Dollars against the license of the Respondent.

4. **COSTS:** Respondent shall also pay the costs associated with the investigation and prosecution of this matter in the amount of One Thousand One Hundred (\$1,100) Dollars.

**The fine and costs are to be paid by the Respondent to the Department of Health, Attn: Board of Clinical Social Work, Compliance Officer, HMQAMS/Client Services, P.O. Box 6320, Tallahassee, FL 32314-6320, within (30) thirty-days of the filing of the Final Order accepting and incorporating this Stipulation.**

5. **PROBATION:** The license of Respondent shall be placed on probation for a period of one (1) year. During this period of probation, the Respondent shall be subject to the following terms and conditions:

5(a). Probationer shall comply with all state statutes and rules pertaining to the practice of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling in Chapters 456, Part II, and 491, Florida Statutes, and Rule 64B4, Florida Administrative Code.

5(b). Probationer shall appear before the Board at the first meeting after said probation commences, at the last meeting of the Board preceding termination of probation, and at such other times as requested by the Board.

5(c). In the event Probationer leaves the State of Florida for a period of thirty days or more, or otherwise does not engage in practice in Florida, Probationer's probation shall be tolled and shall remain in a tolled status until Probationer returns to active practice in the State of Florida, at which time the probationary status shall resume. Probationer must keep current residence and business addresses on file with the Board. Probationer shall notify the Board within ten (10) days of any changes of said addresses.

5(d). Probationer shall submit quarterly reports to the Board. The reports shall include:

5(d)1. Brief statement of why Probationer is on probation.

5(d)2. Practice location.

5(d)3. Description of current practice stating type and composition.

5(d)4. Brief statement of compliance with probationary terms.

5(d)5. Description of any problems.

6. Respondent shall not in the future violate Chapters 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 to the ability to practice clinical social work.

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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, for which disciplinary action may be initiated pursuant to Chapters 456 and 491, Florida Statutes.

8. It is expressly understood that this Stipulation is subject to approval of the Board and Department of Health and has no force or effect until the Board bases an Order upon it.

9. The Respondent, for the purpose of avoiding further administrative action with respect to this particular case, executes this Stipulation. 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 this 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 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 of Health fully understand that this Stipulation and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board and/or Department of Health against the Respondent for acts or omissions not specifically set forth in the Administrative Complaint, attached hereto as Exhibit "A", issued in this cause.

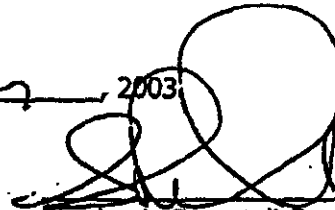
12. The Respondent waives the right to seek attorneys' fees and/or costs from the Department of Health in connection with this disciplinary proceeding.

13. Upon the Board's adoption of this Stipulation, Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this Stipulation and the Final Order of the Board incorporating said Stipulation.

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

SIGNED this 4<sup>th</sup> day of February, 2003

  
Stephanie Denapoli-Sencil  
Case #: SW 2002-12812

STATE OF FLORIDA  
COUNTY OF Marion

Before me personally appeared Stephanie D. Sencil, whose identity is known to me by  personal knowledge or by presentation of \_\_\_\_\_ as identification (type of identification), and who acknowledges that his or her signature appears above.

Sworn to or affirmed before me this 4<sup>th</sup> day of February, 2003.

  
\_\_\_\_\_  
Notary Public

3/02/06  
My Commission Expires



MARGARET C. SHEEHAN  
MY COMMISSION # DD 005241  
EXPIRES: March 2, 2006  
Renewed Through Budget History Services

APPROVED this 21<sup>st</sup> day of February, 2003.

John O. Agwunobi, MD, MBA  
Secretary, Department Of Health

By: W.S. Benton  
Wings S. Benton  
Deputy General Counsel  
Department of Health

Counsel for Petitioner:  
Kathryn E. Price  
Assistant General Counsel  
Prosecution Services Unit  
Department of Health  
4052 Bald Cypress Way, Bin C-65  
Tallahassee, FL 32399-3265  
FBN: 850860  
(850) 414-8126

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Final Order No. DOH-03-0445-5-MOA  
FILED DATE - 5/6/03  
Department of Health

By: Vicki R. Kenon  
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.: 2002-12812**

**STEPHANIE DENAPOLI-SENCIL,**

**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 April 25, 2003, in Jacksonville, Florida. Respondent, STEPHANIE DENAPOLI-SENCIL, holds Florida license number PSW 541 as a Provisional Clinical Social Worker. Petitioner filed an Administrative Complaint seeking disciplinary action against the license of STEPHANIE DENAPOLI-SENCIL; a copy of that complaint is attached to and made a part of this Final Order.

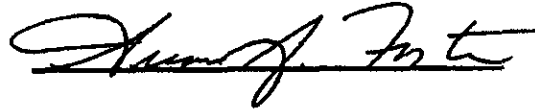
Petitioner and Respondent have stipulated to a disposition in this case. The Board concurs that this Stipulation is an appropriate settlement of the case and that the Respondent shall comply with all terms of the Stipulation which is attached to and made a part of this Final Order.

It is therefore ORDERED that the Stipulation is adopted with the clarification that the costs in this matter shall reflect that actual costs in this case in the amount of \$979.39, 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 5<sup>th</sup> day of May, 2003.

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



**Susan J. Foster  
Executive Director**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. mail to: STEPHANIE DENAPOLI-SENCIL, 1705 NW 113<sup>th</sup> Dr., Gainesville, Florida 32606-1417; to Thomas Brooks, Esquire, P.O. Box 1547, Tallahassee, Florida 323021547; and by interoffice mail to Kathryn E. Price, Senior Attorney, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265; and Edward A. Tellechea, Senior Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, on this 6<sup>th</sup> day of May, 2003.

