

**BEFORE THE STATE OF NEW MEXICO  
BOARD OF SOCIAL WORK EXAMINERS**

**IN THE MATTER OF:**

**CAROL A. LEUENHAGEN  
APPLICANT**

**Respondent.**

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**CASE NO. SW APP 09-01-11**

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**DECISION AND ORDER**

**THIS MATTER** came before a quorum of the Board of Social Work Examiners ("Board") during their regularly scheduled meeting on July 16, 2010 for a decision in the above referenced case.

**FINDINGS OF FACT**

The Board, having familiarized themselves with the record of the proceedings, including the Hearing Officer's Report, hereby makes the following findings of fact:

The Hearing Officer's Recommended Findings of Fact, numbered 1-10, are adopted in their entirety by unanimous vote. A copy of the Hearing Officer's Report is attached hereto.

**CONCLUSIONS OF LAW**

Based on the findings of fact, the Hearing Officer's Recommended Conclusions of Law, numbered 1-3, are adopted in their entirety by unanimous vote.

As such, the Board finds that Respondent's New Mexico application may be denied on the grounds that she has had a license to practice social work revoked, suspended or denied in the State of Iowa.

**ORDER**

Based on the Findings of Fact and Conclusions of Law, the Board unanimously votes in the affirmative and renders this Decision and Order:

**IT IS ORDERED** that Respondent's application to practice as a social worker in the State of New Mexico is hereby denied.

FOR THE NEW MEXICO  
BOARD OF SOCIAL WORK EXAMINERS

DATE: 7/29/10

Mabel Marquez  
Board Member

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**HEARING OFFICER'S REPORT**

COMES NOW the New Mexico Board of Social Work Examiners' duly appointed Hearing Officer, LeeAnn Werbelow, who convened a hearing in this matter on June 11, 2010 in Santa Fe, New Mexico and hereby timely submits this Hearing Officer's Report.

Gloria I. Lucero, Assistant Attorney General represented the Board of Social Work Examiners ("Board"). Respondent, Carol Leuenhagen appeared in person *pro se*.

The following exhibits were admitted through stipulation:

- 1) Exhibit 1 - Copy of Respondent's application for a New Mexico Social Worker License
- 2) Exhibit 2 - Certified copy of the State of Iowa Board of Social Work Statement of Charges in Case No. 06-015;
- 3) Exhibit 3 - Certified copy of the State of Iowa Board of Social Work Settlement Agreement and Final Order in Case No. 06-015;
- 4) Exhibit 4 - Proof of Certified Mail Service Receipts

The Board in its case in chief presented testimony from Board Administrator, Vadra Baca and the Respondent. The Respondent in her case in chief testified on her own behalf.

## FINDINGS OF FACT

Based upon either stipulation by the parties or facts entered through testimony at hearing, the Hearing Officer hereby submits the following findings of fact:

1. On January 21, 2009, Respondent submitted an application for a New Mexico Social Worker License.
2. In paragraph 5 of the Application, Respondent affirmatively marked "No" to the question, "Has any disciplinary action ever been taken regarding your practice of Social work or any license you hold or have held to practice Social Work? Disciplinary actions include, but are not limited to, suspension, probation, practice limitations, reprimand, letter of admonition, censure, and any allegations currently pending."
3. On September 24, 2009, the Board of Social Work for the State of Iowa via certified mail served Respondent with a Statement of Charges and Notice of Hearing under case number 06-015, under the name Carol Schenoist.
4. Respondent testified that her previous last name was Schenoist.
5. On January 22, 2009 entered into a Settlement Agreement with the Board of Social Work for the State of Iowa under case number 06-015 whereby Respondent voluntarily surrendered her license to practice social work.
6. Respondent testified that she did not fully read the application, thus inadvertently answered question number 5 of the application incorrectly.
7. Respondent testified that when she submitted the New Mexico application, that she had not received anything from the Iowa Board for many months.

8. Respondent admitted that prior to submitting the application, she was aware of the pending administrative action against her license to practice social work in the State of Iowa.
9. Respondent further testified that she was under the impression that the Iowa Board had not yet taken formal disciplinary action against her.
10. Respondent did not notify the Board of the fact that he subsequently entered in to a settlement agreement to surrender her Iowa license.

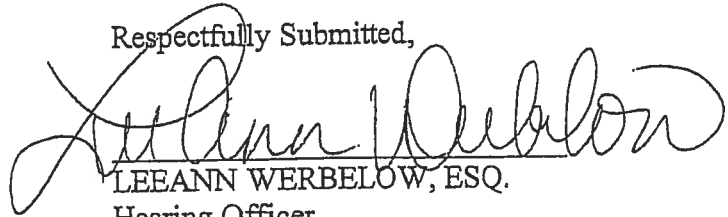
### CONCLUSIONS OF LAW

Based on the findings of fact, the Hearing Officer hereby reaches the following conclusions of law:

1. Respondent is subject to the jurisdiction of the Board pursuant to the Uniform Licensing Act, NMSA 1978, Sections 61-1-1 to -33; the Social Work Practice Act, NMSA 1978, Sections 61-31-1 to -25; and the New Mexico Board of Social Work Examiners Rules and Regulations, Title 16, Chapter 63, NMAC.
2. Section 61-31-17(A)(9) of the Social Work Practice Act provides in relevant part that in accordance with procedures contained in the Uniform Licensing Act [NMSA 1978, §§ 61-1-1 to 31], the Board may deny, revoke or suspend any license held or applied for under the Social Work Practice Act upon grounds that the licensee or applicant "has had a license to practice social work revoked, suspended or denied in any jurisdiction, territory or possession of the United States or another country for acts of the licensee similar to acts described in this subsection. A certified copy of the record of the jurisdiction, territory or possession of the United States or another country making such revocation, suspension or denial shall be conclusive evidence thereof."

3. The certified copy of the State of Iowa Board of Social Work Settlement Agreement and Final Order in Case No. 06-015 is conclusive evidence that License No. 30405488, which authorized Respondent to practice as a social worker in the State of Iowa was surrendered.

Respectfully Submitted,



LEEANN WERBELOW, ESQ.  
Hearing Officer